

Committee of the Whole (2) Report

DATE: Tuesday, June 17, 2025

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:

Vince Musacchio, Interim Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval of an amendment to Comprehensive Zoning By-law 001-2021 to permit a Supportive Living Facility on the Subject Lands and to add site-specific exceptions as identified in Table 1.

Report Highlights

- Since the enactment of the Comprehensive Zoning By-law 001-2021 by Council on Oct. 21, 2021, staff have periodically made recommendations to Council for amendments to address technical omissions and make clarifications.
- Staff are recommending an additional correction to the Comprehensive Zoning By-law 001-2021 on a site-specific basis for 10090 Bathurst St. to permit a Supportive Living Facility in conformity with Vaughan Official Plan 2010.
- Reports detailing further recommended amendments to the Comprehensive Zoning By-law 001-2021 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.24.033 (THE CORPORATION OF THE CITY OF VAUGHAN) BE APPROVED, to amend Zoning By-law 001-2021 by permitting the use of a Supportive Living Facility in the “A Agriculture Zone” on the Subject Lands shown on Attachment 1, together with the site-specific exceptions identified in Table 1 of this report; and
2. THAT a Holding Symbol “(H)” be applied to the Subject Lands which shall not be removed from any portion thereof until the following condition is addressed to the satisfaction of the City. Notwithstanding the Holding Symbol “(H)”, interior alteration work associated with a Supportive Living Facility shall be permitted prior to the removal of the Holding Symbol “(H)”:
 - a) That the flood safe access details of the emergency response plan be finalized and TRCA clearance is received by the City.

Background

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

The City’s Comprehensive Zoning By-law 001-2021 is in effect and staff continue to bring forward technical amendments to correct and clarify its provisions.

On Oct. 20, 2021, Council adopted the Comprehensive Zoning By-law, which affects all properties within the City of Vaughan, with the exception of lands in the vicinity of Yonge Street and Steeles Avenue West. The Comprehensive Zoning By-law replaces Zoning By-law 1-88 with the exception of matters of transition pursuant to section 1.6 of the Comprehensive Zoning By-law and the Yonge-Steeles Corridor Secondary Plan area.

Comprehensive Zoning By-law 001-2021 has been appealed to the Ontario Land Tribunal by a number of appellants. The Ontario Land Tribunal issued an order on Dec. 28, 2022, which was subsequently corrected on March 28, 2023, bringing into effect sections of Comprehensive Zoning By-law 001-2021 that have not been appealed.

On May 17, 2022, Oct. 29, 2024, and May 27, 2025, Council approved a series of site-specific and general amendments to correct provisions in Comprehensive Zoning By-law 001-2021. Staff continue to identify and bring forward further amendments to correct or clarify provisions in Comprehensive Zoning By-law 001-2021.

This Report identifies a further recommended amendment to the zoning permissions on 10090 Bathurst St., which is zoned “A Agriculture Zone” by Comprehensive Zoning By-law 001-2021 despite the applicable land use designation under the Vaughan Official Plan 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 House”, as shown on Attachment 2. The proposed use conforms to Vaughan Official Plan 2010 as the “Low-Rise Mixed-Use” designation 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 Comprehensive Zoning By-law 001-2021 will be brought forward to correct errors that may be identified in the future, as required.

Two Members' Resolutions were submitted and adopted by Council to relieve Care As One from the requirements to post letters of credit and cash-in-lieu of tree removal compensation related to the Supportive Living Facility.

Two separate Members' Resolutions were considered by the Committee of the Whole on March 19, 2024 and April 1, 2025 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, and from the requirement to provide cash-in-lieu compensation for the proposed tree removals, subject to terms and conditions. The Members' Resolutions were adopted by Council, without amendment, at the March 26, 2024 and April 23, 2025 Council meetings respectively, recognizing that Care As One is a not-for-profit organization offering a needed residential short-stay respite program in the City.

A Site Development Application is not required for the proposed site alterations.

The Supportive Living Facility will require the creation of a new parking lot and modifications to the access from Bathurst Street, as shown on Attachment 2. A Site Development Application is not required for the modifications; however, technical review of these site elements were completed and approved by the Development and Parks Planning, Development Engineering and Environmental Services Departments.

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

- *Date of Notice: Oct. 11, 2024 (via www.vaughan.ca)*
- *Date of Public Meeting: Nov. 6, 2024, date ratified by Council Nov. 19, 2024*

No comments have been received by the Development and Parks Planning Department as of May 20, 2025.

Previous Reports/Authority

The following link is to the Comprehensive Zoning By-Law approval report (adopted, as amended):

[Extract from the Council Meeting Minutes of Oct. 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 Comprehensive Zoning By Law:

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 Sept. 24, 2024 \(Item 3, Report No. 28 of the Committee of the Whole \(Public Meeting\)\)](#)

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

The following link is to the Member's Resolution pertaining to posting letters of credit for 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 Member's Resolution pertaining to tree compensation on the Subject Lands: [Extract from the Council Meeting Minutes of April 23, 2025 \(Item 8, Report No. 13 of the Committee of the Whole \(1\)\)](#)

The following link is to the Heritage Vaughan Committee Report for the proposed renovation and adaptive reuse of the Bassingthwaite House on the Subject Lands: [Extract from the Council Meeting Minutes of Oct. 29, 2024 \(Item 16, Report No. 35 of the Committee of the Whole \(2\)\)](#)

The following link is to the Public Meeting report pertaining to the Subject Lands: [Report from the Nov. 6, 2024, Committee of the Whole \(Public Meeting\) \(Item 2, Report No. 38\)](#)

Analysis and Options

The amendment to Comprehensive Zoning By-law 001-2021 is consistent with the Provincial Planning Statement 2024 and conforms to the York Region Official Plan 2022 and Vaughan Official Plan 2010.

Provincial Planning Statement 2024

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

The Provincial Planning Statement 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 Provincial Planning Statement requires planning authorities to keep zoning by-laws up-to-date with their Official Plan

and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.

The proposed amendment is intended to add a permitted use on the Subject Lands in conformity with the Low-Rise Mixed-Use designation in Vaughan Official Plan 2010. The proposed amendment is consistent with the Provincial Planning Statement 2024.

York Region Official Plan 2022

York Region Council adopted York Region Official Plan 2022 in June 2022. York Region Official Plan 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*, York Region Official Plan 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.

York Region Official Plan 2022 guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” and partially within the “Regional Greenlands System” on Map 1 – Regional Structure, and “Community Area” on Map 1A – Land Use Designations of the York Region Official Plan 2022. Policy 7.3.1 of York Region Official Plan 2022 requires municipalities to adopt municipal zoning by-laws that conform to York Region Official Plan 2022 in a timely manner. The proposed amendment conforms to York Region Official Plan 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 Comprehensive Zoning By-Law. The Subject Lands are identified in VOP 2010 as follows:

- “Natural Areas and Countryside” on Schedule 1 – Urban Structure
- “Urban Area” on Schedule 1A – Urban Area
- “Core Features” on Schedule 2 – Natural Heritage Network
- “Low-Rise Mixed-Use” with a maximum permitted height of five-storeys and floor space index of 1.75 times the area of the lot on Schedule 13 – Land Use

The Low-Rise Mixed-Use 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 amendment conforms to VOP 2010 by permitting an institutional use through the adaptive reuse of an existing two-storey building into a Supportive Living Facility, in accordance with the Low-Rise Mixed-Use designation. The proposed associated parking lot will be located outside of the adjacent Core Features. In addition, mitigation measures will be implemented in accordance with the scoped Environmental Impact Study prepared by R.J. Burnside & Associated Limited dated March 2025, in conformity with Policy 3.2.3.8 of the VOP 2010. This includes tree protection fencing along the edge of the Significant Woodlands, edge management measures, erosion and sediment control measures and tree surveying prior to any removals to ensure migratory birds are not impacted.

Heritage Vaughan recommended approval of the proposed renovations to the Bassingthwaite House for its adaptive reuse as a Supportive Living Facility.

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 registered on Dec. 21, 2020. Both buildings are deemed to have significant cultural heritage value, and the Subject Lands are designated under Section 29, Part 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 Sept. 26, 2024, meeting, the Heritage Vaughan Committee recommended Council approve the application for restoration and renovation. Council approved the recommendations of the Heritage Vaughan Committee at the Oct. 29, 2024, Council meeting.

A site-specific amendment to Comprehensive Zoning By-law 001-2021 is required for 10090 Bathurst St.

Through the implementation of Comprehensive Zoning By-law 001-2021, 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 Comprehensive Zoning By-law 001-2021 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 on the Subject Lands by way of a site-specific exception. The following lot and building standards are also required to recognize the existing lot area of the Subject Lands and minimum yard setbacks of the relocated buildings:

Table 1:

	Comprehensive Zoning By-law 001-2021 Standard	A Agriculture Zone Requirement	Proposed Exceptions to the A Agriculture Zone Requirement
a.	Minimum Lot Area	40 hectares	0.45 hectares
b.	Minimum Front Yard	15 metres	3.17 metres (Munshaw Building)
c.	Minimum Rear Yard	15 metres	10.13 metres (Bassingthwaite Building)

The exceptions identified in Table 1 are appropriate given that they recognize existing conditions on the Subject Lands, which is a remnant agricultural lot still subject to the Agriculture Zone lot area and setback standards that no longer reflect the function of the Subject Lands. Minor modifications may be made to the zoning exceptions identified in Table 1 prior to the enactment of an implementing Zoning By-law, as required, should the amendment to the Comprehensive Zoning By-law 001-2021 be approved.

A Holding Symbol “(H)” is required to be applied to the Subject Lands.

A Holding Condition shall be applied to the Subject Lands as shown on Attachment 2 to finalize the details of the emergency evacuation plan and for Toronto and Region Conservation Authority (‘TRCA’) clearance to be received by the City, as discussed in the Broader Regional Considerations/Impacts section of this report. Notwithstanding the presence of the Holding Symbol “(H)”, interior alteration work associated with a Supportive Living Facility shall be permitted prior to the removal of the Holding Symbol “(H)”, which will also require a TRCA permit.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs Department has no objection to the amendment.

The Policy Planning and Special Programs Department has provided the following comments:

Species at Risk

The scoped Environmental Impact Study identified potential Species at Risk habitat in proximity to the proposed works on the Subject Lands, including Redside Dace and endangered bat habitat. The owner engaged the Ministry of the Environment, Conservation and Parks, who subsequently provided clearance for tree removals with respect to endangered bat habitat. The owner is working with the Ministry to obtain

clearance for the installation of the new septic bed to ensure impacts to Redside Dace are mitigated. Staff note that the onus is on the owner to ensure the provisions of the Endangered Species Act are not contravened and it is the responsibility of the owner to comply with the Ministry and/or Department of Fisheries and Oceans regulations and guidelines to protect Species at Risk and their habitats.

Core Features

Significant Woodland Natural Heritage Features are located on the Subject Lands which will be encroached into through tree removals to accommodate a proposed septic system. The proposed encroachment equates to a 0.061 hectare area and will not result in ecological impacts to the feature.

Private tree removals are required on the Subject Lands.

The Parks, Forestry and Horticulture Operations, Policy Planning and Special Programs and Development and Parks Planning Departments have reviewed the Arborist Report, Landscape Plan and Tree Protection Plan submitted by the owner, which identifies required tree removals, tree protection zones and mitigation measures to accommodate a new septic system that will service the Subject Lands. 27 trees are identified for removal and 15 replacement trees together with 50 seedlings and whips are proposed to be planted on the Subject Lands. The owner has submitted a Private Tree Removal Application to facilitate the removals.

On April 23, 2025, Council adopted a Member's Resolution deeming the proposed tree compensation sufficient replacement for the tree removals on the Subject Lands, and that no further tree or ecosystem compensation, or cash in lieu thereof, is required.

The Development Engineering ('DE') Department has no objection to the proposed zoning amendment.

The Development Engineering Department has provided the following comments:

Water and Sanitary Servicing

The Subject Lands are situated within Pressure District 6 of the York Water Supply System, with an existing Regional 750-millimetre concrete pressure pipe located on the west side of Bathurst Street. The owner has submitted a Servicing Brief which proposes a drilled well and water treatment system to service the Subject Lands. Fire protection is provided through an existing fire hydrant on the east side of Bathurst Street, directly across from the Subject Lands.

The owner has submitted a Septic System Design Brief and functional design plans in support of the proposed sanitary servicing through a private sanitary septic tank and treatment system which includes a leaching bed. The proposed layout of the system maintains a three metre setback from the top of bank as staked by the Toronto and Region Conservation Authority in April 2019. A Toronto and Region Conservation Authority permit is required for the proposed sanitary servicing strategy.

Noise Assessment

The Subject Lands currently contain the relocated single detached residential dwellings, which is consistent with the historical use of the Subject Lands and permitted by the existing A Agriculture Zone permissions. The amendment will permit the site-specific use of a Supportive Living Facility, which is classified as a “noise-sensitive institutional purpose building” and considered of equivalent sensitivity to “Residential buildings” under the Environmental Noise Guideline NPC-300.

No stationary noise sources have been identified in the vicinity of the Subject Lands, with only traffic-related noise from Bathurst Street being a concern. If any noise-related complaints occur in the future, it is responsibility of the owner to address these complaints and complete mitigation as required, rather than an off-site property owner. The owner has submitted a letter of acknowledgement recognizing this responsibility.

Transportation

The proposed parking lot layout and vehicle maneuvering have been reviewed and approved by the Development Engineering Department. Eleven parking spaces are proposed including two accessible parking spaces to service the seven-bedroom Supportive Living Facility, as shown on Attachment 2. The parking supply exceeds the minimum parking requirements in Comprehensive Zoning By-law 001-2021, which require one parking space per bedroom for a supportive living facility (seven bedrooms = seven required parking spaces).

Waste Collection

The Subject Lands are eligible for curbside municipal garbage and organics collection. Recycling collection will be administered by Circular Materials Ontario.

Broader Regional Impacts/Considerations

The amendment was circulated to York Region to comment on matters of Regional interest as Bathurst Street is under the jurisdiction of York Region. York Region does not have any comments on the amendment and advised that future approvals will be required for proposed alterations to the site access onto Bathurst Street.

The TRCA requires additional flood safe access details, and a TRCA Permit is required.

The Subject Lands are located within the Regulated Area of the TRCA due to their location within the Regional Storm flood plain associated with a tributary of the Don River. The proposed site alterations within the TRCA’s Regulated Area are subject to a TRCA Permit pursuant to the *Conservation Authorities Act*, and must demonstrate that the control of flooding, erosion, dynamic beaches, unstable soils, and bedrock will not be affected, to the satisfaction of the TRCA.

The use and related site alterations have also been reviewed by the TRCA in coordination with the City to ensure safe emergency access is available to the Subject Lands in the event of an emergency. A flood emergency response plan has been prepared by the Owner which has been accepted by the City. Further details respecting

flood safe access in the event of a regional storm are required by the TRCA to provide final clearance, which the City's Fire and Rescue Services are also engaged. A Holding Condition shall be applied to the Subject Lands to finalize the details of the emergency evacuation plan and for TRCA clearance to be received by the City.

Conclusion

The proposed amendment to Comprehensive Zoning By-law 001-2021 is intended to bring the Subject Lands into conformity with VOP 2010 and recognize the existing lot area and building setbacks. The Development and Parks Planning Department supports the use of a Supportive Living facility on the Subject Lands, as it is consistent with the Provincial Planning Statement 2024, and implements the appropriate land use designation in VOP 2010.

For more information, please contact Chris Cosentino, Senior Planner, at extension 8215.

Attachments

1. Context and Location Map
2. Conceptual Site Plan and Proposed Zoning

Prepared by

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