



**WESTON
CONSULTING**

planning + urban design

COMMUNICATION – C39

ITEM 1

Committee of the Whole (Public Meeting)

October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020

File 6728-1

Attn: City Clerk

**RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
9785 & 9797 Keele Street, Vaughan**

Weston Consulting is the planning consultant for Laurier Harbour (Keele) Inc., the registered owner of the lands at 9785 and 9797 Keele Street in the City of Vaughan (herein referred to as the “subject lands”). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the “CZBL”) and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands are currently zoned “R1 – Residential Zone” and “R2 – Residential Zone” by in-force Vaughan Zoning By-law 1-88. However, the subject lands were the subject of Local Planning Appeal Tribunal (“LPAT”) proceedings heard in January 2020. In a Decision dated April 2, 2020 (Memorandum of Oral Decision), the LPAT approved a site-specific Official Plan Amendment and a Plan of Subdivision, and granted approval in principle of a site-specific Zoning By-law Amendment. This Zoning By-law Amendment seeks to rezone the lands to “RT1(H) – Townhouse Residential Zone” with site-specific provisions to permit the development of 19 townhouse units served by a private common element condominium road.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned “R1A(EN) – First Density Residential Zone (Established Neighbourhood)” and “R2A(EN)-295 – Second Density Residential Zone (Established Neighbourhood)”, which we recognize is not consistent with the draft Zoning By-law Amendment that has approval in principle by the LPAT.

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject lands given the current active status of Site Development Application (DA.17.069), as well as the LPAT Decision above. With respect to the active Site Plan Application, Section 1.6.3 states:

1.6.3.2 The requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for site plan approval has been filed on or before the effective date of this By-law, provided:

- a. *The site plan application is deemed complete in accordance with the City of Vaughan Official Plan, 2010;*
- b. *The site plan application was in compliance with Zoning By-law 1-88, as amended, and any applicable finally approved minor variances, including minor variances qualified by Section 1.6.3.1; and,*
- c. *Any building permit issued after final approval of the site plan that complies with the provisions of Zoning By-law 1-88, as amended, and is in accordance with any final minor variances.*

1.6.3.3 The requirements of this By-law do not apply to prevent the approval of any minor variance, site plan, plan of subdivision, consent application, part lot control exemption or plan of condominium application that has been filed on or before the effective date of this By-law, provided:

- a. *The application is deemed complete in accordance with the City of Vaughan Official Plan, 2010; and,*
- b. *The application was in compliance with Zoning By-law 1-88, as amended, and any finally approved minor variances including minor variances qualified by Section 1.6.3.1.*

With respect to the LPAT approval in principle, Provision 1.6.3.4 of the draft CZBL states that:

1.6.3.4 The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or a conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of the terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL, including Provision 1.6.3.4, will be repealed five years from the effective date of the By-law without further amendment to the By-law.

We submit that as the draft Zoning By-law Amendment for the subject lands received approval in principle by the LPAT on April 2, 2020, the subject lands fall under transition provision 1.6.3.4 of the draft CZBL. We are supportive of this provision and submit that under this provision, there will be a process in which the new site-specific zoning can be implemented for the subject lands in accordance with the approval in principle by the LPAT through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved. Additionally, we anticipate that no conflicts shall arise with the EN – Established Neighbourhood suffix upon the implementation of

the site-specific zoning as approved in principle by the LPAT through the above noted transition provisions.

In summary, we support Provisions 1.6.3.2, 1.6.3.3 and 1.6.3.4 contained in the third draft of the CZBL and recommend its inclusion in the final By-law. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Sandra Patano at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Laurier Harbour (Keele) Inc., Client
Aaron Platt, Davies Howe LLP