

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, May 3, 2022

WARD: 1

**TITLE: CHANG SOO HAN AND YOON JOO HAN
ZONING BY-LAW AMENDMENT FILE Z.19.016
3400 TESTON ROAD
VICINITY OF TESTON ROAD AND HIGHWAY 400**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on an application to amend the Zoning By-law for the subject lands shown on Attachment 1, to permit a Business and Professional Office Use within an existing two-storey single detached dwelling (the 'Development'), as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes to amend the zoning permissions for a portion of the subject lands to permit a Business and Professional Office Use within the existing two-storey detached dwelling unit
- A future Site Plan Application is required to permit exterior site alterations on the subject lands
- This report identifies preliminary issues to be considered in a comprehensive technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.19.016 (Chang Soo Han and Yoon Joo Han) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: The subject lands (the 'Subject Lands') are municipally known as 3400 Teston Road and located on the northwest corner of Teston Road and Highway 400. The Subject Lands are 3.18 ha in size. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: June 3, 2016, extended to May 19, 2019

Date application was deemed complete: February 25, 2022

A Zoning By-law Amendment Application has been submitted to permit the proposed Development

Chang Soo Han and Yoon Joo Han (the 'Owner') has submitted Zoning By-law Amendment File Z.19.016 (the 'Application') to permit the Development, as shown on Attachments 2 to 4.

An amendment to Zoning By-law 1-88 is required for the portion of the Subject Lands zoned "RR Rural Residential Zone" as shown on Attachment 1, to permit a Business and Professional Office Use within an existing two-storey dwelling, as shown on Attachment 2. A site-specific zoning exception is also required to permit an associated waste storage enclosure located in the "OS2 Open Space Park Zone", as shown on Attachments 2 and 3.

The Owner shall also be required to amend Zoning By-law 001-2021 for the portion of the Subject Lands zoned "RE Estate Residential Zone" as shown on Attachment 1, to permit Office Uses within an existing two-storey dwelling, as shown on Attachment 2. A site-specific zoning exception is also required to permit an associated waste storage enclosure in the "OS1 Public Open Space Zone", as shown on Attachments 2 and 3.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

a) Date the Notice of Public Meeting was circulated: April 8, 2022.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along Teston Road in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: To all property owners within 150 m of the Subject Lands as shown on Attachment 1, to the MacKenzie Ridge and Vellore Woods Ratepayers Associations, and to anyone on file with the Office of the City Clerk having requested notice.

c) No comments have been received as of April 12, 2022, by the Development Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and

addressed by the Development Planning Department in a future comprehensive technical report to the Committee of the Whole.

Previous Reports/Authority

Not applicable.

Analysis and Options

The proposed Business and Professional Office Use conforms to Vaughan Official Plan 2010

Official Plan Designation:

- The southeast corner of the Subject Lands as shown on Attachment 2, is identified within an “Employment Area” and the remainder of the Subject Lands are identified as “Natural Areas and Countryside” and “Greenbelt Plan Area” on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’)
- “Natural Areas” and “Lands Subject to Secondary Plans” on Schedule 13 – Land Use by VOP 2010
- The southeast corner of the Subject Lands is designated “Potential Valley and Stream Corridor” and the remainder “Greenbelt Natural System Area” by VOP 2010, Volume 2, Section 11.4 – Highway 400 North Employment Lands Secondary Plan, Schedule C
- The Subject Lands are subject to the Area Specific Policies of VOP 2010, Volume 2, Section 13.25 – 3400 Teston Road
- Site-Specific Policy 13.25 specifies the requirements for the “Potential Valley and Stream Corridor” designation on the Subject Lands in the Highway 400 North Employment Lands Secondary Plan, which includes the submission of an Environmental Impact Study (‘EIS’) to determine the developable area of the Subject Lands within this designation
- The proposed Business and Professional Office Use is permitted by Area Specific Policy Section 13.25 of VOP 2010, and the Owner has submitted an EIS as required by the Area Specific Policy

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of the passing was circulated on October 25, 2021, in accordance with the *Planning Act*. The last date for filing an appeal to the Ontario Land Tribunal (‘OLT’) in respect of By-law 001-2021 was November 15, 2021. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as By-law 001-2021 is in force, the Owner will be required to demonstrate conformity with both By-law 001-2021 and Zoning By-law 1-88, as amended.

The application was received by the City on August 22, 2019 and deemed complete on February 25, 2022. As such, given Council’s direction on October 20, 2021, the Application is subject to a dual zoning review under Zoning By-law 1-88 and Zoning By-law 001-2021.

Amendments to Zoning By-laws 1-88 and 001-2021 are required to permit the Development

Zoning By-law 1-88:

- “RR Rural Residential Zone”, “OS2 Open Space Park Zone”, “OS1 Open Space Conservation Zone”, and “A Agricultural Zone” by Zoning By-law 1-88, as shown on Attachment 1
- The extent of the Application is limited to the “RR Rural Residential Zone” and the “OS2 Open Space Park Zone” located at the south end of the Subject Lands
- The Business and Professional Office Use proposed within the existing two-storey dwelling is not permitted
- The Owner proposes to amend the “RR Rural Residential Zone” to permit the proposed Business and Professional Office Use within the existing two-storey dwelling in the manner shown on Attachment 2, together with the following site-specific zoning exception:
 - a) To permit the waste storage enclosure in the “OS2 Open Space Park Zone” in the manner shown on Attachment 2, whereas a waste storage enclosure is not permitted in the “OS2 Open Space Park Zone”

Zoning By-law 001-2021:

- “RE Estate Residential Zone”, “EP Environmental Protection Zone”, “OS1 Public Open Space Zone” and “FD Future Development Zone” by Zoning By-law 001-2021, as shown on Attachment 1
- A portion of the Subject Lands zoned “FD Future Development Zone” has been identified for a potential correction to an Environmental Protection/Open Space Zone, which is to be further determined
- The extent of the Application is limited to the “RE Estate Residential Zone” and the southerly portion of the “OS1 Public Open Space Zone”
- The proposed Office Use is not permitted in the RE Estate Residential Zone
- The Office Use as defined by Zoning By-law 001-2021 aligns with the Business and Professional Office Use requested under Zoning By-law 1-88
- The Owner proposes to amend the “RE Estate Residential Zone” to permit the proposed Office Uses within the existing two-storey dwelling, together with the following site-specific zoning exception:
 - a) To permit a waste storage enclosure in the “OS1 Public Open Space Zone” in the manner shown on Attachment 2, whereas a waste storage enclosure is not permitted in the “OS1 Public Open Space Zone”.

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a comprehensive technical report to a future Committee of the Whole meeting.

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Application will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan'), the Greenbelt Plan, 2017 ('the Greenbelt Plan'), and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010, Volume 2, Section 11.4 – Highway 400 North Employment Lands Secondary Plan and Site Specific Policy 13.25 – 3400 Teston Road ▪ Site-Specific Policy 13.25 – 3400 Teston Road requires an EIS to be submitted and reviewed to determine the developable area of the Subject Lands. The developable limits shall be reflected in the implementing zoning by-law, without further amendment to VOP 2010 ▪ The Toronto and Region Conservation Authority ('TRCA') has advised that the confirmation of the full extent of the natural system on the property and developable area is not required at this time, as the TRCA recognizes that the Application will not result in any changes to the limits of the zones of the property and no new buildings or structures are proposed
b.	Appropriateness of Amendments to Zoning By-laws 1-88 and 001-2021	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses and the policies of VOP 2010, specifically: Volume 2, Section 11.4 – Highway 400 North Employment Lands Secondary Plan and Site-Specific Policy permitted under Section 13.25 of VOP 2010
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Application available on the city's website at https://maps.v Vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
d.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Application must be reviewed by York Region, the Toronto and Region Conservation Authority, the Ministry of Transportation Ontario, and external public agencies and utilities

	MATTERS TO BE REVIEWED	COMMENT(S)
e.	Required Applications	<ul style="list-style-type: none"> ▪ The Owner is required to submit a Site Development Application to facilitate minor site alterations including the addition of a parking area in the front yard and two new parking spaces at the side of the existing building to service the proposed Business and Professional Office Use, the reconfiguration of the existing asphalt driveway, and landscape alterations

Financial Impact

There are no financial requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. York Region has advised that the Application is a matter of local significance and does not adversely affect regional planning policies or interests. York Region may provide comments on the future Site Development Application for the Development, should the Application be approved.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Michael Torres, Planner, Development Planning Department, ext. 8933.

Attachments

1. Context and Location Map
2. Conceptual Site Plan and Proposed Zoning
3. Landscape Plan
4. Building Elevations

Prepared by

Michael Torres, Planner, ext. 8933
 Letizia D’Addario, Senior Planner, ext. 8213
 Carmela Marrelli, Senior Manager of Development Planning, ext. 8791
 Nancy Tuckett, Director of Development Planning, ext. 8529

Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager