

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 19, 2018

Item 7, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 19, 2018.

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**7      ZONING BY-LAW AMENDMENT FILE Z.18.006 THE CORPORATION OF THE CITY OF VAUGHAN TECHNICAL AMENDMENTS TO ZONING BY-LAW 1-88 CITY WIDE**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated June 5, 2018:**

**Recommendations**

1.      THAT Zoning By-law Amendment File Z.18.006 (The Corporation of the City of Vaughan) BE APPROVED, to make technical amendments to Zoning By-law 1-88 to: update outdated references to Provincial Acts; delete and replace references to the term “Senior Citizen Dwellings” with “Independent Living Facilities”; incorporating Ontario Accessibility Parking Standards; and make administrative corrections in Section 4.

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, June 05, 2018

**WARD:** All Wards

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.18.006  
THE CORPORATION OF THE CITY OF VAUGHAN  
TECHNICAL AMENDMENTS TO ZONING BY-LAW 1-88  
CITY WIDE**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.18.006 to make technical amendments to Zoning By-law 1-88 to: update outdated references to Provincial Acts; delete and replace references to the term “Senior Citizen Dwellings” with “Independent Living Facilities”; incorporate Ontario Accessibility Parking Standards; and make administrative corrections in Section 4.

**Report Highlights**

- The City of Vaughan is recommending technical amendments to Zoning By-law 1-88 to improve its administration.
- The technical amendments to Zoning By-law 1-88 include: update outdated references to Provincial Acts; delete and replace references to the term “Senior Citizen Dwellings” with “Independent Living Facilities”; incorporate Ontario Accessibility Parking Standards; and make administrative corrections in Section 4.

## **Recommendations**

1. THAT Zoning By-law Amendment File Z.18.006 (The Corporation of the City of Vaughan) BE APPROVED, to make technical amendments to Zoning By-law 1-88 to: update outdated references to Provincial Acts; delete and replace references to the term “Senior Citizen Dwellings” with “Independent Living Facilities”; incorporating Ontario Accessibility Parking Standards; and make administrative corrections in Section 4.

## **Background**

Zoning By-law 1-88 implements development standards for all properties within the City of Vaughan. Zoning By-law 1-88 was enacted by Vaughan Council in January 1988, and has been amended a number of times since. Periodically, minor technical amendments are required to Zoning By-law 1-88 in order to improve its administration. The proposed amendments to Zoning By-law 1-88 in this report apply on a City-wide basis.

Public notice is not required to implement the Zoning By-law 1-88 amendments as they are administrative in nature. Section 10.1.4.7 of Vaughan Official Plan 2010 includes policies to forego notification for a Zoning By-law Amendment where the amendments will not affect the substance of the document being amended, including:

- a) The deletion of obsolete provisions;
- b) changes or corrections to format, wording, or reference errors; or
- c) alteration in the number and arrangement of any provisions.

The amendments to Zoning By-law 1-88 included on this report are considered to be administrative and meet the policies of VOP 2010 and therefore, public notice is not required.

## **Analysis and Options**

### ***Amendments to Zoning By-law 1-88 are required to update outdated references to Provincial Acts***

Zoning By-law 1-88 includes references a number of Provincial Acts, which have been updated by the Province of Ontario, since its enactment and subsequent amendments. The following amendments to Zoning By-law 1-88 are proposed to the sections of Zoning By-law 1-88 to incorporate updated references to Provincial Acts:

- a) Section 1.3 “Penalty”:
  - Delete “Planning Act, 1983” and replace it with “*Planning Act, R.S.O. 1990, c. P.13*”.

b) Section 2.0 “Definitions”:

- Delete “Building Code Act” and replace it with “*Building Code Act, 1992, S.O. 1992*”;
- Delete “Day Nurseries Act, as amended” and replace it with “*Child Care and Early Years Act, 2014, S.O. 2014*”;
- Delete “Condominium Act” and replace it with “*Condominium Act, 1998, S.O. 1998*”;
- Delete “Private Hospital Act, R.S.O. 1980, Chapter 410” and replace it with “*Private Hospitals Act, R.S.O. 1990*”;
- Delete “Public Hospital Act, R.S.O. 1980, Chapter 410” and replace it with “*Public Hospitals Act, R.S.O. 1990*”;
- Delete “Public Libraries Act, R.S.O. 1980, C.414” and replace it with “*Public Libraries Act, R.S.O. 1990*”;
- Delete “Planning Act, R.S.O. 1983” and replace it with “*Planning Act, R.S.O. 1990, c. P. 13*”;
- Delete “Pits and Quarries Act, R.S.O. 1980, C.378” and replace it with “*Aggregate Resources Act, R.S.O. 1990, c.A.8*”; and
- Delete “Public Health Act., R.S.O. 1980, c. 409” and replace it with “*Health Protection and Promotion Act, R.S.O. 1990, c. H.7*”.

c) Section 5.14.1.2 “Existing Buildings”:

- Delete “Planning Act” and replace it with “*Planning Act, R.S.O. 1990, c. P. 13*”.

d) Sections 7.1.2 and 7.7.1 “Uses Permitted”:

- Delete “Cemeteries Act” and replace it with “*Funeral, Burial and Cremation Services Act, 2002, S.O. 2002*”.

e) Section 9.0 c) “Exceptions”:

- Delete “Planning Act (1983)” and replace it with “*Planning Act, R.S.O. 1990, c. P. 13*”.

***References to the term “Senior Citizen Dwellings” in Zoning By-law 1-88 needs to be replaced with “Independent Living Facilities” to achieve consistency throughout Zoning By-law 1-88***

Zoning By-law 1-88 previously contained the definition “Senior Citizen Dwelling”, which was deleted and replaced through a previous Zoning By-law Amendment (By-law 016-2014) with “Independent Living Facility” under Section 2.0 “Definitions”. By-law 016-2014 did not delete and replace the reference to “Senior Citizen Dwellings” contained in Section 3.8 c) of Zoning By-law 1-88. The following administrative correction is required to consistently reflect the updated “Independent Living Facility” definition throughout Zoning By-law 1-88:

- a) Section 3.8 c) “Parking Requirements”:
- Delete “Senior Citizen Dwellings” and replace it with “Independent Living Facilities”.

***Administrative amendments are required to Zoning By-law 1-88 to include updated Ontario Accessible Parking Standards***

Zoning By-law 1-88 includes parking standards for accessible parking spaces. The Province of Ontario updated the Accessibility Parking Standards under Ontario Regulation (“O. Reg.”) 413/12, s. 6, which came into effect January 1, 2015, and includes updated definitions, and accessible parking space and aisle requirements that must be reflected in Zoning By-law 1-88. The following amendments are proposed to Zoning By-law 1-88 to implement the updated Ontario Accessible Parking Standards and definitions:

- a) Section 2.0 “Definitions”:
- Delete the definition “Parking Space, Handicapped” and replace it with “Parking Space, Accessible”;
  - Add the definition “Access Aisle, Accessible”; and
  - Delete the definition “Barrier Free Parking Space”.
- b) Sections 3.8 d) and 3.8.1 d) “Parking Requirements”:
- Delete the current standards in Zoning By-law 1-88 and replace them with the requirements of Type A (Van Accessible) and Type B (Standard) Accessible Parking Spaces, Accessible Access Aisles, and overall Accessible Parking Space ratios, in accordance with O. Reg. 413/12, s. 6, as shown in the attached draft Zoning By-law Amendment (Attachment #2, Sections 1. s) and t)).

- c) Section 3.8.3 “Parking Requirements for the Carrville Centre”
- Shift the alphabetical sequence of sentences d) through i) inclusive to e) through j) inclusive to add Accessibility Parking Standards to the parking requirements for the Carville Centre as sentence d).

***An administrative amendment is required Zoning By-law 1-88 to correct the numerical sequencing in Section 4***

Section 4.15.7 of Zoning By-law 1-88 should reference Section 4.1.9, “Residential Zone Requirements”, however it currently makes reference to Section 4.1.8, “Secondary Suite”. Prior to the implementation of the “Secondary Suite” provisions within Zoning By-law 1-88, Subsection 4.1.8 applied to “Residential Zone Requirements” of the By-law. The introduction of “Secondary Suite” Zoning provisions replaced Subsection 4.1.8, and the “Residential Zone Requirements” section of Zoning By-law 1-88 was subsequently renumbered as Subsection 4.1.9. However, the reference to these provisions was not updated in Subsection 4.15.7. The following administrative correction to Zoning By-law 1-88 is required to correctly reference to Subsection 4.1.8 - “Secondary Suite” within Subsection 4.15.7, as Subsection 4.1.9 - “Residential Zone Requirements”:

- a) Section 4.15.7 “Application of Sections 4.1.8, and 4.2 to 4.13 Inclusive”:
- Delete the text references to “4.1.8” in Subsection 4.15.7 and replace with “4.1.9”.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

There are no broader Regional impacts or considerations associated with this report.

**Conclusion**

The Development Planning Department in consultation with the Building Standards and Legal Services Departments has reviewed the proposed technical amendments to Zoning By-law 1-88 required to properly reference Provincial Acts, definitions and standards. These changes to Zoning By-law 1-88 are determined to be administrative in nature, and improve the administration of Zoning By-law 1-88. Accordingly, the Development Planning Department recommends the approval of Zoning By-law Amendment File Z.18.006.

**For more information**, please contact: Chris Cosentino, Planner I, Development Planning Department extension 8215.

## **Attachments**

1. Context Location Map
2. Draft Zoning By-law Amendment
3. Accessible Parking Spaces - Ontario Reg. 413/12, S.6 (Illustrated Guide)

## **Prepared by**

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