

Committee of the Whole (2) Report

DATE: Tuesday, May 10, 2022

WARD(S): ALL

**TITLE: GENERAL AND SITE-SPECIFIC AMENDMENTS TO
COMPREHENSIVE ZONING BY-LAW 001-2021
ZONING BY-LAW AMENDMENT FILE Z.21.052**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek Council approval of amendments to Comprehensive Zoning By-law 001-2021 (“**CZBL**”) as identified in Attachment 2 (site-specific amendments) and Attachment 3 (general amendments).

Report Highlights

- The CZBL was enacted by Council on October 20, 2021.
- Since the enactment of the CZBL, staff have identified errors and clarifications in the CZBL that are recommended for correction and amendment.
- The site-specific amendments to the CZBL, as shown on Attachment 2, relate to exceptions that were not carried forward from Zoning By-law 1-88, as amended, to the CZBL, or were carried forward but error(s) occurred in the CZBL version of the site-specific exceptions.
- The general amendments to the CZBL are shown on Attachment 3.
- Amendments are proposed to the “RT - Residential Townhouse Zone” to clarify permitted building types, and lot and building requirements by distinguishing “RT1” and “RT2” zones in Schedule A of the CZBL.
- Amendments are proposed to provide clarity respecting lands subject to a Minister’s Zoning Order (“**MZO**”), a Minister’s Order, or lands subject to stayed appeals by the Minister of Urban Affairs and Housing.

Report Highlights continued

- Reports detailing further recommended amendments to the CZBL will be brought forward on a regular basis to reflect recent approvals respecting zoning by-law amendment applications in process and to correct errors that may be identified in the future.

Recommendations

1. THAT the City initiated Zoning By-law Amendment (File Z.21.052) respecting general and site-specific amendments to Comprehensive Zoning By-law 001-2021 BE APPROVED in the manner set out in Attachments 2 and 3 to this report;
2. THAT Council authorize the Deputy City Manager, Planning and Growth Management to make any stylistic and technical changes to the amendments set out in Attachments 2 and 3, as may be required, before introducing the necessary by-law(s) for enactment; and
3. THAT all necessary by-law(s) be enacted.

Background

On October 20, 2021, Council enacted the CZBL which affects all properties within the City of Vaughan, with the exception of lands in the vicinity of Yonge Street and Steeles Avenue. The CZBL, when in force, will replace Zoning By-law 1-88, as amended, with the exception of matters subject to transition pursuant to the Section 1.6 of the CZBL and the Yonge-Steeles Corridor Secondary Plan Area.

The CZBL has been appealed to the Ontario Land Tribunal (“**OLT**”). The CZBL does not come into force until all appeals have been withdrawn or finally disposed of, or an order of the OLT is issued bringing into effect sections of the CZBL that have not been appealed or have been resolved.

Since the enactment of the CZBL, staff have identified errors in the CZBL that are recommended for correction and have identified other provisions that require clarification. This Report details recommended amendments to correct: (1) site-specific amendments as shown on Attachment 2; and (2) general amendments as shown on Attachment 3.

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

- a) Date Notice of Public Meeting was circulated: February 10, 2022.
- b) A Notice of the Public Meeting was published in the February 10, 2022, edition of the Vaughan Citizen and the Thornhill Liberal newspapers.
- c) Notification of the Public Meeting was posted on the City's website at www.vaughan.ca.

A Committee of the Whole (Public Meeting) was held on March 8, 2022 to receive comments from the public and the Committee of the Whole on proposed general and site-specific amendments to the CZBL. Council, on March 22, 2022, ratified the recommendations of the Committee of the Whole to receive the Public Meeting report of March 8, 2022, and to forward a comprehensive report to the Committee of the Whole.

No written or oral communications were received at the Public Meeting.

Previous Reports/Authority

[Item 9, Report No. 46](#), of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on October 20, 2021.

[Item 1, Report No. 14](#) of the Committee of the Whole (Public Meeting), which was adopted by the Council of the City of Vaughan on March 22, 2022.

Analysis and Options

Site-specific amendments to the CZBL are proposed, as shown on Attachment 2, that relate to exceptions that were not carried forward from Zoning By-law 1-88, as amended, to the CZBL, or were carried forward but error(s) occurred in the CZBL version of the site-specific exceptions.

The site-specific amendments to the CZBL as shown on Attachment 2 of this Report are intended to ensure that current and future owners and tenants are not adversely impacted by legal non-conforming status or discrepancies between Zoning By-law 1-88, as amended for these specific sites, and the CZBL.

Reports detailing further recommended amendments to the CZBL will be brought forward on a regular basis to reflect recent approvals respecting zoning by-law amendment applications in process and to correct errors that may be identified in the future.

General amendments to the CZBL identified in Attachment 3 of this Report are proposed to provide clarity with respect to various maps and text provisions of the CZBL.

The amendments to the CZBL in Attachment 3 of this Report will provide clarity with respect to permitted uses, definitions, lot and building requirements, notes, tables, and special provisions.

Schools will be permitted as-of-right in residential and mixed-use zones in conformity with Vaughan Official Plan 2010.

As a result of the CZBL applying a new Institutional Zone for existing school sites and other Institutional uses, an unintended consequence is that an application for zoning by-law amendment would be required for school sites which have previously been approved or may be in the future through the planning approval process.

An amendment to the CZBL in Attachment 3 will permit schools as-of-right in all residential and mixed-use zones, except for the “EMU” employment mixed-use zone. This will ensure that as school sites are developed, an additional re-zoning process will not be required. Staff support this additional use in residential and mixed-use zones, which conforms to the City of Vaughan Official Plan, 2010 (“VOP 2010”).

Lands within the “RT - Residential Townhouse Zone” which have been developed, or have approval for development, are proposed to be amended to differentiate “RT1” and “RT2” zones on Schedule A.

Amending the “RT” zone to differentiate “RT1” and “RT2” zones will define permitted uses based on building type (i.e., street townhouse, stacked townhouse, multiple family dwelling, block townhouse, etc.) and tenure (freehold lots fronting onto a public road or lots that form part of a common element condominium) and will ensure that each dwelling type is subject to appropriate lot and building requirements of the CZBL. To implement the “RT1” and “RT2” zone requirements, amendments as set out in Attachment 3 are required to improve the organization of applicable tables and provisions respecting the permitted uses and lot and building requirements for various forms of townhouse development. The general amendments to the “RT” zone are minor and conform to the VOP 2010.

A Temporary Use By-law is proposed for 8750 Jane Street in order to permit a Personal Service Shop (Hair Salon) in unit 14 for a maximum of three (3) years.

The temporary use by-law reflects the existing use of this unit as initially applied for prior to the adoption of the CZBL. The temporary use of a personal service shop conforms to VOP 2010, which permits a range of ancillary retail uses, subject to percentage

restrictions. As the site is currently developed as a multi-unit employment building with smaller unit sizes, it is appropriate to recognize a temporary permission for the Personal Service Shop (Hair Salon), which was previously permitted under Zoning By-law 1-88, as amended. If approved on a temporary basis, relief from the CZBL would be required three (3) years after the passing of an implementing by-law.

Amendments to Sections 14.2 and 15.1, and Schedule A of the CZBL are set out in Attachment 3 to ensure that lands subject to an MZO are appropriately reflected by the CZBL.

An amendment to Section 14.2 of the CZBL would ensure that the requirements of the CZBL will not apply lands subject to an MZO. Section 15.1 of the CZBL is proposed to be amended to exclude from the repeal of Zoning By-law 1-88, as amended, lands subject to an MZO, so that the MZO can be implemented in its full Zoning By-law 1-88 context. Schedule A is also proposed to be amended to identify the MZO Ontario Regulation number for clarification purposes.

The amendments to Zoning By-law 001-2021 identified in Attachments 2 and 3 to this Report are consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the Planning Act, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 ("PPS"). The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. The proposed amendments are consistent with the PPS.

The general and site specific amendments to Zoning By-law 001-2021 identified in Attachments 2 and 3 to this Report conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended

The Provincial Growth Plan: A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended ("Growth Plan") is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe, including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council's planning decisions, including zoning by-laws, are required by the Planning Act to conform, or not conflict with, the Growth Plan.

Section 5.1 of the Growth Plan identifies a municipal zoning by-law as an appropriate regulatory tool to implement the policies of the Growth Plan. The proposed general and

site specific amendments are wide-ranging, as identified in Attachments 2 and 3 to this Report. The proposed amendments conform to the Growth Plan.

The general and site specific amendments to Zoning By-law 001-2021 identified in Attachments 2 and 3 to this Report conform to the York Region Official Plan 2010

The York Region Official Plan 2010 (“YROP”) guides economic, environmental and community building decisions across York Region. The YROP also encourages pedestrian scaled safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. Section 8.3.2 of the YROP 2010 requires lower-tier municipalities to adopt municipal zoning by-laws that conform to the YROP 2010 in a timely manner. The proposed amendments conform to the YROP 2010.

The general and site specific amendments to Zoning By-law 001-2021 identified in Attachment 2 and 3 to this Report conform to the VOP 2010

VOP 2010 establishes the planning framework for development throughout the City to the year 2031, and fulfills the City’s obligations to conform to Provincial policies and meet regionally imposed targets for residential and employment growth. VOP 2010 served as the primary source of policy direction for Zoning By-law 001-2021. The proposed amendments conform to the VOP 2010.

For a number of parcels of land, Schedule A of the CZBL incorrectly identifies a site-specific exception as being applicable.

In order to provide additional clarity, several references are proposed to be deleted on Schedule A of the CZBL as identified in Attachment 2 to this Report to ensure that landowners and staff can efficiently identify whether further site-specific provisions apply, as found in Section 14 of the CZBL.

Financial Impact

There are no financial implications associated with this Report.

Broader Regional Impacts/Considerations

Not applicable.

Conclusion

The general and site-specific amendments of the CZBL as set out in Attachments 2 and 3 are intended to correct errors identified in the CZBL and to provide clarification in respect of certain provisions. The amendments also correct site-specific amendments to

the CZBL that relate to exceptions that were not carried forward from Zoning By-law 1-88, as amended, to the CZBL, or were carried forward but error(s) occurred in the CZBL version of the site-specific exceptions. Reports detailing further recommended amendments to the CZBL will be brought forward as needed to reflect recent approvals respecting zoning by-law amendment applications in process and to correct errors that may be identified in the future.

For more information, please contact: Brandon Correia, Manager of Special Projects, ext. 8227.

Attachments

1. Location Map
2. Site Specific Amendments Proposed to By-law 001-2021
3. General Amendments Proposed to By-law 001-2021

Prepared by

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Approved by



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