

Committee of the Whole (1) Report

DATE: Tuesday, October 08, 2024

WARD(S): ALL

TITLE: CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021 –
GENERAL AND SITE-SPECIFIC AMENDMENTS, ZONING BY-
LAW AMENDMENT FILE Z.24.018: THE CORPORATION OF
THE CITY OF VAUGHAN

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 21, 2021.
- Since the enactment of the CZBL, staff have identified errors and clarifications in the CZBL that are recommended for correction and amendment, as shown in Attachments 2 and 3.
- Reports detailing further recommended amendments to the CZBL will be brought forward on a regular basis to reflect approvals respecting zoning by-law amendment applications in process and to correct errors that may be identified in the future.

Recommendations

1. THAT Zoning By-law Amendment File Z.24.018 (THE CORPORATION OF THE CITY OF VAUGHAN) BE APPROVED, to make site-specific and general amendments to Comprehensive Zoning By-law 001-2021 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

Location: *City-wide and for the specific sites identified in Attachment 2.*

On October 20, 2021, Council adopted the CZBL. The Ontario Land Tribunal (“OLT”) ordered the CZBL into force by its order on December 28, 2022, and as corrected on March 28, 2023, with exceptions.

The CZBL affects all properties within the City of Vaughan, with the exception of lands in the vicinity of Yonge Street and Steeles Avenue West, as shown on Attachment 1. The CZBL replaces Zoning By-law 1-88, with the exception of matters of transition pursuant to section 1.6 of the CZBL and the Yonge-Steeles Corridor Secondary Plan area.

The CZBL has been appealed to the OLT by a number of appellants. The OLT issued an Order on December 28, 2022, which was subsequently corrected on March 28, 2023, bringing into effect sections of the CZBL that have not been appealed.

On May 17, 2022, Council approved site-specific and general amendments to correct errors in the CZBL.

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

Reports detailing further recommended site-specific and general amendments to the CZBL will be brought forward to correct errors that may be identified in the future, as required.

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

- *Date of Notice: August 16, 2024*
- *Date of Courtesy Public Meeting Notice to CZBL Appellants: September 4, 2024*
- *Date of Public Meeting: September 10, 2024, ratified by Council on September 24, 2024*
- *Date of Committee of the Whole Non-Statutory Courtesy Notice sent to CZBL Appellants and others requesting to be notified: September 25, 2024*

Public Comments were received.

The following is a summary of the comments provided and received to date:

11151 Highway 50

- 11151 Highway 50 was identified by staff as being erroneously rezoned from the A Agricultural Zone under Zoning By-law 1-88 to the GC General Commercial Zone in the CZBL, which is contrary to the existing Agricultural designation that applies to the lands under the Vaughan Official Plan 2010. The agent representing the owners of 11151 Highway 50 submitted two communications on September 10, 2024 which requested the City not to proceed with making a technical amendment for the lands, but instead address the matter through Official Plan Amendment File OP.23.005 and Zoning By-law Amendment File Z.23.008 submitted for Block 4 of the lands and future Official Plan Amendment and Zoning By-law Amendment applications for Blocks 1-3 of the lands. Additionally, the owner of Block 4 made an oral deputation at the September 10, 2024, Public Meeting requesting the City not proceed with the amendment.

On September 24, 2024, Council resolved to receive the public meeting report and defer the amendment for 11151 Highway 50 to a later date. As such, the proposed amendment relating to 11151 Highway 50 has been removed from the site-specific amendments identified in Attachment 2 to this report.

Previous Reports/Authority

[Extract from Council Meeting Minutes of October 20, 2021 \(Item 9, Report No. 46 of the Committee of the Whole\)](#)

[Extract from Council Meeting Minutes of March 22, 2022 \(Item 1, Report No. 14 of the Committee of the Whole\)](#)

[Extract from Council Meeting Minutes of May 17, 2022 \(Item 14, Report No. 24 of the Committee of the Whole\)](#)

[The following link is to the September 10, 2024, Committee of the Whole \(Public Meeting\) \(Item 3, Report No. 28\) File Z.24.018](#)

Analysis and Options

Site-specific amendments to the CZBL are proposed, as shown on Attachment 2.

The site-specific amendments to the CZBL identified in Attachment 2 are intended to address site-specific zoning exceptions that were not carried forward into the CZBL from Zoning By-law 1-88 or were carried forward but omissions occurred in the CZBL version of the site-specific exceptions. The proposed site-specific amendments are intended to ensure that current and future owners and tenants of the lands are not

adversely impacted by legal non-conforming status or site-specific discrepancies between Zoning By-law 1-88 and the CZBL.

A site-specific amendment is proposed to the CZBL in Attachment 2 to extend the temporary personal service use (hair salon) for 8750 Jane Street (unit 14) for a further period of three (3) years.

On May 17, 2022, Council enacted By-law 095-2022 to permit the temporary use of personal service (hair salon) in unit 14 of the existing building at 8750 Jane Street for a period of three (3) years. The intent was that the personal service use (hair salon) would eventually be permitted as of right through the new Vaughan Official Plan, and subsequent update to the CZBL, after completion of the Official Plan Review (“OPR”) process. However, given that the OPR process is ongoing, an extension to the temporary use permission for a personal service use (hair salon) in unit 14 is proposed for a further period of three (3) years.

Pursuant to subsection 39(3) of the *Planning Act*, Council may, by by-law, grant further periods of not more than three (3) years each during which a temporary use is authorized.

General amendments to the CZBL are proposed, as shown on Attachment 3.

The general amendments to the CZBL identified in Attachment 3 are proposed to provide clarity with respect to various maps and text provisions relating to permitted uses, definitions, lot and building requirements, notes, tables, and special provisions.

A general amendment is proposed to the CZBL in Attachment 3 to implement additional residential unit permissions to conform with amendments to the Planning Act implemented through Bill 23 - the More Homes Built Faster Act, 2022 (“Bill 23”).

As amended by Bill 23, subsections 16(3) and 35.1(1) of the *Planning Act* restrict official plans and zoning by-laws from containing policies and provisions that prohibit the use of up to three (3) residential units as follows:

- two (2) residential units in a detached house, semi-detached house or rowhouse (townhouse), if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse (townhouse) cumulatively contain no more than one (1) residential unit;
- three (3) residential units in a detached house, semi-detached house or rowhouse (townhouse), if no building or structure ancillary to the detached house, semi-detached house or rowhouse (townhouse) contains any residential units; or

- one (1) residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse (townhouse), if the detached house, semi-detached house or rowhouse (townhouse) contains no more than two (2) residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

Additionally, subsections 16(3.1) and (3.2) and 35.1(1.1) and (1.2) of the *Planning Act* restrict official plans and zoning by-laws from containing policies and provisions of the following:

- requiring more than one (1) parking space to be provided in connection with a residential unit noted above other than the primary residential unit; and
- regulating the minimum floor area of a residential unit noted above.

Pursuant to subsections 16(3.3) and 35.1(1.3) of the *Planning Act*, a policy or provision that contravenes these restrictions is of no effect.

As such, an amendment to the CZBL is proposed to remove provisions which conflict with the *Planning Act* and to implement development standards that would facilitate up to three (3) residential units in zones that permit single detached, semi-detached or rowhouses (townhouses). Under subsection 34(19.1) of the *Planning Act*, there is no appeal in respect of a by-law that is passed to permit the use of up to three (3) residential units as described above.

The amendments to the CZBL identified in Attachments 2 and 3 are consistent with the 2020 Provincial Policy Statement and the pending 2024 Provincial Planning Statement and conform to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, York Region Official Plan, 2022 and Vaughan Official Plan, 2010.

Provincial Planning Statement, 2024 (“PPS 2024”)

The PPS 2024 is a policy statement issued pursuant to section 3 of the *Planning Act* and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024 in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, *inter alia*, the Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Section 6.1.6 of the PPS 2024 requires planning authorities to keep zoning by-laws up-to-date with their Official Plan and the PPS by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and Development. The proposed amendments are intended to bring certain provisions and site-specific exceptions of the CZBL into conformity with VOP 2010 and Bill 23 and to establish or clarify permitted uses and other development standards. The proposed amendments are consistent with the pending PPS 2024.

Provincial Policy Statement, 2020 (“PPS 2020”)

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS 2020. The PPS 2020 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 2020 recognizes that local context and character is important. The proposed amendments are consistent with the PPS 2020.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (“Growth Plan”)

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

York Region Official Plan 2022 (“YROP 2022”)

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150, *Planning Statute Law Amendment Act, 2023* and Bill 162, *Get It Done Act, 2024* later rescinded some of those modifications.

On June 6, 2024, Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* (“Bill 185”) received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

YROP 2022 guides economic, environmental and community building decisions across York Region. YROP 2022 also encourages pedestrian scaled safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. Policy 7.3.1 of YROP 2022 requires municipalities to adopt municipal zoning by-laws that conform to YROP 2022 in a timely manner. The proposed amendments conform to YROP 2022.

Vaughan Official Plan 2010 ("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 the CZBL. The proposed amendments conform to VOP 2010.

Financial Impact

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

Operational Impact

The amendments proposed in Attachments 2 and 3 have been reviewed in collaboration with the Building Standards and Legal Services Departments for technical accuracy.

Broader Regional Impacts/Considerations

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

Conclusion

The proposed amendments to the CZBL identified in Attachments 2 and 3 are intended to correct errors identified in the CZBL and to provide clarification in respect of certain provisions.

For more information, please contact Chris Cosentino, Senior Planner, Development Planning Department, ext. 8215.

Attachments

1. Lands Subject to Zoning By-law 001-2021.
2. Site-specific Amendments Proposed to By-law 001-2021.
3. General Amendments Proposed to By-law 001-2021.

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