

COMMUNICATION – C29
Council – November 17, 2020
Committee of the Whole (Public Meeting)
Report No. 50, Item 1

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From: Joe Di Giuseppe <joed@greenpark.com>
Sent: Thursday, October 29, 2020 3:55 PM
To: Clerks@vaughan.ca; Correia, Brandon <Brandon.Correia@vaughan.ca>
Subject: [External] Draft Comprehensive Zoning Bylaw - City of Vaughan

City Clerk
Committee of the Whole
October 29, 2020

Good Afternoon Brandon,

We are the owners of the property noted above along with various other land holdings that are affected by the new Comprehensive Zoning By-law. The subject lands are located on the West side Jane Street south of Rutherford Road and immediately south of the York Region Public Health Building.

The property was approved for development through an Ontario Municipal Board Order issued on September 17, 2018 (OMB File No. PL110420). Zoning bylaw 033-2019 was enacted by the City of Vaughan to implement the approval from the OMB. The bylaw provided many exceptions to the existing comprehensive zoning bylaw being By-law 1-88. The site specific zoning bylaw rezoned the lands to RA3(H) – Apartment Residential Zone with a Holding provision and was noted as exception 9(1472).

Upon review of the latest draft of the bylaw It appears that the property is zoned GMU(H) – General Mixed Use Zone with exception (699). The exception does not include the provisions of our site specific by-law and does not permit the main use Apartment Building. I trust that this is an oversight and the City will correct the error by implementing the appropriate Zone Category and provisions of our site specific bylaw.

In addition to the specific site above we have concern with many parts of the Draft Comprehensive Zoning By-law and the effects it will have on future development projects. We have reviewed the proposed draft and have the following comments that I hope we can address before final approval from Council.

1. Par. 1.6.4 - Lapse of Transition Provisions: The paragraph indicates that the provisions of this new bylaw shall apply “Once a permit or approval has been granted”.

I have a concern that after an approval has been granted all new provisions will apply to a building permit application. We request clarification on this paragraph.

2. Definition – Storey: The proposed definition provides that mezzanines shall be considered a story.

Previous definition of Storey did not include a mezzanine. Inclusion of this will cause thousands of non conforming situations. This will affect the Gross Floor Area calculations, parking requirements and limit Architectural expression.

Department Letter issued by Mr. John Studdy, Zoning Supervisor November 1990 provided that mezzanines are not storey's, and are not included in parking and GFA calculations. This will cause unnecessary minor variance applications. We request that this be amended.

3. Par. 4.20 – Rooftop Mechanical Penthouses: The paragraph has provisions for maximum height of equipment before they are required to be in an enclosure.

Maximum height of a mechanical penthouse are included and a percentage of area where roof top equipment can be open and unenclosed.

The provisions are not required as it will be the technical elements of the mechanical penthouse that drive the size and shape. This would part of the Urban Design experience with staff. This provision will cause unnecessary minor variance applications. We request that it be amended.

4. Par. 4.24 – Waste Storage: The paragraph has specific requirements that are currently with the City's Waste Collection Design Standards.

Waste storage facilities will vary from site to site. It would best left as Design Standard rather than a bylaw requirement. This provision will cause unnecessary minor variance applications. We request that it be amended.

5. Par. 5.6.2 – Temporary Sales Offices: The paragraph allows for a sales office to be constructed once all approvals are in place.

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The previous provision allowed sales offices when the official plan permitted the intended use. This provided flexibility for owners to time the completion of the sales office with the approval of the planning application filed. More flexibility to get a building permit earlier in the process.

6. Par. 5.12 – Outdoor Patio: The Paragraph requires that outdoor patios be setback in accordance with the zone requirements. The percentage of outdoor

Patios has been reduced from 50% to 40% of the GFA of the main use.
Setback requirements for patios located above the first storey.

This provision is too restrictive. Most existing buildings are constructed to the minimum setback. This would cause unnecessary minor variance applications.

7. Par. 6.5 – Bicycle Parking Space Requirements: This provision existed in the VMC Zones but was not as specific and with not as many design requirements.

Main concerns are for paragraphs 6.5.4, 6.5.5 and 6.5.6.

No provisions existed outside the VMC boundary. Perhaps the requirements or numbers should be a bylaw requirement, but the supporting paragraphs could be part of a design criteria or policy. This would cause unnecessary minor variance applications.

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These are the major items that currently get my attention. I do have other definitions and provision that I felt were not my primary issues. I wish to add that the format of the previous bylaw was acceptable and only required updates rather than a total restructuring of the document. I don't think it is as user friendly. We look forward to future discussions with you and City staff on this matter.

Thank you,

Joe Di Giuseppe
Development Manager
Greenpark Group.