

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 28, 2022

Item 6, Report No. 33, of the Committee of the Whole (Public Meeting), which was adopted, as amended, by the Council of the City of Vaughan on September 28, 2022, as follows:

By receiving Communication C5 from Aaron Hershoff, TACC Developments, Applewood Crescent, Vaughan, dated September 13, 2022.

**6. AMENDMENT TO THE VAUGHAN OFFICIAL PLAN 2010, VOLUME 1
“PRE-CONSULTATION AND COMPLETE APPLICATION SUBMISSION
REQUIREMENTS”, CHAPTER 10.1.3, FILE 25.7**

The Committee of the Whole recommends approval of the recommendation contained in the report of the Deputy City Manager, Planning and Growth Management dated September 13, 2022.

Recommendation

1. That the Public Meeting report for the City-initiated amendment to the Vaughan Official Plan 2010, Volume 1 “Pre-Consultation and Complete Application Submission Requirements”, Chapter 10.1.3 File 25.7 BE RECEIVED; and that any issues identified be addressed in a Comprehensive Report by the Policy Planning and Special Programs Department and the Development Planning Department to the Committee of Whole.

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, September 13, 2022

WARD(S): ALL

TITLE: AMENDMENT TO THE VAUGHAN OFFICIAL PLAN 2010,
VOLUME 1 “PRE-CONSULTATION AND COMPLETE
APPLICATION SUBMISSION REQUIREMENTS”,
CHAPTER 10.1.3, FILE 25.7

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on a City-initiated amendment to the Vaughan Official Plan (VOP 2010). The purpose of the amendment is to update Chapter 10.1.3 of Volume 1 of VOP 2010, regarding the City’s “Pre-Consultation and Complete Application Submission Requirements” to respond to the recent amendments to provincial policy and the *Planning Act*.

Report Highlights

- This report will give the public and stakeholders the opportunity to provide comments on a draft amendment to Chapter 10.1.3 of VOP 2010 “Pre-Consultation and Complete Application Submission Requirements”.
- Chapter 10.1.3 sets out the City’s Pre-Application Consultation (PAC) process and the types of reports, studies and information that the City requires to deem a development application complete for the purposes of initiating the review.
- Updating these policies is necessary due to changes to provincial policy and the *Planning Act* (particularly Bill 109).
- Updating this policy regime is part of the City’s program of streamlining the development review process to meet the challenge of the new application processing timelines set out in the *Planning Act*.
- This amendment will continue the City’s current practice of requiring applicants to consult with the City prior to submitting development applications and provides a contemporary list of reports, studies or information that may be requested to form part of a complete application.
- This will result in a review process that places greater emphasis on ensuring the quality of development applications with the aim of reducing processing times after a complete application is received.

Recommendation

1. That the Public Meeting report for the City-initiated amendment to the Vaughan Official Plan 2010, Volume 1 “Pre-Consultation and Complete Application Submission Requirements”, Chapter 10.1.3 File 25.7 BE RECEIVED; and that any issues identified be addressed in a Comprehensive Report by the Policy Planning and Special Programs Department and the Development Planning Department to the Committee of Whole.

Background

City staff previously brought forward this report on October 7, 2019, to a Statutory Public Meeting

Due to continuing changes to provincial legislation and policy, including the Provincial Policy Statement (2020) and Amendment 1 to the Growth Plan, this report was not brought to Council following the statutory public meeting in 2019. City staff has since revised this report to respond to Bill 109 (*More Homes for Everyone Act, 2022*) which amends the *Planning Act* in a fundamental way.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol for City-wide Policy Amendments

Public Notice of this proposed amendment to the Vaughan Official Plan, regarding “Pre-Consultation and Complete Application Submission Requirements”, was given in the following manner.

- a) The Notice of Public Meeting was published:
 - In the Vaughan Citizen and the Liberal on August 18, 2022
- b) The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca.
- c) The Notice was sent to:
 - All Registered Ratepayers' Organizations in the City, and
 - The Building Industry and Land Development Association

Any comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed as input into the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

Pre-Application Consultation is an important part of the City's Development Review Process

This City-initiated amendment applies throughout Vaughan wherever a development application is submitted. The *Planning Act* permits municipalities to require applicants to consult with the municipality before submitting their applications for development approval. The *Planning Act* authorizes municipalities to request two types of information when applications are submitted. They are:

- Information and material that is required by regulation; and
- Other information or material that may be requested by the Council, but only if the official plan contains provisions relating to these requirements.

Until Council has received this information and material it may refuse to accept or further consider an application. Once the information is submitted to the satisfaction of the City, it is deemed a "complete application" and its circulation commences. It is noted that if there is a dispute as to whether the submission is or is not complete, the applicant may make a motion to have the Ontario Land Tribunal (OLT) determine whether the necessary information and material has been provided or whether the requirement is reasonable. If the OLT determined that the necessary information and material was submitted, the submission date is used as the date for which the municipality must make a decision starts.

Since the adoption of the Vaughan Official Plan, the City has been authorized to:

- Require a Pre-Application Consultation (PAC) meeting with an applicant;

- Require specific information that would constitute a complete application;
- Require, through the PAC meeting, the information, studies and materials that may be required to be submitted in support of a complete application;
- Through the review processes, require additional studies, reports and information;
- Where it has been determined by the City that a peer review of any study submitted in support of a development application is necessary, it can be required at the expense of the applicant;
- Require that an applicant enter into development agreements for the equitable contribution of funding of services, if deemed necessary by Council, as a condition of development approval; and
- Implement through development approvals the equitable contribution of funds, lands and commitments for services, prior to or coincident with the occupancy or use of the land

It is now appropriate to update the policies of Chapter 10.1.3 to reflect current and emerging conditions. These are discussed below.

Changes to the Planning Act and the role of the OLT require a repositioning of the Pre-Application Consultation Process

In 2017, the Bill 139 (*Building Better Communities and Conserving Watersheds Act, 2017*) amendments to the *Planning Act* imposed specific timelines on municipalities for the processing of applications for amendments to the Official Plan (OPAs) and the Zoning By-law (ZBAs) and applications for the approval of Draft Plans of Subdivision (DPSAs). The *Planning Act* required municipal councils to adopt OPAs within 210 days; and make decisions on ZBAs and DPSAs within 150 days and 180 days respectively, after complete applications were submitted.

These timelines were further shortened in 2019 through Bill 108 (the *More Homes, More Choice Act, 2019*) amendments to the *Planning Act*. These changes reduced the timelines for municipal councils to adopt OPAs to 120 days from 210 days; and on making decisions on ZBAs and DPSAs to 90 days (120 days if a corresponding OPA is required) and 120 days from 150 days and 180 days respectively.

In 2022, further changes to the Planning Act were made through Bill 109 (*More Homes for Everyone Act, 2022*). Timelines for site plan approval were increased from 30 to 60 days. Changes were also made which will require municipalities to issue refunds up to 100 percent of certain application fees if decisions are not made within the statutory timeframes. Those changes regarding refunds take effect in respect of applications submitted on or after January 1, 2023.

To mitigate this risk, staff is working to streamline the application review process. In 2019, this objective was supported by the City's recent adjustment to its Council/Committee schedule. Adding another Committee of the Whole meeting per cycle, will assist in achieving more timely consideration of applications. Another potential response is to make better use of the PAC process to ensure that each application can be subject to an expeditious but still rigorous review, while providing for quality outcomes, consistent with the intent of the Official Plan.

This will entail placing greater reliance on the PAC process and making it a more integral part of the development review process. The emphasis will need to be placed on ensuring that the City and agency reviewers get the "right information, material, reports and documentation" with the "right content" on the first submission so they can provide their comments and conditions of approval in a timely fashion. Under the new regime, there will be limited opportunity for resubmissions of reports, public consultation or lengthy negotiations on content. These matters, to the extent practical, should be settled or significantly advanced prior to the submission of the application.

This could include demonstration that certain key parameters or tasks have been established or undertaken prior to submission. One example may be the confirmation of development limits. Also, since the timelines are short, there may not be time to do a community meeting during the statutory review period beyond the required public meeting. Therefore, evidence of public outreach prior to submission would be expected in most cases. Other areas could include developing standard terms of reference for important and/or frequently requested studies; and developing standard conditions of approval for non-contentious issues.

This would result in a blended two-step process more closely integrating pre-consultation with the application review

As such, new policies are proposed to be added to reposition the PAC process to make it the critical first step in the City's review process before the countdown on the post-complete application deadline commences. This entails a more rigorous PAC process that takes the time to get the submission material right the first time to minimize occasions where a recommendation for refusal is a better option than a "No Decision".

Establishing the required information, materials and studies required to support a complete application

Identification of the required information, materials, studies and documentation that may be requested through the PAC process is one of the most important parts of the pre-application consultation policy. If they are not provided for in the Official Plan, the City cannot request their submission, which could weaken the approval process.

The current policy in the Vaughan Official Plan has not been updated since its adoption in September of 2010. Since then, considerable changes have been made to the provincial context in which land use planning decisions are made. In general, the following changes have played a role in shaping the requirement for the studies:

- The Provincial Policy Statement (2020)
- Amendments to the York Region Official Plan
- The Provincial Plan Coordinated Review (2017)
- The Provincial Growth Plan for the Greater Golden Horseshoe (2020)
- The *Planning Act* (Bill 139-2017, Bill 108-2019, Bill 109-2022)
- Greater Levels of Environmental Protection.

In many instances, to meet the current requirements, more detailed information, materials and studies will be required. In addition to identifying the right types of submission material, greater emphasis will need to be placed on completeness and quality. For this reason, a policy has been added to provide for the City or any commenting agency the ability to issue terms of reference and/or guidance documents to guide the applicant's preparation of their submissions.

It will be essential that the new policy identify the full range of information, materials and studies that may be requested; and ensure that they are of a quality that will address the technical need of the City and/or the reviewing agency and allow for their timely review.

Previous Reports/Authority

The following is a link to a previous report regarding "Bill 139: Building Better Communities and Conserving Watersheds Act, 2017":

[June 5, 2018 Committee of the Whole Public Meeting \(Item 19, Report No. 21\)](#)

Analysis and Options

A synopsis of the draft amendment

The draft policies are shown in Attachment 1 to this report. This amendment is intended to create a pre-application consultation process that can improve the current development approval process, in response to immediate pressures, and also inform the preparation of the updated City Official Plan to 2051, which will result from the Official Plan Review. The draft policies are summarized as follows:

Chapter Reference	Commentary
10.1.3	The preamble positions the PAC policy to address the new provincial timelines stating that it is the intent of the process to ensure that each development application is capable of being processed in a timely manner with quality outcomes envisioned by the Official Plan. It further states that pre-application consultation will be required.
10.1.3.1	This policy continues to require a PAC meeting and reiterates the types of applications that will be subject to the process.
10.1.3.2	This policy set out the purpose of the PAC meeting, which is to identify the information, materials and studies required for a complete application. It reiterates that the meeting is only to discuss the submission requirements and does not constitute an approval and will not involve a discussion of the merits of the potential proposal.
10.1.3.3	This policy sets out the procedures for the PAC meeting, including participants (city departments and review agencies); and the minimum information requirements. The intent is to ensure that the proposal information provided for the PAC meeting is sufficient to allow for the identification of the information, studies etc. that are required for a complete application. The policy also provides that these requirements may be further articulated through the guidance document/application form.
10.1.3.4	In order to ensure quality submissions, this policy states that the City or any review agency may issue terms of reference or guidance documents to establish the technical and formatting standards for any of the studies, materials or information that may be required through the PAC. In absence of this guidance, the applicants would be expected to rely on the direction received at the PAC meeting.
10.1.3.5	For the purpose of the City deeming an application to be complete, this policy sets out the required information, which is to include content and is in a form satisfactory to the City. This includes: the application form and fee; any prescribed information (by Regulation); draft OPA or ZBA if applicable; any information required as a result of the PAC meeting and process; and confirmation of a minimum of one PAC.
10.1.3.6	This policy sets out the base criteria for evaluating whether an application is complete. It will be evaluated in terms of its content, adherence to statutory and prescribed requirements,

Chapter Reference	Commentary
	consistency with the information, material and studies required at the PAC meeting; and whether the submissions meet the technical requirements of the City and the review agencies to allow a timely review of the application in accordance with the statutory timelines and the intent of the Official Plan.
10.1.3.7	This policy provides, consistent with the <i>Planning Act</i> , that the City may refuse to accept or further consider an application, if the submissions do not contain the information, material and studies required through pre-application consultation or address the identified technical issues.
10.1.3.8	<p>This policy sets out the following criteria if an application is to be deemed complete:</p> <ul style="list-style-type: none"> a) When an OPA and ZBA are submitted, the application for a ZBA shall not be deemed complete until the OPA is approved and in full force and effect. b) When a Site Plan Application is submitted, a Site Plan Application shall not be deemed complete until the ZBA or minor variance application or any other relief from the provisions of the by-law is approved and in full force and effect.
10.1.3.9	This policy provides that when the application is deemed complete, the processing of the application will begin.
10.1.3.10	<p>This policy sets out the information, materials, studies or other information that may be required through the PAC process if an application is to be deemed complete. The following may be requested:</p> <ul style="list-style-type: none"> a) <u>Demonstration of Pre-Application Public Consultation</u> Due to timing constraints an applicant may be required through the PAC process, to consult with the public prior to submitting an application. When required, the applicant will provide a “Public Consultation Summary Report”, in accordance with a city-approved format, detailing the organizational arrangements of the meeting (e.g. location, notification and attendance) and the outcomes (e.g. identification of issues and commitments to action). b) <u>Delineation of Environmental Development Limits</u> Establishing the limits of development adjacent to valley and stream corridors is often a lengthy process and it is now unlikely

Chapter Reference	Commentary
	<p>to be done within the statutory timelines for the processing of applications. This is particularly the case over the winter months or when multi-season monitoring processes are required. As such, these limits should be established in advance and be reflected in the submission material. This is required to be established, to the satisfaction of the City and the Toronto and Region Conservation Authority, the limits of the valley and stream corridors, including the required buffers. Such information may be submitted in the form of a free-standing report or integrated into another environmental study.</p> <p>a) Planning Related Information, Materials and Studies b) Plans and Drawings c) Urban Design Reports and Studies d) Environmental Reports and Studies e) Transportation Reports and Studies f) Engineering Reports and Studies g) Heritage Reports and Studies h) Other Reports and Studies</p>
10.1.3.11	This policy provides that the City or other review agency may require additional reports, studies and information after an application has been deemed complete. It further clarifies that this requirement will not affect the date on which the original application was deemed complete.
10.1.3.12	This policy provides that where a study has been submitted and it is determined that a peer review is required, the peer review shall be coordinated by the City and undertaken by a peer reviewer retained by the City, but at the expense of the applicant.
10.1.3.13	This policy states that the City will require a PAC process for Block Plan approvals, scoped to the needs of the Block Plan process.
10.1.3.14	This policy provides that through the development review process Council shall require, if the applicant is a benefitting party in the provision of services in accordance with a development agreement, that the applicant enter into that development agreement.
10.1.3.15	This policy provides that development approvals shall implement the required equitable contributions of funds, land and commitments for services and that they will be in place and

Chapter Reference	Commentary
	operative prior to, or coincident with occupancy and use of the land. Such contributions include a range of public facilities including but not limited to: Parks, open space, streetscaping and landscaping, water, sewers, stormwater management, municipal services etc.

This table is a synopsis of the draft policies, provided to indicate the scope of the policy regime. Please refer to the full text, which is set out in Attachment 1.

Next steps in public consultation

The more stringent processing timelines are now in effect and the changes to the legislation which require refunds will apply to ZBAs and Site Plan Applications submitted on or after January 1, 2023. It is therefore important that the City adjust its procedures as quickly as possible to adapt to the new rules. The recent changes affect two major groups. The first is the public in general. The timelines will restrict the City's ability to consult with the public when reviewing a development application. Alternative procedures will have to be built into the process, possibly through the updated PAC process, to ensure effective consultation with the public. For this reason, notice of this public meeting has been sent to the registered Ratepayer Organizations in the City, in order to obtain input.

Another major stakeholder is the development industry. The new process will result in a change in how the City and development interests interact. While both the industry and City share the objective of achieving an efficient process, it will be necessary to ensure that efficiency does not compromise the goal of achieving complete and sustainable communities. Notice of this public meeting has been sent to the Building Industry and Land Development Association (BILD) to obtain their comment and input.

Prior to reporting to Committee of the Whole with the Technical Report, staff will consult with both groups as necessary to ensure that their input is taken into consideration in finalizing the recommended Official Plan Amendment. Staff will also be seeking comments from City departments and external agencies who are typically involved in the review of planning and development applications prior to finalizing the OPA.

Financial Impact

It is anticipated that no external resources will be required to complete the preparation and adoption of the proposed amendment. The policies of the amendment will be implemented through the development approval process, which is application based. Cost recovery will continue in accordance with the City's Tariff of Fees for Planning Applications.

Broader Regional Impacts/Considerations

This amendment is being prepared to conform to the recently updated Provincial Plans (2020) and the current version of the York Region Official Plan (the YROP). Section 8.3.15 of the YROP identifies a series of planning studies that are required to assess proposed amendments to the Region's Plan. This section also states that the Regional Planning studies required in the YROP also be included in the local official plans as part of their complete application listings. This will continue to be respected.

York Region is the approval authority for this proposed amendment to VOP 2010. City staff will work with the Region to ensure that the requirements of the new Provincial Plans are fulfilled.

Conclusion

Updating the City's pre-application consultation process and complete application requirements provides the opportunity to bring the current VOP 2010 policies into conformity with the Provincial Plans and identify the full range of the contemporary information, materials, studies and documentation that may be required for applicants to submit a complete application. In addition, it will serve to emphasize the importance of this process as one of the means of addressing the deadlines placed on the processing of development applications introduced by the amended *Planning Act* and the OLT appeal process. Providing for a rigorous PAC process will ensure that complete applications have the thoroughness and quality that will ensure an efficient and effective review of applications. This will minimize the risk to the City of not meeting the required deadlines.

Any issues identified in this report or through the further analysis of this proposed amendment will be considered in the technical review of the draft OPA together with the comments from the public and Vaughan Council, expressed at this Public Meeting or in writing, together with any focused consultations with affected stakeholders, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Fausto Filipetto, Senior Manager of Policy & Sustainability and Policy Planning & Special Programs, ext. 8699

Attachment

1. Draft Policy Regime, "Pre-Consultation and Complete Application Submission Requirements", Chapter 10.1.3, Vaughan Official Plan – Volume 1

Prepared by

Fausto Filipetto, Senior Manager of Policy & Sustainability, Policy Planning & Special Programs, ext. 8699

Vivian Wong, Planner, Policy Planning and Special Programs, ext. 8623

Carly Murphy, Planner 1, Policy Planning and Special Programs, ext. 8630
Christina Bruce, Director of Policy Planning and Special Programs, ext. 8231
Nancy Tucket, Director of Development Planning, ext. 8529

Approved by

A handwritten signature in cursive script, appearing to read 'Haiqing'.

Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by

A handwritten signature in cursive script, appearing to read 'Nick Spensieri'.

Nick Spensieri, City Manager

ATTACHMENT 1

AMENDMENT NUMBER XX TO THE VAUGHAN OFFICIAL PLAN 2010 OF THE VAUGHAN PLANNING AREA

The following text constitutes Amendment Number XX to the Vaughan Official Plan 2010 of the Vaughan Planning Area.

Authorized by Item No. ____ of Report No. ____
of the XXXX, 2022 Committee of the Whole
Adopted by Vaughan City Council on XXXX, 2022.

I PURPOSE

The purpose of this Amendment to the Vaughan Official Plan 2010 ('VOP 2010') is to amend the provisions of Chapter 10.1.3 of Volume 1, regarding the "Pre-Consultation and Complete Application Submission Requirements", in response to recent amendments to the *Planning Act*, the Provincial Policy Statement 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020, bringing VOP 2010 into conformity with Provincial legislation and policy. This Amendment streamlines the Pre-application Consultation ('PAC') and development review process, ensuring an expeditious and rigorous review while providing for quality outcomes, consistent with the intent of the VOP 2010; as well as identifies a contemporary list of reports, studies and other information that may be requested as part of a complete application.

II LOCATION

This Amendment applies to the entirety of the lands of the City of Vaughan (the 'City').

III BASIS

The decision to amend VOP 2010 is based on the following considerations:

Bill 139, the *Building Better Communities and Conserving Watersheds Act*, received Royal Assent on December 12, 2017, and amended the *Planning Act* (the 'Act') – in part – by extending the timelines approval authorities have to make a decision on applications for Official Plan Amendments ('OPAs') and Zoning By-law Amendments ('ZBAs') after the subject applications have been deemed "complete". After this time period an applicant can make an appeal to the Ontario Land Tribunal ('OLT'), formerly the Ontario Municipal Board ('OMB') and Local Planning Appeal Tribunal ('LPAT'), on the basis of a "non-decision". More specifically, the time period approval authorities have for making a decision respecting an OPA was extended from 180 days to 210 days; the time period approval authorities have for making a decision respecting a ZBA was extended from 120 days to 150 days.

Bill 108, the *More Homes, More Choice Act*, received Royal Assent on June 6, 2019, and amended the Act – in part – by significantly truncating the timelines approval authorities have to make a decision on applications for OPAs, ZBAs and Draft Plans of Subdivision after the subject applications have been deemed complete, before they can be appealed to the OLT on the basis of a non-decision. More specifically, the time period approval authorities have for making a decision respecting an OPA has been reduced from 210 days to 120 days; the time period for making a decision respecting a ZBA has been reduced from 150 days to 90 days and time period for making a decision respecting a Draft Plan of Subdivision has been reduced from 180 days to 120 days, except where a concurrent OPA application has been filed, in which case the OPA appeal timeline applies.

The proclamation of Bill 108 results in a significantly reduced timeframe for which the public consultation process, the resubmission of materials, staff review, and negotiations on content can take place before the applicant is able to exercise their right of appeal to the OLT for a non-decision. Given the increased risk of appeal, the City will benefit from settling or significantly advancing these matters, to the extent practical, prior to the submission of the development application(s). As part of the response to the new Provincial legislation, the City will require a streamlined development application review process. Part of this streamlining includes updating the PAC process and application submission requirements to ensure that each application(s) is subject to an expeditious and comprehensive review, while providing for quality outcomes, consistent with the intent of VOP 2010.

Bill 109, the *More Homes for Everyone Act*, received Royal Assent on April 14, 2022, and amended the Act – in part – by extending the timelines approval authorities have to make a decision on Site Plan applications from 30 to 60 days. Changes were also made which will require municipalities to issue refunds up to 100 percent of certain application fees if decisions are not made within the statutory timeframes.

Provincial legislation enables municipalities to establish a policy framework for permitting pre-application meetings and complete application submission requirements through their official plans. This policy framework is imperative as it sets the foundation of information that a municipality can request as part of the development application review process. The municipality cannot request reports, studies and information as part of the complete application requirements where these items are not identified in the official plan. The identification of relevant reports, studies and other information through the PAC process is fundamental to the overall development application review process.

VOP 2010 was adopted by Vaughan Council on September 7, 2010, and was endorsed with modifications by York Region on June 28, 2012. VOP 2010 was subsequently appealed to the OMB, and has received partial approval through a number of Orders bringing the majority of the Plan into full force and effect. The purpose of VOP 2010 is to address all elements of effective, sustainable and successful city-building, while managing projected growth to 2031 within the City.

Chapter 10.1.3 of Volume 1 enables the policy framework for the pre-application consultation process and complete application submission requirements. Chapter 10.1.3 is an integral part of the City's development application review process, and presently authorizes the City to:

- a. require a PAC meeting with the City prior to the submission of an application(s) for an OPA, ZBA, Draft Plan of Subdivision, Draft Plan of Condominium, and Site Plan Approval;
- b. require that specific materials and information in support of an application(s) for an OPA, ZBA, Consent, Draft Plan of Subdivision, Draft Plan of Condominium and Site Plan be provided to the City along with the application(s) in order to be deemed a complete application;

- c. establish through a PAC meeting, the required information, reports, studies and materials needed in support of a complete application;
- d. identify additional information, reports, studies and materials through the development review process that may be required in support of an application(s);
- e. permit the City to undertake a peer review of any report or study submitted in support of a development application(s), at the City's discretion. The peer review shall be coordinated by the City at the expense of the applicant;
- f. require an applicant to enter into a development agreement(s) to achieve municipal objectives related to development and the provision of services, if deemed necessary by Council, as a condition of development approval; and
- g. implement through development approval(s), the equitable contribution of funds, lands and commitments for services that shall be in place and operative prior to, or coincident with, the occupancy or use of the land.

An amendment to Chapter 10.1.3, Volume 1 of VOP 2010 is necessary in order to ensure adequate public and stakeholder consultation and a rigorous review providing for quality outcomes can take place within the new statutory review period. The City recognizes a streamlined PAC process is a critical first step in advancing the development review process before the complete application timelines commence. Revisiting these policies to strengthen the PAC process by emphasizing quality submission materials at the outset will make the development review process more efficient and minimize the risk of non-decision appeals.

This Amendment to Chapter 10.1.3, Volume 1, will result in a comprehensive PAC process that ensures the required materials will be submitted as part of each development application(s), allowing City staff to undertake an expeditious and comprehensive review. This Amendment builds on the existing policy framework to contemporize submission material, and places greater emphasis on completeness and quality. This Amendment establishes a policy framework that supports and provides further guidance in the conduct of the applicant-initiated PAC process; including the identification of situations that would benefit from pre-application public consultation, and the City's expectations with respect to an applicant's "Public Consultation Summary Report", which would be required as part of a complete application. In addition, the new policies allow the City to develop guidelines to further refine such processes.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Official Plan 2010, Volume 1 is hereby amended by:

Deleting and replacing Policy 10.1.3 of VOP 2010, Volume 1 with the following:

“10.1.3 Pre-Application Consultation and Complete Application Submission Requirements

The *Planning Act* enables Council to require that applicants consult with the City prior to the submission of a development application(s); and provide information, reports, studies and materials it may deem necessary to process a development application(s). This is contingent on the Official Plan containing policies related to these requirements.

This Official Plan considers the pre-application consultation process to be a critical first step in the development review process. Its purpose is to ensure that development applications are complete and supported by submissions that fulfill the review requirements of the City and other pertinent review agencies. The intention of the process is to ensure each development application is capable of being processed in a timely manner, as set out under the *Planning Act*, and can facilitate quality development consistent with the policies of this Plan.

It is the policy of Council that:

- 10.1.3.1 A pre-application consultation meeting with the City will be held prior to the submission of development applications for Official Plan Amendments, Zoning By-law Amendments, Consents, Draft Plans of Subdivision, Draft Plans of Condominium and Site Plan Approval.
- 10.1.3.2 The purpose of the pre-application consultation meeting is to identify the required information, reports, studies and materials to assist an applicant in the preparation of a complete planning application. The pre-application consultation meeting may also include the identification of potential policy and technical issues that the applicant will need to address to ensure a complete planning application. The comments resulting from the pre-application consultation meeting do not constitute an approval and or endorsement of the application.
- 10.1.3.3 Pre-application consultation meetings with applicants will be conducted by the City and include pertinent City departments and external review agencies. Applicants will be required to provide, at minimum, the required fee for the pre-application consultation; the site address and legal description of the subject lands; a written description of the development proposal; conceptual plans illustrating the proposed development; site statistics and identify known constraints or encumbrances. These materials will be of sufficient quality and detail as to allow for the identification of the information, reports, studies and materials that may be required as part of a complete application. The submission requirements identified at the pre-application consultation meeting will be

documented and will form the basis for the forthcoming application(s). Further articulation of the pre-application consultation process will be provided in the form of a guidance document issued by the City.

10.1.3.4 The City and/or external review agencies may issue terms of reference or other guidance documents to establish the technical standards and format for any required information, reports, studies and materials through the pre-application consultation process. In the absence of written terms of reference and guidance documents, applicants will rely on the instructions provided by the City and review agencies at the pre-application consultation meeting in the preparation of their development application(s). Applicants may be required to prepare a terms of reference for any information, reports, studies and materials that are identified as being required through the pre-application consultation process to the satisfaction of the City and/or review agencies prior to the submission of a development application(s).

10.1.3.5 For the purpose of deeming an application for an Official Plan Amendment, Zoning By-law Amendment, Consent, Draft Plan of Subdivision, Draft Plan of Condominium and Site Plan Approval complete, the following information is required, to the satisfaction of the City:

- a. a complete application form(s) for the prescribed approval(s);
- b. the prescribed application fee, in accordance with the City's Fees and Charges By-law in effect on the date the application(s) is submitted to the City;
- c. the prescribed information or material pertaining to the application type(s);
- d. a draft of the Official Plan and/or Zoning By-law Amendment(s), if applicable, including the proposed text and all proposed schedules;
- e. all information, reports, studies and materials identified through the pre-application consultation meeting(s), including the requirements of external review agencies, with content and in a form satisfactory to the City;
- f. confirmation of a minimum of one pre-application consultation meeting with the City, in the form of a signed Pre-Application Consultation Understanding, for the purposes of confirming the required application(s) and submission information, reports, studies and materials; and to confirm the other external review agencies for which the applicant was required to consult;
- g. where pre-application public consultation has been deemed necessary through the pre-application consultation meeting, a report consistent with the required form and content set out in this Plan;

- h. where a Design Review Panel has been deemed necessary through the pre-application consultation meeting, a confirmation that a minimum of one meeting was held; and
- i. confirmation of a preliminary zoning review shall be included as part of the submission.

10.1.3.6 In addition to policy 10.1.3.5, the City in consultation with any affected external review agencies will evaluate the submission for completeness taking into consideration, but not limited to, the following:

- a. the content of the application(s);
- b. adherence to statutory, regulatory and prescribed requirements;
- c. consistency with the information, reports, studies and materials that were required at the pre-application consultation meeting; and
- d. meeting the technical requirements of the City and external review agencies.

10.1.3.7 If the submissions do not contain the information, material and studies required by regulation or through the pre-application consultation process, or do not address technical and policy issues identified through pre-application consultation, the City may refuse to accept or further consider the application.

10.1.3.8 In addition to policy 10.1.3.5, 10.1.3.6 and 10.1.3.7 the following shall apply:

- a. For planning applications where an OPA and ZBA are submitted, an application for a ZBA shall not be deemed complete until the OPA is approved and in full force and effect
- b. Where a Site Plan Application is submitted, a Site Plan Application shall not be deemed complete until a ZBA or minor variance application, or other relief from the provisions of the by-law as needed, is approved and in full force and effect.

10.1.3.9 When the application(s) is deemed complete, a Notice of Complete Application Letter will be issued by the City, and the processing of the application(s) will begin.

10.1.3.10 Through the pre-application consultation meeting, the following information, reports, studies and materials may be identified as being required in support of a complete application for an Official Plan Amendment, Zoning By-law Amendment, Consent, Draft Plan of Subdivision, Draft Plan of Condominium and/or Site Plan Approval. This includes:

- a. Demonstration of Pre-Application Public Consultation:

There will be cases where an application(s) will benefit from pre-application public consultation, which can inform the preparation of the submission material, resolve contentious issues and minimize the need for further consultation within the time-sensitive processing period for development applications. When the City determines pre-application public consultation is required, the development application will include a Public Consultation Summary Report, which will include:

- i. the date, time and location of the meeting;
- ii. the public notification protocol;
- iii. the representatives of the applicant in attendance;
- iv. the number of people in attendance, including the sign-in sheet;
- v. a copy of the applicant's presentation material(s);
- vi. meeting notes identifying the issues that were raised and discussed, and the responses from the applicant's representatives; and,
- vii. any commitments to undertake further work to address the issues.

The City may provide further articulation on the pre-application public consultation process in the form of a guideline and/or standard reporting format.

b. Delineation of Environmental Development Limits:

Where an application(s) proposes development adjacent to Core Features of the Natural Heritage Network, the applicant shall establish the precise limits of the feature (including the required vegetation protection zone) to the satisfaction of the City and Toronto and Region Conservation Authority (with regard to its regulatory limits). The delineation of the feature limits may be submitted in the form of a plan/survey or may be integrated into another related environmental study.

c. Planning Information, Materials and Studies:

- i. Application Form(s);
- ii. Description of the Development Proposal;
- iii. Colour Aerial Orthophotograph(s);
- iv. Aviation Report

- v. Legal Survey Plan;
- vi. Parcel Abstract (current within 30 days of submission to City);
- vii. Planning Justification Report;
- viii. Confirmation of a Preliminary Zoning Review;
- ix. Draft Official Plan Amendment;
- x. Draft Zoning By-law Amendment;
- xi. Draft Plan of Subdivision;
- xii. Draft Plan of Condominium;
- xiii. Concept Plan;
- xiv. Site Plan (including Georeferenced Site Plan);
- xv. Topographic Survey;
- xvi. Geodetic Elevations;
- xvii. *Development* Concept Report and Phasing Plan;
- xviii. Comprehensive *Development* Plan;
- xix. Sustainability Performance Metrics Summary Letter and Scoring Tool;
- xx. Title Opinion;
- xxi. Site Screening Questionnaire and Environmental Certification;
- xxii. Waste Collection Design Standards Submission;
- xxiii. Retail Strategy;
- xxiv. Real Estate Appraisal Report;
- xxv. Site Plan Accessibility Impact Checklist;
- xxvi. Executed and Valid PAC Understanding;
- xxvii. GIS Conformity Letter;
- xxviii. Legal sized reductions of all plans (8.5" X 14"); and

- xxix. Digital versions of all plans, submitted in both layered PDF format and spatial data (e.g., AutoCAD or GIS files georeferenced to NAD_1983_UTM_Zone_17N).

d. Plans and Drawings:

- i. Architectural Site Plan;
- ii. Internal Floor Plans;
- iii. Roof Plans, Roof Top Screening Details and/or Cross-sections;
- iv. Site and Building Cross-sections (including change of grade and the neighbours);
- v. Site and Building Elevations (demonstrating grade changes);
- vi. 1:50 to 1:100 Scale Detailed Colour Building Elevations (both black and white and colour) and/or Colour Rendered Perspective Drawings;
- vii. Parking Level Plans;
- viii. Coloured Renderings;
- ix. Streetscape Perspective Drawings (large scale drawings of building elevations relative to the public realm);
- x. Landscape Plans and Details (including exterior lighting), including Landscape Costs Estimate;
- xi. Signage Design and Lighting Plan (including materials and colours);
- xii. Exterior Photometric Lighting Plan;
- xiii. Context Map (scaled);and
- xiv. Architectural Control Architect Approved Drawings.

e. Urban Design Reports and Studies:

- i. Urban Design and Sustainability Brief or Report;
- ii. Urban Design and Sustainability Guidelines;
- iii. Architectural Design (control) Guidelines;

- iv. Landscape Master Plan;
 - v. Detailed Wind Tunnel Model Analysis (10 storeys or greater);
 - vi. Digital 3D Model;
 - vii. Demarcation of physical and stable top of bank, areas regulated by TRCA, and/or limits of natural heritage systems, wetlands, and/or natural hazards, Vegetative Protective Zones (VPZs) in accordance with Section 3.0 of VOP 2010 (if applicable);
 - viii. Green Roof Amenity Area Plans (if applicable);
 - ix. Architectural Material or High-Quality Photos;
 - x. Pedestrian Level Wind Study (10 storeys or greater);
 - xi. Public Utilities Plan (shadowed on the landscape plan);
 - xii. Design Review Panel Materials;
 - xiii. Tree Inventory and Preservation Plan (if no trees are present, letter from ISA certified Arborist Required);
 - xiv. Arborist Report;
 - xv. Public Realm Plan;
 - xvi. Streetscape Plan;
 - xvii. Computer generated building mass model;
 - xviii. Wind Study; and
 - xix. Sun/Shadow Study (10 storeys or greater).
- f. Cultural Heritage Reports and Studies:
- i. Cultural Heritage Survey;
 - ii. Cultural Heritage Impact Assessment;
 - iii. Cultural Heritage Management Plan;
 - iv. Conservation Plan for Heritage Resources;
 - v. Heritage Conservation District Conformity Report; and

- vi. Archaeological Assessments.
- g. Environmental Reports and Studies:
 - i. Survey or Plan delineating the limit of adjacent Core Features of the Natural Heritage Network;
 - ii. Environmental Impact Study;
 - iii. Natural Heritage and/or Hydrologic Evaluation;
 - iv. Valley Policy Area 1 to 4 Report, per Section 13.13-Valley Policy Areas contained in Volume 2 of this Plan;
 - v. Edge Management and/or Planting Restoration Plans;
 - vi. Oak Ridges Moraine Conformity Report;
 - vii. Greenbelt Conformity Report;
 - viii. Special Policy Areas Studies (Woodbridge);
 - ix. Community Energy Plan;
 - x. Landform Conservation Plan;
 - xi. Flood Risk Assessment Plan;
 - xii. Floodproofing Measures Plan;
 - xiii. Floodplain Analysis/ Hydraulic Analysis;
 - xiv. Slope Stability Analysis;
 - xv. Crossing Analysis;
 - xvi. Meander Belt/Fluvial Geomorphology Analysis;
 - xvii. Natural Channel Modification/Design Report and Plans;
 - xviii. Headwater Drainage Feature Assessment;
 - xix. Feature Based Water Balance;
 - xx. Contaminant Management Plan;
 - xxi. Earth Science Heritage Evaluation;

- xxii. Aggregate Study;
- xxiii. Subwatershed Study (or equivalent);
- xxiv. Section 59 Notice; and
- xxv. Source Water Impact Assessment and Migration Plan.

h. Engineering Reports and Studies:

- i. Draft Reference Plan;
- ii. Site Plan Engineering Fee;
- iii. Master Environmental Servicing Plan;
- iv. Functional Servicing Report;
- v. Stormwater Management Report;
- vi. Site Servicing and Grading Plans and Cross-sections and Supporting Drawings;
- vii. Erosion and Sediment Control Report and Plans;
- viii. Phasing Plan;
- ix. Metadata Table;
- x. Water Supply Analysis Report;
- xi. Wellhead Protection Area Risk Assessment;
- xii. Wellhead Protection Area Risk Management Plan;
- xiii. Noise and Vibration Report;
- xiv. Geotechnical Analysis and/or Soils Report;
- xv. Phase 1 Environmental Site Assessment Report;
- xvi. Phase 2 or 3 Environmental Site Assessment Report;
- xvii. Record of Site Condition;
- xviii. Hydrogeological Assessment and Report;

- xix. Water Balance Assessment Report;
 - xx. Topsoil Stripping/Pre-grading Plans;
 - xxi. Water and Wastewater Servicing Plan; and
 - xxii. Dewatering/Unwatering Plans and Details.
- i. Transportation Reports and Studies;
- i. Transportation Master Plan;
 - ii. Transportation Impact Study;
 - iii. Transportation Demand Management Plan;
 - iv. Transportation Management Plan;
 - v. Transportation Maneuverability Plans;
 - vi. Parking Study;
 - vii. Pavement Marking and Signage Plan;
 - viii. Pedestrian and Bicycle Circulation Plan;
 - ix. Transportation Mobility Plan;
 - x. Transit Facilities Plan;
 - xi. Trails Master Plan; and
 - xii. Trails Design Plans and Details.
- j. Other Reports and Studies:
- i. Community Services and Facilities Study;
 - ii. Parks and Open Space Plan;
 - iii. Land Use Compatibility Study;
 - iv. Employment Area Compatibility Assessment Report;
 - v. Market Impact Study;
 - vi. Commercial Impact Statement;

- vii. Housing Options Statement;
- viii. Affordable Housing Contribution Plan;
- ix. Crime Prevention Through Environmental Design (CPTED) Study;
- x. Health Impact Assessment;
- xi. Air Quality Assessment;
- xii. Agricultural Impact Assessment;
- xiii. Appraisal Report;
- xiv. Emergency Response Plan / Risk Management Plan; and
- xv. any other plans, information, reports, studies and/or materials the City and/or external review agency deems necessary to properly review and evaluate the development proposal.

k. Submission Format:

The applicant shall provide the required submission materials in a format outlined by the City in consultation with the external review agencies. In addition to a digital submission, the number of required hard copies will be outlined during the pre-application consultation meeting. If deemed necessary by the City or external review agencies, additional hard copies may be required following the pre-application consultation meeting.

- 10.1.3.11 Through the application review process for an Official Plan Amendment, Zoning By-law Amendment, Consent, Draft Plan of Subdivision, Draft Plan of Condominium and/or Site Plan Approval that has been deemed complete, the City or other external review agency may require additional information, reports, studies and/or materials. However, the request for additional information, reports, studies and/or materials will not affect the date the application was deemed complete.
- 10.1.3.12 That where a study has been submitted in support of a development application(s), and it is determined that a peer review is required, the peer review shall be coordinated by the City and undertaken by a peer reviewer retained by the City, but at the expense of the applicant.
- 10.1.3.13 The City, at its discretion, may require a pre-application consultation process for Block Plan approvals or other non-statutory comprehensive planning measures (e.g., precinct plans,

development concept plans, telecommunication towers), based on the policies of this section, scoped to the needs of Block Plan or other comprehensive planning measure process.

10.1.3.14 Development agreements based on the findings of this Plan, any Secondary Plan or Block Plan, or other comprehensive planning measures and the findings of any other studies deemed necessary by Council to achieve municipal objectives related to development and the provision of services as may be defined by Council, shall be entered into by the benefiting parties and approved by the City as a condition of the approval of development applications.

10.1.3.15 Development approvals shall implement the required equitable contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with occupancy and use of the land. Items which may be addressed in development agreements include but are not limited to:

- a. parks and open space and Natural Heritage Network features, including the protection, ownership and management of tableland *woodlands*;
- b. features that enhance the environmental sustainability and *ecological function* of the subject lands;
- c. streetscaping and landscaping;
- d. water provision;
- e. wastewater collection;
- f. stormwater management;
- g. municipal services;
- h. street, cycling and pedestrian infrastructure;
- i. transitways and pedestrian access to transit facilities;
- j. financial arrangements required to implement the *development*;
- k. other utilities and improvements, and
- l. preservation of heritage structures and surrounding landscapes.”

V IMPLEMENTATION

The implementation of provisions of the Vaughan Official Plan 2010 of the Vaughan Planning Area as amended from time to time, shall apply with respect to this Amendment.

VI INTERPRETATION

The interpretation of provisions of the Vaughan Official Plan 2010 of the Vaughan Planning Area as amended from time to time, shall apply with respect to this Amendment.

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