

Committee of the Whole (Public Meeting) Report

DATE: Wednesday, November 6, 2024

WARD(S): 4

**TITLE: CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021 -
GENERAL AND SITE-SPECIFIC AMENDMENTS
ZONING BY-LAW AMENDMENT FILE Z.24.033
THE CORPORATION OF THE CITY OF VAUGHAN**

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 proposed site-specific amendment to Comprehensive Zoning By-law 001-2021 (the 'CZBL') as identified in this Report, for the lands identified on Attachment 1.

Report Highlights

- The CZBL was enacted by Council on October 20, 2021.
- Since the enactment of the CZBL, staff have identified errors and clarifications in the CZBL that are recommended for correction and amendment.
- A technical report considering the noted amendment will be brought forward to a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.24.033 (THE CORPORATION OF THE CITY OF VAUGHAN) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 10090 Bathurst Street (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

The City's CZBL is in effect and staff continue to bring forward technical amendments to correct and clarify provisions in the CZBL.

On October 20, 2021, Council adopted the new CZBL, which 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 Ontario Land Tribunal ('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, and on October 29, 2024, Council approved a series of site-specific and general amendments to correct errors in the CZBL. Staff continue to identify and bring forward further amendments to correct or clarify provisions in the CZBL.

This Report identifies a further recommended amendment to the CZBL permissions on 10090 Bathurst Street, which is currently zoned "A Agriculture Zone" despite the applicable land use designation under the Vaughan Official Plan 2010 ('VOP 2010') being "Low-Rise Mixed-Use". The proposed amendment would allow the use of a Supportive Living Facility on the Subject Lands within the existing building known as the "Bassingthwaite Building" and the "Munshaw Building", as shown on Attachment 2. The proposed use is consistent with the "Low-Rise Mixed-Use" designation that permits a mix of residential, limited commercial and institutional uses in low-rise and public or private institutional building types.

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.

A Members' Resolution was submitted and adopted by Council to relieve Care as One from the requirement to post letters of credit related to the Supportive Living Facility.

On March 19, 2024, a Members' Resolution was considered by the Committee of the Whole to relieve Care As One (the owner of the Subject Lands) from the requirement to post letters of credit (or other financial security) for any heritage easement, site plan or servicing agreements on the Subject Lands, subject to terms and conditions. This

Members' Resolution was adopted by Council without amendment at the March 26, 2024 Council meeting, recognizing that Care For One is a not-for-profit organization offering a needed residential short-stay respite program in the City.

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

- a) Date the Notice of Public Meeting was circulated: October 11, 2024.
- b) The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca.
- c) No comments have been received as of October 22, 2024, by the Development Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

The following link is to the CZBL approval report (adopted, as amended):

[Extract from the Council Meeting Minutes of October 20, 2021 \(Item 9, Report No. 46 of the Committee of the Whole\(2\)\)](#)

The following links are to previous reports granting authority to make general and site-specific amendments to the CZBL:

File Z.21.052

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

[Extract from the Council Meeting Minutes of May 17, 2022 \(Item 14, Report No. 24 of the Committee of the Whole \(2\)\)](#)

File Z.24.018

[Extract from the Council Meeting Minutes of September 24, 2024 \(Item 3, Report No. 28 of the Committee of the Whole \(Public Meeting\)\)](#)

[Report from the October 8, 2024, Committee of the Whole \(1\) \(Item 3, Report No. 32\)](#)

The following link is to the Member's Resolution pertaining to the Subject Lands:

[Extract from the Council Meeting Minutes of March 26, 2024 \(Item 22, Report No. 10 of the Committee of the Whole \(2\)\)](#)

The following link is to the Heritage Vaughan Committee Report for the proposed renovation and adaptive reuse of the Bassingthwaite House on 10090 Bathurst Street:

[Link to the Heritage Vaughan Committee Report on September 26, 2024 \(Item 1\)](#)

Analysis and Options

The proposed amendment for the Subject Lands conforms to VOP 2010.

Official Plan Designation:

- “Natural Areas and Countryside” on Schedule 1 – Urban Structure by VOP 2010
- “Urban Area” on Schedule 1A – Urban Area by VOP 2010
- “Core Features” on Schedule 2 – Natural Heritage Network
- “Low-Rise Mixed-Use” with a maximum permitted height of 5-storeys and floor space index (‘FSI’) of 1.75 times the area of the lot on Schedule 13 – Land Use by VOP 2010
- This designation permits residential units, home occupations, small scale hotels, limited retail, office and institutional uses within townhouses, stacked townhouses, low-rise buildings and public or private institutional buildings
- The use of a Supportive Living Facility is permitted under the Low-Rise Mixed-Use designation of VOP 2010
- The Supportive Living Facility will utilize one of the two existing single-detached dwellings located on the Subject Lands shown on Attachment 2, and not require any new development within Core Features in compliance with Policy 3.2.3.7
- Minor site alteration is required to create a parking lot on the Subject Lands outside of the Core Features, which will be reviewed to ensure conformity with Policy 3.2.3.8 of VOP 2010 pertaining to site alterations adjacent to Core Features

A site-specific amendment to the CZBL is proposed for 10090 Bathurst Street.

Through the implementation of the CZBL, various lands throughout the City were intended to be rezoned to conform with the land use designations of VOP 2010, where appropriate. The Subject Lands were initially zoned “A Agricultural Zone” by Zoning By-law 1-88, which was carried over into the CZBL as the “A Agriculture Zone” despite the land use designation of the Subject Lands under VOP 2010 being “Low-Rise Mixed-Use”, thereby restricting the permitted uses on the Subject Lands to agricultural related uses, limited commercial uses, and a single detached residential dwelling. The proposed amendment would permit the use of a Supportive Living Facility and accessory operations in the existing detached dwellings on the Subject Lands by way of a site-specific exception. Further amendments may be made to the zoning permissions on the Subject Lands following the completion of a detailed site assessment and establishment of new development limits in association with the adjacent Core Features and in consultation with the Toronto and Region Conservation Authority who regulate a portion of the Subject Lands.

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

A minor Site Development Application is required for the proposed site alteration.

The Supportive Living Facility will require a new parking lot to be created on the Subject Lands as shown on Attachment 2, which is subject to site plan control. A minor Site Development Application is required to be submitted and reviewed to evaluate the layout and impact of the proposed parking area.

Financial Impact

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

Operational Impact

Development Planning staff have circulated the proposed amendment to internal City Departments and external agencies for review.

Toronto and Region Conservation Authority ('TRCA')

The Subject Lands are located within the Regulated Area of the TRCA due to their location adjacent to a tributary of the Don River. Accordingly, the Zoning By-law Amendment has been circulated to the TRCA for review and the proposed use and site alterations will require a TRCA Permit. Any comments and/or requirements of the TRCA will be considered in a technical report to a future Committee of the Whole meeting.

The Subject Lands contain cultural heritage resources

The Bassingthwaite House and the Munshaw house shown on Attachment 2 were relocated to the Subject Lands in 2021 and are subject to a Heritage Easement Agreement. Both buildings are deemed to have significant cultural heritage value, and the Subject Lands are designated under Section 29, Pat IV of the *Ontario Heritage Act*. Any alterations and/or restoration of these buildings are subject to a Heritage Permit. The owner of the Subject Lands submitted a Heritage Permit to restore and renovate the Bassingthwaite House to support the proposed use of the Supportive Living Facility. At its September 26, 2024 meeting, the Heritage Vaughan Committee recommended Council approve the application for restoration and renovation. At the time of writing this report, the recommendation of the Heritage Vaughan Committee was forwarded to the October 22, 2024 Committee of the Whole Meeting for consideration.

Broader Regional Impacts/Considerations

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 Statue 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.

Bathurst Street is under the jurisdiction of York Region. The Zoning By-law Amendment is being circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e., roads and servicing infrastructure. Further comments will be discussed in the future comprehensive report.

Conclusion

The proposed amendment to the CZBL is technical in nature and is intended to permit a use in conformity with VOP 2010 that was not brought forward through the CZBL process.

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

Attachments

1. Context and Location Map
2. Conceptual Site Plan

Prepared by

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