

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 104-2023

A By-law to amend By-law 278-2009 as amended by By-law 125-2013, thereby implementing amendments to the City of Vaughan requirements to hold a Pre-Application Consultation (PAC) meeting prior to the submission of a planning application for specific classes of development as identified in this By-law.

WHEREAS the matters herein set out are in conformity with the Vaughan Official Plan, which is approved and in force at this time;

AND WHEREAS there has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are in conformity;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT City of Vaughan By-law 278-2009, as amended by By-law 125-2013, be and is hereby further amended by:
 - a) Deleting and replacing Paragraphs 1 through 6 of By-law 278-2009 in their entirety and substituting with the following:
 1. Definitions in this By-law:
 - a) “ACT” shall mean the *Planning Act*, R.S.O. 1990, c. P.13, as amended;
 - b) “APPLICANT” shall mean an Owner and/or agent who submits an Application to initiate the processing of, and to obtain approvals for, a development proposal from the City;
 - c) “APPLICATION” shall mean:
 - i) an Application to amend the City’s Official Plan under Section 22 of the Act;
 - ii) An Application to amend the City’s Zoning By-law under Section 34 of the Act;
 - iii) An Application for Site Plan Approval under Section 41 of the Act;

- iv) An Application for the approval of a Plan of Subdivision under Section 51 of the Act; or
- v) An Application for approval of a Plan of Condominium under Section 9 of the *Condominium Act*, S.O. 1998, c.19, as amended.
- d) "CITY" shall mean The Corporation of the City of Vaughan;
- e) "COMPLETE APPLICATION" shall mean an application that has been deemed to be complete by the City pursuant to the Act, and includes all the Submission Requirements of the City, and Other Review Agencies, as identified in Policy 10.1.3.11 of the Vaughan Official Plan 2010, as required to assess an Application, as amended from time to time;
- f) "COUNCIL" shall mean the Municipal Council of The Corporation of the City of Vaughan;
- g) "CLEARANCE LETTER" shall mean a letter issued by the City confirming the Submission Materials are deemed to meet the Terms of Reference, Standards and Guidelines, as applicable, by the City and Other Review Agencies;
- h) "OTHER REVIEW AGENCIES" shall mean an external agency or authority, or their successors, involved in the review of an Application;
- i) "OWNER" shall mean any owner of land as identified in the records of the proper Land Registry Office or Land Titles Office and includes a purchaser under a valid Agreement of Purchase and Sale, but shall exclude the City;
- j) "PRE-APPLICATION CONSULTATION MEETING" shall mean a meeting held by the City prior to the submission of an Application to the City, for the purpose of undertaking consultation between the Applicant and City to identify the Submission Requirements of the City and Other Review Agencies, required for the submission of a Complete

Application. A Pre-Application Consultation meeting shall not constitute a decision on an Application, and shall not be interpreted to reflect the City's position with respect to the disposition of an Application;

- k) "PRE-APPLICATION CONSULTATION PROCESS" shall mean the entirety of the consultation and review process between the initiation of a Pre-Application Consultation Meeting request by the Applicant and Pre-Application Submission Review and clearance;
- l) "PRE-APPLICATION CONSULTATION UNDERSTANDING" shall mean an agreement between the Applicant and the City that identifies all the Submission Requirements of the City and Other Review Authorities that are required to constitute a Complete Application in accordance with the Act;
- m) "PRE-APPLICATION SUBMISSION REVIEW" shall mean the submission of the Submission Requirements identified in the Pre-Application Consultation Understanding, along with the prescribed fee(s), which will be circulated by the City to the required commenting departments and Other Review Agencies, to confirm whether the materials meet the quality standards for review and/or the provided Terms of Reference, as applicable, within 30 days of the circulation. This review may involve peer reviews and resubmissions of the required materials by the Applicant, prior to a formal submission of development applications;
- n) "SITE PLAN LETTER OF UNDERTAKING/AGREEMENT" shall mean an undertaking or agreement entered into by an Owner and the City pursuant to a Site Plan Approval.
- o) "SUBMISSION REQUIREMENTS" shall mean the material and information (including, but not limited to, any application form(s), study, document, report, and drawings as identified

in Policy 10.1.3.11 of the Vaughan Official Plan 2010) required in support of an Application and the required fees pursuant to the City's Tariff of Fees By-law for Applications in effect at the time of Application submission to the City; and

p) "TERMS OF REFERENCE, STANDARDS AND GUIDELINES" shall mean guidance documents, as amended from time to time, or agreed upon best practices in absence thereof, to establish the technical standards, scope and format identified by respective City departments and/or Other Review Agencies for Submission Requirements identified in the Pre-Application Consultation Understanding.

2. An Applicant that intends to submit an Application to the City shall be required to complete the Pre-Application Consultation Process, prior to submitting the Application;

3. The Applicant shall submit a Pre-Application Consultation Meeting (Step 1) request to the City, along with the requirements set out in Policy 10.1.3.3 of the Vaughan Official Plan 2010 for an Application, subject to the following exceptions:

a) For Plans of Condominium, only those with Common Element tenure require a Pre-Application Consultation Meeting; and

b) For Site Plan Approval, the following specific classes of development are exempt from the requirement of a Pre-Application Consultation Meeting:

i) street townhouse dwellings where the Official Plan and Zoning By-law are in effect;

ii) minor additions to an existing building that comply with the applicable City Zoning By-law(s), as amended, where the Deputy City Manager of Planning and Growth Management or designate (Director of Development Planning or Director of Policy Planning and Special Projects) is of the opinion that the use and development of

the lands provided for in the original Site Plan Letter of Undertaking or Site Plan Agreement remains substantially unaltered, and where no City Department or Other Review Agency would object to the Application;

iii) minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, etc.); and,

iv) applications for new signage or changes to existing signage.

4. Subsequent to holding a Pre-Application Consultation Meeting and receiving confirmation of all required Submission Requirements from City departments and Other Review Agencies, the City shall issue a Pre-Application Consultation Understanding to be reviewed and signed by the Applicant, and returned to the City. The Pre-Application Consultation Understanding shall be valid for 180 days from the date of its issuance by the City and may only be extended if a request to do so is made by the Applicant in writing, accompanied by the prescribed fee(s), prior to the 180-day expiration date. The Pre-Application Consultation Understanding can be extended by an additional 180 days before being rendered invalid. The Applicant is solely responsible for tracking this expiration date. The City may refuse to extend the Pre-Application Consultation Understanding if the proposal presented at the Pre-Application Consultation Meeting has materially changed;
5. The Applicant shall submit a Pre-Application Submission (Step 2) to the City, along with the prescribed fee(s), prior to the expiration of the Pre-Application Consultation Understanding. The Pre-Application Submission shall consist of the Submission Materials identified in the Pre-Application Consultation Understanding, which will be circulated by the City to the required commenting departments and Other Review Agencies to confirm whether the materials meet the quality standards for review and the provided Terms of Reference, Standards and

Guidelines, as applicable, within 30 days of the circulation;

6. If the Submission Materials are deemed to meet the Terms of Reference, Standards and Guidelines, as applicable, by the City and Other Review Agencies, the City shall issue a Clearance Letter to the Applicant, which is to accompany the formal submission of their Application(s). This Clearance Letter is valid for 180 days from the date of its issuance by the City and may only be extended if a request to do so is made by the Applicant in writing, accompanied by the prescribed fee(s), prior to the 180-day expiration date. This date can be extended by an additional 180 days before being rendered invalid. The Applicant is solely responsible for tracking this expiration date. The City may refuse to extend this date if the proposal reviewed under the Pre-Application Submission has materially changed;
7. When an Applicant has not completed the Pre-Application Consultation Process and/or failed to provide the Submission Requirements identified in a Pre-Application Consultation Understanding and Policy 10.1.3.3 of the Vaughan Official Plan 2010, the City may deem the Application to be incomplete and/or refuse to accept the Application; and,
8. Notwithstanding Paragraphs 1h) and o) of this By-law, in the course of the review process of a Complete Application, the submission of additional Submission Requirements, or consultation with Other Review Agencies, not specifically identified in a Pre-Application Consultation Meeting, may be required by the City or by any Other Review Agencies to be submitted or consulted with.

Enacted by City of Vaughan Council this 20th day of June, 2023.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 6 of Report No. 28
of the Committee of the Whole
Adopted by Vaughan City Council on
June 20, 2023.

SUMMARY TO BY-LAW 104-2023

This Amendment applies to all of the lands within the corporate boundaries of the City of Vaughan. The purpose of this by-law is to amend City of Vaughan By-laws relating to Pre-Application Consultation.

On June 20, 2023, Vaughan Council considered City-initiated amendments to the Vaughan Official Plan 2010 and By-law 278-2009, as amended by By-law 125-2013, respecting updates to the City's pre-consultation and complete application submission requirements which respond to recent changes made to provincial policy and the *Planning Act*, specifically Bill 109 (More Homes for Everyone Act, 2022), and resolved the following (in part):

“THAT the amendment to By-law 278-2009, as amended by By-law 125-2013, BE APPROVED, to update the City of Vaughan Pre-Consultation process.”