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Communication

CW(1) – May 6, 2025

Item No. 1

File: P-3405

May 5, 2025

City of Vaughan
Development and Parks Planning Department
2141 Major Mackenzie Drive
Vaughan, ON M5C 2N2

Attention: Mayor Del Duca and Members of Council

**RE: Proposed Amendments to Comprehensive Zoning By-law 001-2021
9810 Bathurst LP c/o Liberty Development Corporation
9810 Bathurst Street, Vaughan, Ontario**

Dear Mayor Del Duca and Members of Council,

KLM Planning Partners Inc. ("KLM") is the land use planning consultant representing 9810 Bathurst LP c/o Liberty Development Corporation (the "Owner") with respect to the lands municipally known as 9810 Bathurst Street (the "Subject Lands"), in the City of Vaughan (the "City"), Regional Municipality of York (the "Region").

On behalf of the Owner, we provide the following comments with respect to Item 6.1 on the May 6th, 2025, Committee of the Whole Agenda regarding the proposed general amendments to the City's Comprehensive Zoning By-law 001-2021 (the "2021 Zoning By-law").

Overview and Context

The Subject Lands are located north of Lebovic Campus Drive along the west side of Bathurst Street, and are approximately 4.5 hectares (11.1 acres) in size. The lands are subject to a site-specific Official Plan Amendment (OPA 674) and Zoning By-law Amendment (By-law 216-2007), which were approved by the City in 2007 to permit medium- and high-density residential uses on the Subject Lands including townhouse, multi-family, and apartment dwelling units with heights up to fifteen (15) storeys. To facilitate orderly development of the Subject Lands, in-force zoning deems the lands as one lot regardless of the number of buildings, conveyances, consents, subdivisions, or condominiums granted after passage of the By-law (the "Lot"). These permissions have been incorporated into the in-force Vaughan Official Plan 2010 ("VOP 2010") and the partially in-force 2021 Zoning By-law.

KLM and the Owner have been actively engaged with City staff since 2023 regarding the redevelopment of approximately 1.9 hectares (4.9 acres) of the Subject Lands for the construction of four-hundred-and-forty (440) residential units within mid-rise apartment and townhouse built forms ("Phase 1"), while the remaining 2.6 hectares (6.2 acres) will be subject to future Planning Act applications ("Phase 2").

Most recently, a Site Development Application was submitted to the City on June 27, 2024, to facilitate the detailed design of the Phase 1 development (File No. DA.24.038). Following multiple coordination meetings with staff to address City and agency comments, City staff

issued the Notice of Approval Conditions on April 1, 2025, which outlines all conditions to be satisfied prior to issuance of Final Site Plan Approval.

Comments

We understand the City is undertaking general and site-specific amendments to the City of Vaughan Comprehensive Zoning By-law 01-2021 under City File No. Z.25.005, which is intended to address technical omissions and clarifications as outlined in Attachments 2 and 3 to Item 6.1 on the May 6th, 2025, Committee of the Whole Agenda. Following review of the staff report and attachments, we are writing to formally express our concerns regarding the proposed amendments as they relate to the proposed development of the Subject Lands, as well as the public notification process employed for these amendments.

Attachment 3 to Agenda Item 6.1 outlines the general amendments to the 2021 Zoning By-law. In particular, our concerns lie with the proposed amendments to Section 4 as they relate to requirements for private garages and carports; specifically:

"4.2.1 Requirements for Private Garages and Carports

- 1. A private garage or carport shall have a minimum interior dimension of 3.0 m x 6.0 m; and*
- 2. A maximum of one detached private garage, carport or an attached private garage shall be permitted on a lot."*

We presume the purpose of proposed Section 4.2.1.1, as outlined above, is to ensure that private garages maintain an interior area that provides a sufficient amount of space to park a vehicle and store personal items (i.e., waste and recycling bins, bicycles, storage bins, etc.). However, the draft amendment does not consider the potential encroachment of stairs/risers within the garage area as was previously the case under Section 4.1.4 e) of Zoning By-law 1-88. As such, we respectfully request that the draft amendment be revised to permit the encroachment of stairs/risers into the minimum interior area, so long as they do not encroach into the minimum parking space area of 2.7 m x 5.7 m. We are of the opinion that the encroachment would allow for greater flexibility in building design without significantly impeding homeowner's ability to store personal items within their garage.

Proposed Section 4.2.1.2, as outlined above, is problematic for landowner's who have existing approved site-specific by-laws with a "one lot" clause, as is the case for the Subject Lands. For zoning purposes, one lot clauses deem the lands to be one lot regardless of the number of buildings, conveyances, consents, subdivisions, or condominiums granted after passage of the site-specific by-law. Accordingly, if the draft amendment were to be approved with the language as currently proposed, the Subject Lands would have eighteen (18) private garages on one lot and would no longer comply with the 2021 Zoning By-law. Additionally, the proposed provision does not account for certain building typologies that are considered to be on one lot, such as a single block of standard condominium townhouses with individual integral garages that are all part of one block from a condominium registration perspective, which effectively means that a permitted housing typology would not be able to comply with the proposed provision.

We are of the opinion that the proposed Section 4.2.1.2 overlooks properties with site-specific by-laws that contain "one lot" clauses, as well as certain condominium townhouse typologies, and requiring landowners to seek approval of a minor variance to address this oversight would not be appropriate. As such, we respectfully request that the draft language be revised, or

removed altogether, to accommodate properties with existing “one lot” clauses in their approved site-specific by-laws, and to ensure permitted building typologies can comply with the general provisions of the Zoning By-law.

In addition to the above, we would like to express our general concerns with the public notification process that was employed by the City for the proposed general and site-specific amendments. A statutory public meeting was held on April 1, 2025, where City staff presented an information report and general details about the proposed amendments to the 2021 Zoning By-law, without providing any specific details or the proposed amendment language. City staff advised that a technical report considering the noted corrections and amendments would be brought forward to a future Committee of the Whole meeting. However, the staff report and attachments included as Item 6.1 on the May 6th, 2025, Committee of the Whole Agenda still do not provide any specific details or the proposed amendment language. Copies of the draft proposed amendments were obtained from City staff via email, however, were not included within the public notice or made publicly accessible on the City’s website. It is our opinion that proper public notice has not been provided and as such, staff should be directed to return to a future Committee of the Whole meeting once full details on the draft amendments are available and the public has had sufficient time to review and provide comments, as necessary.

We appreciate the opportunity to remain engaged throughout this process. Please accept this letter as our formal request to be notified of any future meetings, events, or reports related to the proposed general and site-specific amendments to the Comprehensive Zoning By-law 001-2021 so we can remain informed and engaged in the public process and provide feedback, as necessary. In addition, we wish to receive formal notice of any decisions made by the City of Vaughan on this matter. We reserve the right to provide further comments, as necessary.

Yours truly,

KLM PLANNING PARTNERS INC.

A handwritten signature in black ink, appearing to read 'Courtney Fish', is written over a light blue horizontal line.

Courtney Fish BES, MCIP, RPP
Senior Planner

cc. Vince Musacchio, City of Vaughan
Nancy Tuckett, City of Vaughan
Mark Antoine, City of Vaughan
Michael Torres, City of Vaughan
Liberty Development Corporation