

COMMITTEE OF THE WHOLE (2) – OCTOBER 13, 2021**COMMUNICATIONS**

	<u>Item</u>
<u>Distributed October 1, 2021</u>	
C1	9
Memorandum from the Deputy City Manager, Planning and Growth Management, dated October 1, 2021	
C2	9
Philip Stewart, Pound & Stewart, dated June 7, 2021	
C3	9
Philip Stewart, Pound & Stewart, dated March 25, 2021	
C4	9
Philip Stewart, Pound & Stewart, dated June 7, 2021	
C5	9
Philip Stewart, Pound & Stewart, dated October 28, 2020	
<u>Distributed October 8, 2021</u>	
C6	9
Eugenio Covello, Highway 7, Vaughan, dated October 5, 2021	
C7	7
Confidential attachment	
C8	9
Stephen Albanese, IBI Group, St. Clair Ave. W, Toronto, dated October 8, 2021	
C9	6
Robert Kenedy, Mackenzie Ridge Ratepayers' Associations, dated October 8, 2021	
C10	5
Presentation Material	
<u>Distributed October 12, 2021</u>	
C11	9
Alan Heisey, dated October 12, 2021	
C12	9
Christine Hallis, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 8, 2021	
C13	9
Robert A. Kenedy, MacKenzie Ridge Ratepayers' Association, dated October 11, 2021	
C14	6
Tiziana Goldberg, Hunterwood Chase, Maple, dated October 10, 2021	
C15	6
The Vukmans, dated October 10, 2021	
C16	9
Nadia Zuccaro, EMC Group Limited, Keele Street, Vaughan, dated October 8, 2021	
C17	9
Nadia Zuccaro, EMC Group Limited, Keele Street, Vaughan, dated October 8, 2021	
C18	9
Nadia Zuccaro, EMC Group Limited, Keele Street, Vaughan, dated October 8, 2021	

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Please note there may be further Communications.

COMMUNICATIONS**Distributed October 12, 2021 cont'd**

C19	Nadia Zuccaro, EMC Group Limited, Keele Street, Vaughan, dated October 12, 2021	9
C20	Grant Uyeyama, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	10
C21	Ryan Virtanen, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 11, 2021	9
C22	Ryan Virtanen, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 11, 2021	9
C23	Ryan Virtanen, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 11, 2021	9
C24	Grant Uyeyama, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C25	Leo Longo, Aird & Berlis LLP, Bay Street, Toronto, dated October 12, 2021	9
C26	Mary Ellen Bench, Dentons Canada LLP, King Street West, Toronto, dated October 12, 2021	9
C27	Rob Lavecchia, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C28	Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C29	Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C30	Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C31	Marshall Smith, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C32	Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C33	Alistair Shields, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C34	Ryan Virtanen, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C35	Rob Lavecchia, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9

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COMMITTEE OF THE WHOLE (2) – OCTOBER 13, 2021**COMMUNICATIONS****Distributed October 12, 2021 cont'd**

C36	Rob Lavecchia, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C37	Joan MacIntyre, Malone Given Parsons Ltd., Renfrew Drive, Markham, dated October 12, 2021	9
C38	Meaghan McDermid, Davies Howe LLP, Adelaide Street West, Toronto, dated October 12, 2021	9
C39	Ryan Mino-Leahan and Marshall Smith, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C40	Ryan Virtanen, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 12, 2021	9
C41	Meaghan McDermid, Davies Howe LLP, Adelaide Street West, Toronto, dated October 12, 2021	9
C42	Memorandum from the City Manager, dated October 12, 2021	4

Distributed October 13, 2021

C43	Michael Larkin, LARKIN+ Land Use Planners Inc., Gorham Street, Newmarket, dated October 12, 2021	9
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Received at the Meeting

C44	Elizabeth Lincoln, Athabasca Drive, Vaughan, dated October 13, 2021	6
C45	Presentation Material	9

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Please note there may be further Communications.



COMMUNICATION C1
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

DATE: October 1, 2021

TO: Mayor and Members of Council

FROM: Haiqing Xu, Deputy City Manager, Planning and Growth Management

RE: **COMMUNICATION – Committee of the Whole (2), October 13, 2021**

Item # 9, Report # 46

CITY-WIDE COMPREHENSIVE ZONING BY-LAW
THE CORPORATION OF THE CITY OF VAUGHAN (REFERRED)

Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

1. That Attachments 1,2,3,4,5,6,7 and 8 of the subject report be replaced with Attachments 1,2,3,4,5,6,7 and 8 of this memorandum.
2. That Attachment #12 (Comment Response Matrix – Updated) and Attachment #13 (Schedule B-6: Oak Ridges Moraine Land Use) be received.

Background

The Comprehensive Zoning By-law Review (“CZBL”) will implement the long-term vision for the City’s growth as set out in VOP 2010 which 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.

At its meeting of June 8, 2021 Committee of Whole (2) considered the final draft of the comprehensive zoning by-law review, subject to recommendations respecting the City’s comprehensive zoning by-law review.

Council deferred the matter to the meeting of October 13, 2021, providing further opportunity to consult.

At its meeting of June 22, 2021 Council recommended:

- 1) That further consideration of this matter be deferred to the Committee of the Whole meeting of October 13, 2021, and that staff report back with an updated by-law;

- 2) That as a part of the deferral, staff be directed to address all site-specific concerns raised with a view to having the By-law conform to the VOP 2010 (as amended), legally existing uses and all Provincial plans;
- 3) That Schedule B-4 be deleted from the Bylaw as well as all textural references to the same;
- 4) That the illustration of Schedule B-4 be provided to residents and interested parties on the City of Vaughan's website for information purposes forthwith;
- 5) That the presentation by Sabrina Coletti and Robert Rappolt, WSP, Commerce Valley Drive West, Thornhill and Communication C58, presentation material entitled, "City of Vaughan City City-wide Comprehensive Zoning By By-law Review", on behalf of the City of Vaughan, be received;

Council also recommended that all communications (both oral and written submissions) for the item be received. City staff have reviewed all oral and written submissions and communications to Committee of the Whole and Council. Staff have prepared a new updated response matrix, found in Attachment 12, to provide an overview of the comments received, solutions considered as well as any revisions made as a result of input received. All minor modifications proposed, which are described in Attachment 12, have been updated throughout the final draft, as shown on Attachments 1 through 8.

City staff have confirmed that Schedule B-4 has been deleted and replaced with a new Schedule "B-4", which delineates the existing boundaries of Minister Zoning Orders which are legally in effect. This new schedule ensures that the newly consolidated comprehensive zoning by-law appropriately acknowledges the status of a Minister Zoning Order.

In preparation of the revised response matrix, it is noted that as a conformity exercise, VOP 2010 serves as the primary source of policy direction for the CZBL. VOP 2010 broadly identifies permitted uses and other expectations for development. It is recognized that the City is undertaking the MCR process for VOP 2010 as required by Provincial legislation and will align with the Region's population and employment forecasts, land budget and Regional Official Plan policies. This process will ultimately inform future CZBL updates. The CZBL will continue to be updated, on a housekeeping and comprehensive basis, in response to the changes in Provincial legislation, as well as York Region and City official plan policy.

For more information, contact Brandon Correia, Manager of Special Projects, ext. 8227.

Attachments

1. [Comprehensive Zoning By-law \(Final | 001-2021\)](#)
2. Comprehensive Zoning By-law (Final | 001-2021) Section 14: Zone Exceptions
 - [Exceptions 1-100](#)
 - [Exceptions 101-200](#)
 - [Exceptions 201-300](#)
 - [Exceptions 301-400](#)

- [Exceptions 401-500](#)
 - [Exceptions 501-600](#)
 - [Exceptions 601-700](#)
 - [Exceptions 701-800](#)
 - [Exceptions 801-900](#)
 - [Exceptions 901-1000](#)
 - [Exceptions 1001-1100](#)
 - [Exceptions 1101-1125](#)
3. [Comprehensive Zoning By-law \(Final | 001-2021\) Schedule A](#)
 4. [Comprehensive Zoning By-law \(Final | 001-2021\) Schedule B-1](#)
 5. [Comprehensive Zoning By-law \(Final | 001-2021\) Schedule B-2](#)
 6. [Comprehensive Zoning By-law \(Final | 001-2021\) Schedule B-3](#)
 7. [Comprehensive Zoning By-law \(Final | 001-2021\) Schedule B-4](#)
 8. [Comprehensive Zoning By-law \(Final | 001-2021\) Schedule B-5](#)
-
12. [Comment Response Matrix – Updated](#)
 13. [Comprehensive Zoning By-law \(Final | 001-2021\) Schedule B-6](#)

Respectfully submitted by



Haiqing Xu
Deputy City Manager, Planning and Growth Management

June 7, 2021

BY EMAIL clerks@vaughan.ca & REGULAR MAIL

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A 1T1

Attn: Mayor Bevilacqua & Members of Council

Re: Committee of the Whole – June 8, 2021
Agenda Item # 8 – City-wide Comprehensive Zoning By-law ('CZBL')
NAPCO - Royal Pipe & Fittings (a Westlake Company)
Hydro One Networks Inc. ('HONI') Licensed Lands
City of Vaughan, Region of York
Our File: 1711

We are the Planners of Record writing on behalf of NAPCO - Royal Pipe & Fittings, (hereafter referred to as 'NAPCO - Royal'), a stakeholder in the City's proposed Comprehensive Zoning By-law ('CZBL') program. We are writing as it pertains to the final draft of the CZBL as per the above captioned property reference, noting additional comments may be forthcoming.

With respect to our client's property interest, as captioned above, we have previously filed the two written submissions dated as follows: October 28, 2020 and March 25, 2021, with recommendations to better align the proposed zoning for our client's property with the guiding principles and the 3rd draft of the CZBL. A copy of our March 25, 2021 submission is attached herein as Appendix 1.

While we endorse the City's direction on implementing the CZBL, we look forward to further co-ordination with the City Staff to address zoning related matters as outlined in our submissions, between now and Council's passing of the CZBL, anticipated September 2021. We note CZBL Public Comment - Response Matrix, C86 indirectly specifies our October 28, 2020 submission.



POUND & STEWART

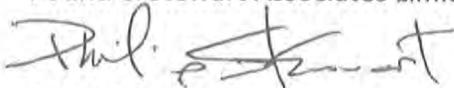
PLANNING CONSULTANTS • CITYPLAN.COM

We look forward to providing further input and recommendations regarding the implementation of the CZBL in support our client's manufacturing and distribution operations. Further, this letter does not preclude any other submission being filed related to this same property.

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your cooperation.

Yours truly,
Pound & Stewart Associates Limited



Philip Stewart

la/1711_itr.NAPCO_Royal.June.07.2021

Attachments: As noted herein

- cc. Mr. J. Harnum, City Manager
- cc. Mr. H. Xu, Deputy City Manager, Planning & Growth Management
- cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
- cc. Hydro One Networks Inc.
- cc. Mr. R. Gray, Miller Thomson
- cc. Client

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 • 416 482 9797
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March 25, 2021

BY EMAIL clerks@vaughan.ca **& REGULAR MAIL**

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A1T1

Attn: Mr. T. Coles, City Clerk

Re: NAPCO - Royal Pipe & Fittings (a Westlake Company)
City of Vaughan – Comprehensive Zoning By-law Review
Hydro One Networks Inc. ('HONI') Licenced Lands
Part Lot 4, Concession 8, Plans 65R-7840, 65R-2671, 65R-12275, et al
City of Vaughan, Region of York
Our File 1711

We are the Planners of Record writing on behalf of **NAPCO - Royal Pipe & Fittings**, (referred to as 'NAPCO-Royal') regarding the above captioned property. This submission is in addition to our initial comments, filed October 28, 2020, concerning the City's Comprehensive Zoning By-law Review program – 3rd Draft, as referenced by the Office of the City Clerk, Item 1, Report 50, and adopted by City Council on November 17, 2020.

'NAPCO-Royal' is a well-established manufacturer of building and infrastructure products contributing to environmental sustainability, job creation, and a strong municipal tax base.

Over the past twenty years, 'NAPCO-Royal' has successfully operated its manufacturing, distribution and office business functions at 101, 131 and 155 Regalcrest Court, with the benefit of the abutting Hydro One Networks Inc. ('HONI') lands, used for the purpose of outside storage of manufactured products. The 'HONI' lands are located to the south-east. Please refer to **Aerial Image 1**.



A. PURPOSE OF ROYAL’S COMPREHENSIVE ZONING BY-LAW REVIEW SUBMISSION

In implementing the policies of the City of Vaughan Official Plan (‘VOP 2010’), as amended, ‘NAPCO-Royal’ seeks zoning compliance for its outside storage use on the HONI lands so as:

- To clarify that the proposed zoning per the ‘Comprehensive Zoning By-law Review’ is incorrect, as the ‘HONI’ lands are no longer part of the ‘Parkway Belt West Plan’ (‘PBWP’);
- To maintain ‘outdoor storage’ per the VOP 2010, as amended, and ‘outside storage’ per the ‘Comprehensive Zoning By-law Review’ as a permitted use on the ‘NAPCO-Royal’ licenced ‘HONI’ properties, to support the planned functions, development standards and regulations applicable contributing to the business operations locate on the abutting 101, 131 and 155 Regalcrest Court lands;
- To clarify and reconcile the proposed Exception Zone Schedules or Mapping, as determined;
- And, to address any related zoning matters as the Comprehensive Zoning By-law Review evolves.

B. THE ‘VOP 2010’ LAND USE PLANNING CONTEXT - ‘HONI’ OUTSIDE STORAGE AREAS

Aerial Image 2 and Figure 1: City of Vaughan Official Plan (VOP 2010), Office Consolidation June 2019 - Schedule 13, correctly describes the existing ‘Infrastructure and Utilities’ land use designation per the ‘NAPCO-Royal’ licenced ‘HONI’ outside storage areas or properties, with the following characteristics:

TABLE 1: THE ‘NAPCO-ROYAL’ LICENCED LANDS FROM HYDRO ONE NETWORKS INC. (‘HONI’)

VOP, 2010, as amended ‘Infrastructure and Utilities’ Land Use Designation	Tenure	Proposed ‘Comprehensive Zoning By-law’ Zoning Designation 3 rd Draft	Block or Land Area
Access to the Northern ‘Open Storage’ Block (‘HONI’)	Leased	‘PB2 – Parkway Belt Complementary Use Zone’	0.094 ha.
Northern ‘Open Storage’ Block (‘HONI’)	Leased	‘PB1(S) – Parkway Belt Linear Facilities’	3.21 ha.
Southern ‘Open Storage’ Block (‘HONI’)	Leased	‘PB1(S) – Parkway Belt Linear Facilities’	2.69 ha.
Total			5.944 ha.



C. APPROVED PARKWAY BELT WEST PLAN ('PBWP') AMENDMENT NO. 201

Please refer to the approved Parkway Belt West Plan Area ('PBWP') Amendment No. 201 (MAH File 19-PBA-028-201), dated April 23, 2012 (**See Appendix 'A'**). The 'PBWP' amendment results from an amendment application, filed by my client, with 'HONI' and Infrastructure Ontario authorizations, the registered owner of the lands.

The Amendment No. 201 land area is located south east of Highway Nos. 7 & 27 and deletes or revokes 11.7 hectares (28.2 acres) of land area from the 'PBWP', as outlined in red on Schedule B of the attached Amendment No. 201 document.

In addition, a small triangular block of land provides for driveway access to the 'NAPCO-Royal' outside storage areas or blocks. This triangular block was removed as well from the 'PBWP' by Amendment No. 8 on January 24, 1985. Similarly, this block no longer comprises part of the 'PBWP', and these matters may be reconciled through the proposed Comprehensive Zoning By-Law review, which indicates that these lands continue to remain part of the 'PBWP'.

D. THE 'INFRASTRUCTURE AND UTILITIES' – LAND USE DESIGNATION

The in-effect City of Vaughan Official Plan, 2010, as amended, accurately reflects approved 'PBWP' Amendment Nos. 201 and 8, as these lands are designated '*Employment Areas*' per Schedule 1 – Urban Structure and '*Infrastructure and Utilities*' per Schedule 13 – Land Use. See **Figure 1: City of Vaughan Official Plan (VOP 2010)**.

More specifically, the '*Infrastructure and Utilities*' land use designation permits the following:

9.2.2.26. In areas designated on Schedule 13 as Infrastructure and Utilities, the following policies shall apply:

a. The Infrastructure and Utilities designation applies to lands which are used at grade for the provision of infrastructure, such as utility corridors and stormwater management ponds.

b. The following uses are permitted in areas designated as Infrastructure and Utilities:

i. all uses and structures associated with the provision of a utility or municipal service;



ii. secondary uses such as passive or active recreation, community gardens, other utilities, parking lots and outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider.

E. 'NAPCO-ROYAL' LICENCED LANDS PER IN EFFECT ZONING BY-LAW 1-88, AS AMENDED

Per the City's in effect Zoning By-law 1-88, as amended, the 'HONI' lands remain zoned 'PB1(S) – Parkway Belt Linear Facilities' and 'PB2 – Parkway Belt Complementary Use Zone', (See **Figure 2 - Zoning Key Map** attached).

As noted above, this zoning and a specific Zoning Exception, related to the northern block or area, is redundant as well, as these lands are no longer located within the boundary of the 'PBWP' per **Appendix 'A'**.

The lands zoned PB1(S) are governed by Zoning By-law Exception 9(924) attached as **Appendix 'B'**, which permits the following:

9(924) Notwithstanding the provisions of Subsection 3.10 regarding public uses and Subsection 7.6 regarding uses permitted in a PB1(S) Parkway Belt Linear Facilities Zone; the following provisions shall apply to the lands shown as "Subject Lands" on Schedule E-1008:

In addition to the uses permitted in a PB1(S) Parkway Belt Linear Facilities Zone, open storage of plastic pipe by a non-public user shall be permitted. The open storage area shall not exceed 3.0 ha and shall be completely enclosed with a fence of at least 2.0 m in height. The maximum height of open storage material shall be 4.9 m.

As well, a small triangular parcel of land, approximately 0.35 ha (0.86 acre) in land area, abutting the 'PBWP' Amendment No. 201 lands is zoned 'PB2 – Parkway Belt Complementary Use Zone'

These lands, provides for a 'NAPCO-ROYAL' driveway via 101 Regalcrest Court to access the outside storage blocks, where part of a larger land area, which were also previously deleted or revoked by 'PBWP' Amendment No. 8.



F. 'NAPCO-ROYAL' LICENCED LANDS – PHASE 3: FINAL COMPREHENSIVE ZONING BY-LAW

In terms of the 'NAPCO-Royal' licenced 'HONI' lands, the City's latest version of the Comprehensive Zoning By-Law maintains the zoning designations and supporting mapping as per the 'Parkway Belt West Public Use Zone PB1', per Zoning Exception 'PB1-606', and the 'Parkway Belt West Complementary Use Zone PB2'. Please refer to **Figure 3** and **Appendix 'C'**. As noted above, VOP 2010, as amended, acknowledges these lands are no longer part of the 'PBWP', designating them as '*Infrastructure and Utilities*'. This land use designation permits "*secondary uses such as ..., outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider.*"

Therefore, it is recommended that the proposed Comprehensive Zoning By-Law designations and supporting maps be modified in keeping with VOP 2010, as amended, in conformity with provincial land use policies and the Region of York Official Plan.

G. PHASE 3: FINAL COMPREHENSIVE ZONING BY-LAW & 'OUTSIDE STORAGE'

The proposed Comprehensive Zoning By-Law defines 'Outside Storage' as follows:

Means an open area of land used for the temporary storage of materials, equipment, intermodal containers, or finished goods which are associated with the principal use of the lot, and may include the temporary parking of commercial vehicles.

The proposed Comprehensive Zoning By-Law reads under *Sections 4.15 'Permitted Uses in All Zones'* and *4.1.5.1 'Public Uses Permitted in All Zones'* as follows:

The requirements of this By-law shall not apply to the use of any land, or the erection or use of any building or structure by a public authority for the purpose of a watermain, sanitary sewer main, storm sewer main, natural gas main, pipe line, the transmission or distribution of electricity, telecommunications or communication infrastructure, a public use, or any structure required for the purpose of flood control or shoreline erosion mitigation, subject to the following: ...

c. Outside storage accessory to any purpose identified in this section shall be prohibited, unless otherwise expressly permitted in the zone in which the lot is located. Where outside storage is expressly permitted, it shall be subject to Section 5.13 of this By-law.



The proposed Comprehensive Zoning By-Law would improve its conformity with the VOP 2010, as amended, by permitting the following land uses in zone areas designated as 'Infrastructure and Utilities' with the following proviso per VOP 2010, as amended: '*...secondary uses such as passive or active recreation, community gardens, other utilities, parking lots and outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider.*'

The 'NAPCO-Royal' outside storage areas are '*accessory to adjacent land uses*' and are '*subject to the review/approval of the utility provider.*' 'NAPCO-Royal' is a licensee of 'HONI', reviewing and approving of their '*outside storage*'. In terms of the municipal level planning approval, it is recommended for example, that non-public proponents of '*secondary uses*', such as '*outside storage*', be permitted as of right under the City's Comprehensive Zoning By-law subject to Site Plan Control, and the approval of related development standard compliance Variances, as required.

H. HISTORICAL CONTEXT OF 'NAPCO-ROYAL' ZONING APPROVALS

Zoning By-law Exception 9(924) applies to the northern outside storage 'HONI' licensed lands and allows for the private use of public lands for outside storage, and that the stacking of pipes and storage of pipes to a maximum height of 4.9 m. is permitted. In addition, the property must be enclosed by a fence of at least 2.0 m. in height.

Of note in the related City Staff Report P.92.45, per Council Hearing Agenda of May 19, 1992, the following noting that the outside storage will not visibly intrude on the public streets and this acknowledgement.

Given the location of the proposed open storage in relation to Highway Nos. 7 and 27, the travelling public would not have direct view of the open storage. There are industrial buildings in the subdivision to the west, abutting Highway No. 27 and a transformer station and plantings and bermings to the north, abutting Highway No. 7. These intervening uses, plus the distance, would basically conceal the proposed activity on these lands. The open storage may be visible from the properties on the west side of Regina Road, which are zoned M2 Industrial and allowed open storage in the rear yards.

It is also important to acknowledge that the southern block of 'HONI' licensed lands is in a similar context, as a prior 'NAPCO-Royal' Zoning By-law Amendment Application Z.08.023 ('ZBA') has been held in abeyance, pending resolution through this Comprehensive Zoning By-Law.



I. CONCLUSION & RECOMMENDATION

In conclusion, 'NAPCO-Royal' is pleased to provide continuing input to the City's Comprehensive Zoning By-law Review program in support of the following principles:

'Principle #1: Ensure Conformity with the Official Plan';

'Principle #2: Minimizing Legal Non-Conforming Uses and Non-Complying Structures';

'Principle #3: Maintaining Permission's where possible', and;

'Principle #4: Creating a User-Friendly By-law'.

Therefore, in terms of the compliance of 'NAPCO-Royal' outside storage areas, and to ensure clarity and consistency per VOP 2010, as amended, it is recommended:

- That the proposed Comprehensive Zoning By-Law's zoning designations and supporting mapping be modified in keeping with VOP 2010, as amended, provincial land use policies and the Region of York Official Plan in effect;
- That the proposed Comprehensive Zoning By-Law's conformity with VOP 2010, as amended, permit all recognized uses per the 'Infrastructure and Utilities' land use designation, ...*secondary uses such as passive or active recreation, community gardens, other utilities, parking lots and outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider* in the 'Utility Zone'. The 'NAPCO-Royal' outside storage is *'accessory to adjacent land uses'* and is *'subject to the review/approval of the utility provider.'* 'NAPCO-Royal' is a licensee of 'HONI', which has approved their *'outside storage'*;
- That in terms of the municipal level planning approval, it is recommended for example, that a non-public proponent of *'secondary uses'*, such as *'outside storage'*, be permitted in the 'Utility Zone' per the City's Comprehensive Zoning By-law, subject to Site Plan Control, and the approval of related development standard compliance Variances, as required;
- That the regulations of Zoning By-law Exception 9(924) be reviewed and amended in the Comprehensive Zoning By-Law as appropriate;



- That the southern block of 'HONI' licenced lands per 'NAPCO-Royal' Zoning By-law Amendment Application Z.08.023 ('ZBA'), held in abeyance, be resolved through the City's Comprehensive Zoning By-Law.

Zoning By-law definitions, planned functions and development standards and regulations require clarity and consistency to support economic competitiveness and environmental sustainability.

It is acknowledged that the City's Comprehensive Zoning By-law Review program is dynamic, and we reserve the right to provide further input and recommendations regarding its implementation in support of our client's manufacturing and distribution operations. Further, this letter does not preclude any other submission being filed related to these same properties.

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your co-operation.

Yours truly,
Pound & Stewart Associates Limited



Philip Stewart, RPP, MCIP
la/1711_itr.Royal.HONI.lands.Mar.25.2021

Attachments: As noted herein

cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Hydro One Networks Inc.
cc. Mr. R. Gray, Miller Thomson
cc. Client



**AERIAL IMAGE 1: NAPCO-ROYAL
OUTSIDE STORAGE BLOCKS - CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW**



1711_Image1_05_Mar01.21



Legend

- 131 & 155 REGALCREST COURT (OWNED)
- 101 REGALCREST COURT (LEASED)
- NORTHERN & SOUTHERN OUTSIDE STORAGE BLOCKS (LICENCED)
- ACCESS ROUTE TO/FROM OUTSIDE STORAGE BLOCKS (LICENCED)
- PARKWAY BELT WEST PLAN AREA



OBLIQUE IMAGE 2 - EAST VIEW
CITY OF VAUGHAN OFFICIAL PLAN, JUNE 2019 OFFICE CONSOLIDATION, SCHEDULE 13, LAND USE
NAPCO-ROYAL - HYDRO ONE NETWORKS INC. OUTSIDE STORAGE BLOCKS AND ACCESS
PART OF LOT 4, CONCESSION 8



- NORTHERN & SOUTHERN OUTSIDE STORAGE BLOCKS (LICENCED)
- ACCESS ROUTE TO/FROM OUTSIDE STORAGE BLOCKS (LICENCED)

**CITY OF VAUGHAN OFFICIAL PLAN
 JUNE 2019 OFFICE CONSOLIDATION
 SCHEDULE 13, LAND USE**

- GENERAL EMPLOYMENT
- PRESTIGE EMPLOYMENT
- EMPLOYMENT COMMERCIAL MIXED-USE
- MID-RISE MIXED-USE
- INFRASTRUCTURE AND UTILITIES
- PARKWAY BELT WEST LANDS



1711_Image2_OS_Mar.01.21



FIGURE 1
NAPCO-ROYAL - HYDRO ONE NETWORKS INC.
OUTSIDE STORAGE BLOCKS AND ACCESS

LEGEND

CITY OF VAUGHAN OFFICIAL PLAN
JUNE 2019 OFFICE CONSOLIDATION
SCHEDULE 13, LAND USE

- GENERAL EMPLOYMENT
- PRESTIGE EMPLOYMENT
- EMPLOYMENT COMMERCIAL MIXED-USE
- MID-RISE MIXED-USE
- INFRASTRUCTURE AND UTILITIES
- PARKWAY BELT WEST LANDS

- NORTHERN & SOUTHERN OUTSIDE STORAGE BLOCKS (LICENCED)
- ACCESS ROUTE TO/FROM OUTSIDE STORAGE BLOCKS (LICENCED)



1711_Figure1_OS_VOP_Sch13_LU_Mar.01.21

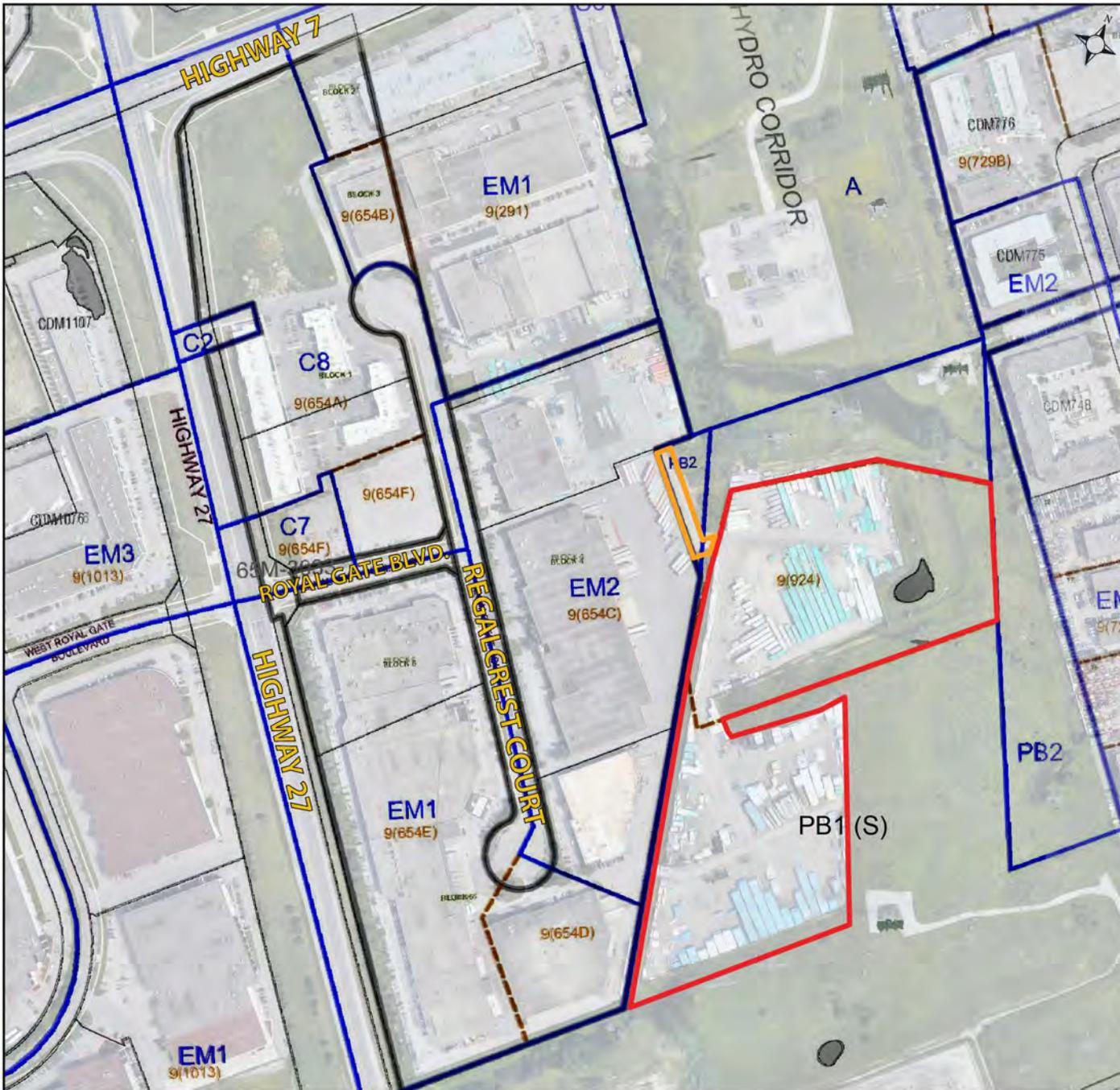


FIGURE 2
NAPCO-ROYAL - HYDRO ONE NETWORKS INC.
OUTSIDE STORAGE BLOCKS AND ACCESS

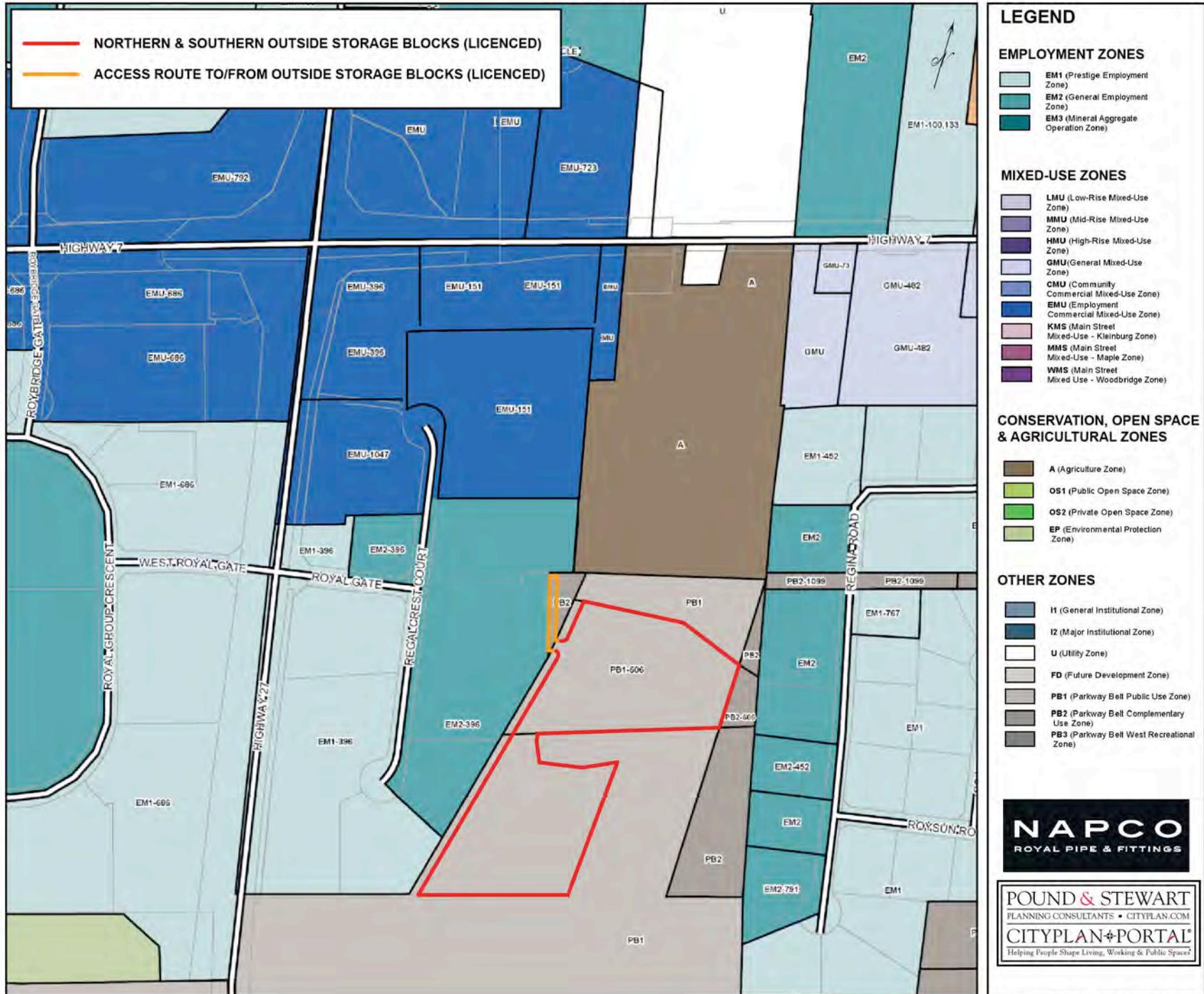
CITY OF VAUGHAN "IN EFFECT"
ZONING BY-LAW 1-88, AS AMENDED
ZONES & PERMITTED USE CATEGORIES

- EM1 - "PRESTIGE EMPLOYMENT AREA"
- EM2 - "GENERAL EMPLOYMENT AREA"
- EM3 - "RETAIL WAREHOUSE EMPLOYMENT"
- C2 - "GENERAL COMMERCIAL "AREA"
- C7 - "SERVICE COMMERCIAL"
- C8 - "OFFICE COMMERCIAL"
- PB1(S) - "PARKWAY BELT LINEAR FACILITIES"

- NORTHERN & SOUTHERN OUTSIDE STORAGE BLOCKS (LICENCED)
- ACCESS ROUTE TO/FROM OUTSIDE STORAGE BLOCKS (LICENCED)



**FIGURE 3: CITY OF VAUGHAN ZONING BY-LAW 1-88, AS AMENDED - 3RD DRAFT ZONING BY-LAW
 NAPCO-ROYAL - HYDRO ONE NETWORKS INC. OUTSIDE STORAGE BLOCKS AND ACCESS
 MARCH 2021**



APPENDIX 'A'

PARKWAY BELT WEST PLAN AMENDMENT No. 201 City of Vaughan

A) THE PREAMBLE

1. Purpose of the Amendment

The Parkway Belt West Plan was approved by the Ontario Cabinet in 1978. The process to amend the Parkway Belt West Plan is provided in the Ontario Planning and Development Act, 1994.

The purpose of the amendment is to delete certain lands from the Parkway Belt West Plan, July 1978, located in the City of Vaughan, in the Regional Municipality of York.

2. The Location and Designation

The subject lands are on the southeast corner of Highway Nos. 7 and 27 as shown on Schedules A and B. The lands are described as Part of Lot 4, Concession 8 in the City of Vaughan, York Region.

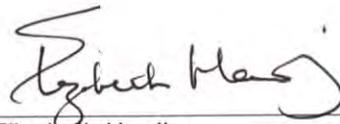
The subject lands are located on Map 4: Northern Link (Milton-Woodbridge) of the Parkway Belt West Plan, July 1978, and are designated as 'Electric Power Facility' within the 'Public Use Area' and 'General Complementary Use Area' of the 'Complementary Use Area' of the Plan.

B) THE AMENDMENT

The following text and map constitutes Amendment Number 201 to the Parkway Belt West Plan, July 1978.

1. Map 1 of the Parkway Belt West Plan is amended, as illustrated on Schedule A attached, by deleting 11.7 hectares (28.2 acres) of land located on Part of Lot 4, Concession 8 in the City of Vaughan from the area covered by the Parkway Belt West Plan, July 1978.
2. Map 4: Northern Link (Milton-Woodbridge) is amended as illustrated on Schedule B attached, by deleting 11.7 hectares (28.2 acres) in the City of Vaughan, from the area covered by the Parkway Belt West Plan, July 1978.

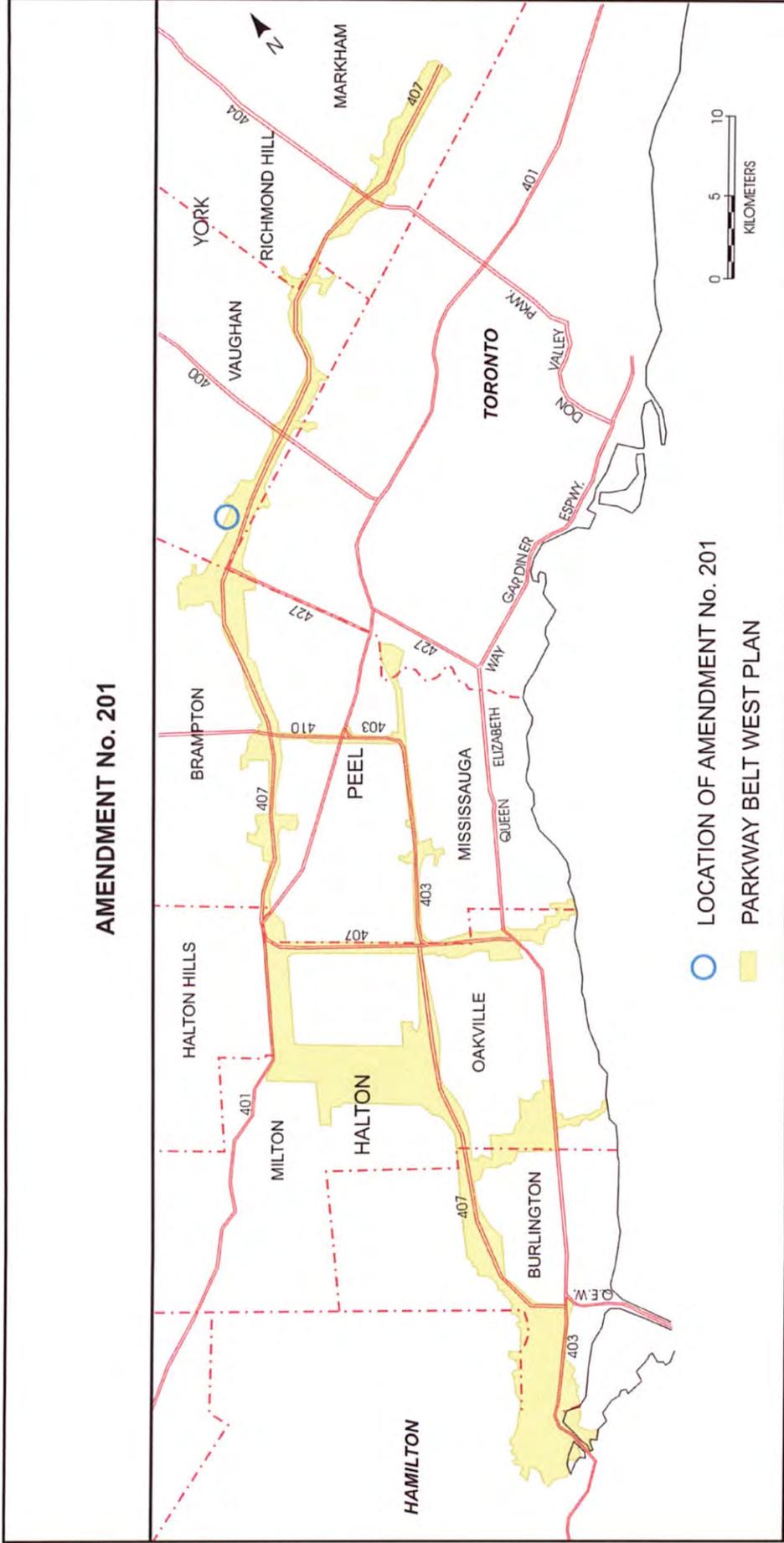
This amendment to the Parkway Belt West Plan is hereby approved under Subsection 8(1) of the Ontario Planning and Development Act, 1994, as Amendment Number 201 to the Parkway Belt West Plan, July 1978.

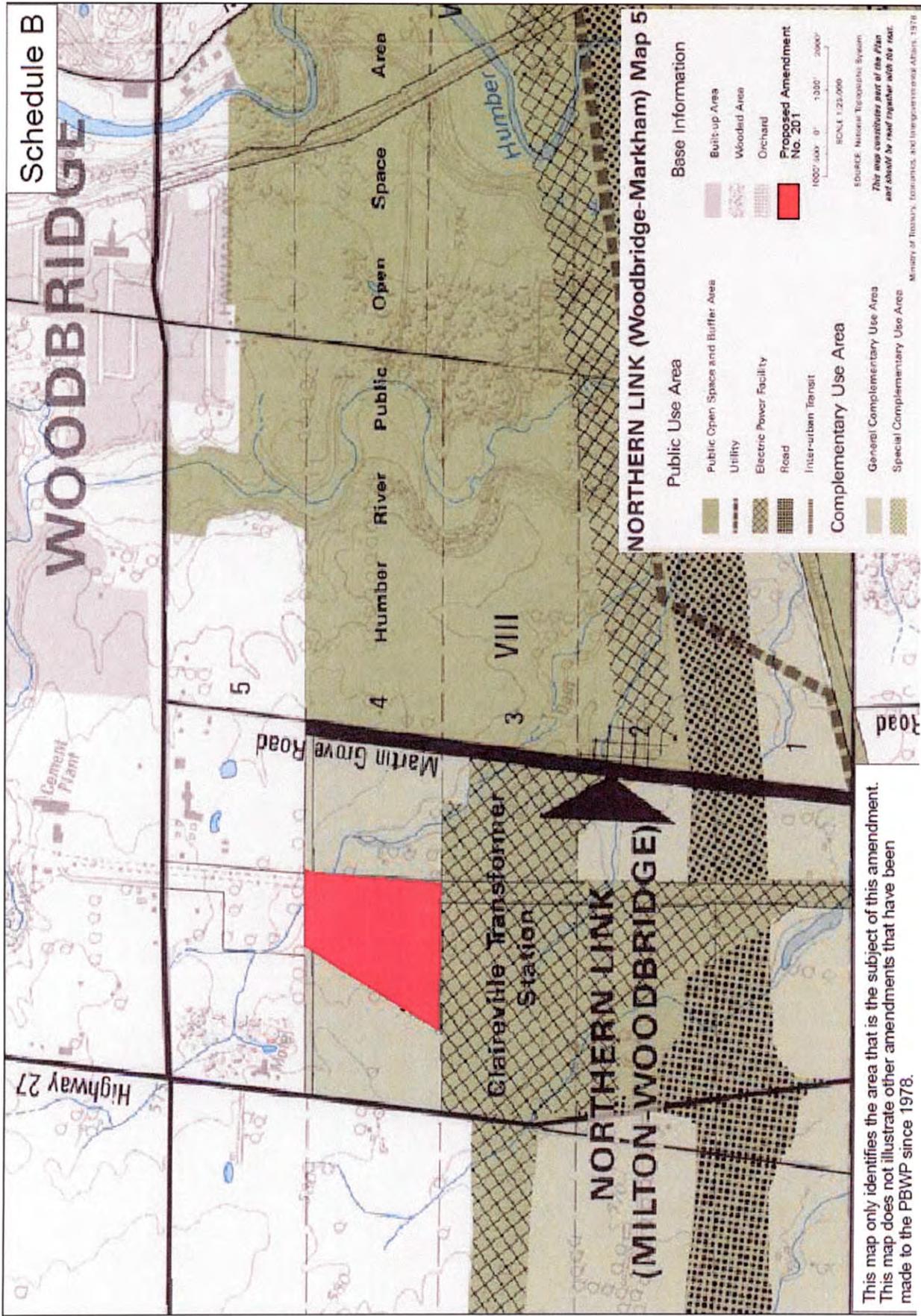


Elizabeth Harding
Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing

Dated at Toronto on April 23, 2012

Schedule A



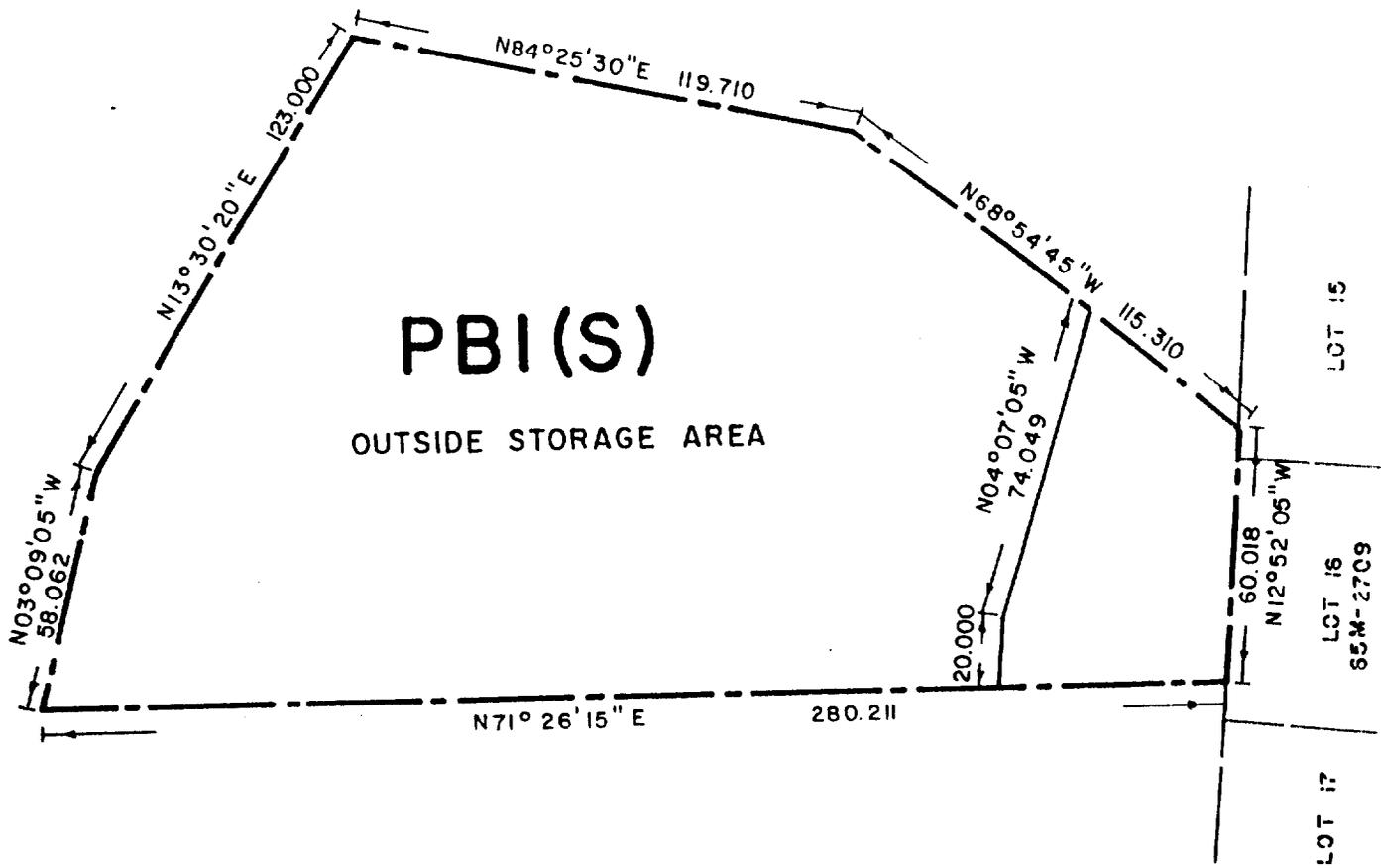


This map only identifies the area that is the subject of this amendment. This map does not illustrate other amendments that have been made to the PBWP since 1978.

APPENDIX 'B'

- 924) Notwithstanding the provisions of Subsection 3.10 regarding public uses and Subsection 7.6 regarding uses permitted in a PB1(S) Parkway Belt Linear Facilities Zone; the following provisions shall apply to the lands shown as "Subject Lands" on [Schedule E-1008](#):

In addition to the uses permitted in a PB1(S) Parkway Belt Linear Facilities Zone, open storage of plastic pipe by a non-public user shall be permitted. The open storage area shall not exceed 3.0 ha and shall be completely enclosed with a fence of at least 2.0 m in height. The maximum height of open storage material shall be 4.9 m.



LEGEND

--- SUBJECT LANDS
 LOCATION: PART OF LOT 4,
 CONCESSION 8
 SCALE: 0 80m

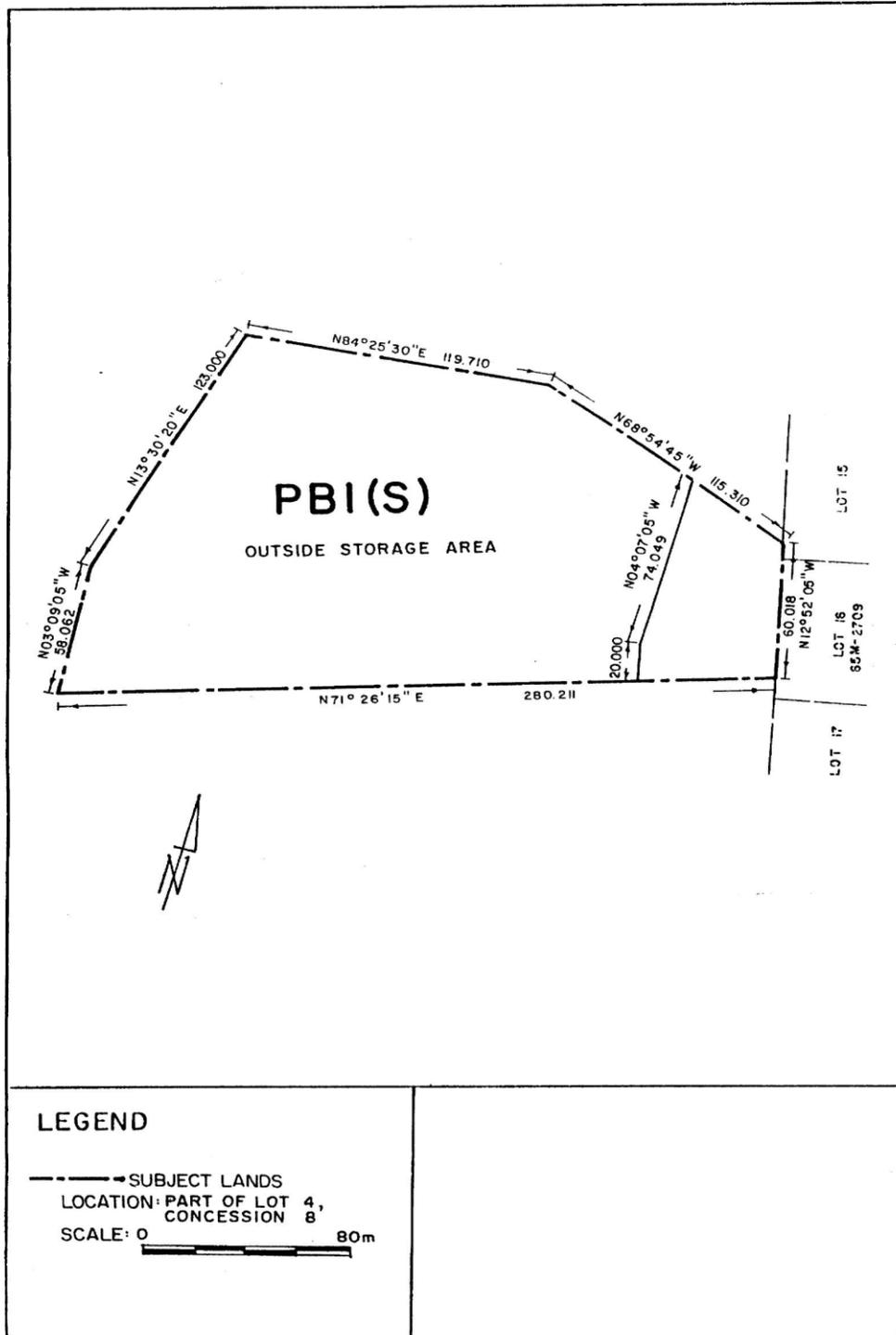
THIS IS SCHEDULE 'E-1008'
 TO BY-LAW 1-88
 SECTION 9(924)

APPENDIX 'C'

14.606

Exception Number 606	Legal Description: 180 Regina Road, 55 Regal Crest Court, 5839 Highway 7, 7290 Martin Grove Road
Applicable Parent Zone: PB1, PB2	
Schedule A Reference: 24	Figure E Link (if applicable)
By-law / Tribunal Decision Reference	Figure T Link (if applicable)
14.606.1 Permitted Uses	
<p>1. The following provisions shall apply to the lands shown as subject lands on Figure E-1008:</p> <p style="padding-left: 40px;">a. Open storage of plastic pipe by a private user shall be permitted. The open storage area shall not exceed 3.0 ha and shall be completely enclosed with a fence of at least 2.0 m in height. The maximum height of open storage material shall be 4.9 m.</p>	
14.606.2 Figures	

Figure E-1008



June 7, 2021

BY EMAIL clerks@vaughan.ca & REGULAR MAIL

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A 1T1

Attn: Mayor Bevilacqua & Members of Council

Re: Committee of the Whole – June 8, 2021
Agenda Item # 8 – City-wide Comprehensive Zoning By-law ('CZBL')
Royal Building Products (a Westlake Company)
71 Royal Group Crescent - Parts Lots 4 & 5, Concession 9, Plan 65R-28279
91 Royal Group Crescent - Parts Lots 3 & 4, Concession 9, Plan 65R-28279
City of Vaughan, Region of York
Our File 1711

We are the Planners of Record writing on behalf of Royal Building Products, (hereafter referred to as 'Royal') regarding the above captioned properties. We are following up in our filed October 28, 2020 submission, concerning the City's Comprehensive Zoning By-law ('CZBL') program – 3rd Draft, as referenced by the Office of the City Clerk, Item 1, Report 50, and adopted by City Council November 17, 2020, and now as it pertains to the final draft of the CZBL as per the above captioned reference.

A copy of our October 28, 2020 submission is attached herein as Appendix 1.

While we endorse the City's direction on implementing the CZBL, we look forward to further co-ordination with the City Staff to address zoning related matters as outlined in our submissions, between now and Council's passing of the CZBL, anticipated September 2021. It appears that the CZBL Public Comment - Response Matrix, does not address our October 28, 2020 submission.



POUND & STEWART

PLANNING CONSULTANTS • CITYPLAN.COM

We look forward to providing further input and recommendations regarding the implementation of the CZBL in support our client's manufacturing and distribution operations. Further, this letter does not preclude any other submission being filed related to these same properties, and we note additional comments may be forthcoming.

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your cooperation.

Yours truly,
Pound & Stewart Associates Limited



Philip Stewart

la/1711_itr.Royal.June.07.2021

Attachments: As noted herein

cc. Mr. J. Harnum, City Manager
cc. Mr. H. Xu, Deputy City Manager, Planning & Growth Management
cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Mr. R. Gray, Miller Thomson
cc. Client

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 • 416 482 9797
305 RENFREW DRIVE, SUITE 101, MARKHAM, ONTARIO, CANADA L3R 9S7 • 905 305 9797
WWW.CITYPLAN.COM • INFO@CITYPLAN.COM



October 28, 2020

BY EMAIL clerks@vaughan.ca & REGULAR MAIL

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A1T1

Attn: Mr. T. Coles, City Clerk

Re: Royal Building Products (a Westlake Company)
City of Vaughan – Comprehensive Zoning By-law Review ('CBZR')
71 Royal Group Crescent - Parts Lots 4 & 5, Concession 9, Plan 65R-28279
91 Royal Group Crescent - Parts Lots 3 & 4, Concession 9, Plan 65R-28279
City of Vaughan, Region of York
Our File 1711

We are the Planners of Record writing on behalf of Royal Building Products, (hereafter referred to as 'Royal'), regarding the above captioned properties located in the Vaughan West (South) Corporate Park, as part of the Vaughan Enterprise Zone ('VEZ'), which provides versatile access to distribute its products within regional markets.

Royal is pleased to provide comments as part of the City's 'Comprehensive Zoning By-law Review' or ('CZBR') program – 3rd Draft, publicly released September 24, 2020, with the purpose of pursuing zoning compliance with the implementation of VOP 2010, as amended, among other matters.

Royal is a well-established manufacturer of building and infrastructure products contributing to environmental sustainability, job creation, and a strong municipal tax base within the City of Vaughan and the Region of York.

'With operations throughout North America, NAPCO - Royal Building Products offers the renovation, remodeling and new construction industries a broad range of innovative vinyl products including siding, mouldings, deck, window profiles and patio doors. NAPCO - Royal Building Products also manufactures pipe and fittings for the electrical, municipal, irrigation, plumbing and industrial construction industries.' Source: NAPCO - Royal Building Products.

POUND & STEWART ASSOCIATES LIMITED



Over the past twenty years, Royal has successfully operated its manufacturing, distribution and office business functions at 71 and 91 Royal Group Crescent, where ‘Royal’ property interests, at these two locations, total collectively about 10.85 ha. (26.8 acres) in land area.

A. THE PURPOSE OF ‘ROYAL’ PARTICIPATION IN THE CITY’S ‘CZBR’ PROGRAM

In terms of the City’s CZBR program, Royal seeks zoning compliance through the implementation of VOP 2010, as amended, among other matters, as further set out below:

- To inform regarding in effect Zoning By-law 1-88, as amended, with Zoning By-law Exception 1013, as it relates to Royal’s property interests, and ensure that prior approved Variances and Consents previously obtained continue to be treated as in conformity and compliance under the new Zoning By-law;
- To clarify and reconcile the proposed ‘CZBR’ Schedules or Mapping;
- To reconcile the definitions and characteristics of ‘Outside Storage’, also referred to as ‘Outdoor Storage’, ‘Open Storage’ and ‘On-Site Storage’ land uses per other planning documents, its planned function, development standards and regulations;
- And, to address related zoning matters as the ‘CZBR’ evolves.

B. THE PLANNING CONTEXT OF ‘ROYAL’ PROPERTIES

Aerial Image 1 describes the context of the Royal’s ‘Employment Area’ properties, with the following with uses:

TABLE 1: ‘ROYAL’ PROPERTIES IN THE VAUGHAN WEST (SOUTH) CORPORATE PARK

Municipal Address	Tenure	Operational Use	VOP, 2010 as Amended	Block or Land Area	Building GFA*
71 Royal Group Crescent	Leased	Manufacturing-Distribution-Office	‘Prestige Employment’ & ‘General Employment’	3.96 ha.	24,810 sq. m
91 Royal Group Crescent	Leased	Manufacturing-Distribution-Office-Outside Storage	‘Prestige Employment’ & ‘General Employment’	6.89 ha.	41,547 sq. m
	Total			10.85 ha.	66,357 sq. m

E.O.E.

POUND & STEWART ASSOCIATES LIMITED



VOP 2010, as amended, includes a planning horizon to 2031, and both Royal's 71 and 91 Royal Group Crescent business operations comply with the City's official plan land use designations as set out on Figure 1, describing an employment area with employment planned functions. More specifically, VOP 2010, as amended, provides for two, or dual employment area land use designations, applying to both 71 and 91 Royal Group Crescent properties, as per Schedule 13, Land Use, and Schedule 13-P Land Use. These land use designations are referred to as '*Prestige Employment*' (fronting onto Highway 427) and '*General Employment*' (fronting onto Royal Group Crescent).

The '*Prestige Employment*' land use designation permits '*Industrial uses including manufacturing, warehousing (but not retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted...*' Office uses are permitted, among other uses. (VOP 2010, page 262)

The '*General Employment*' land use designation permits '*A full range of industrial uses including manufacturing, warehousing (but not retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage...*' Office uses are permitted, among other uses. (VOP 2010, page 261)

Of note, these land use designations are also generally consistent with the City's prior Official Plan, Amendment No. 450, 'Employment Area Growth and Management Plan' where the subject lands are designated as '*Prestige Area*' and '*Employment Area*', per Schedule '2A', per approved Amendment No. 450, 'Employment Area West Structural Plan', guiding the initial development of this employment area and its planned functions.

Of interest, Zoning By-law 1-88, as amended, pre-dated both OPA No. 450 and VOP, 2010, as amended, although there were incremental amendments and by-law variances obtained to this zoning for this employment area.

In summary, this following documentation is filed as part of the CZBR to ensure zoning conformity with VOP 2010, as amended.

C. 71 ROYAL GROUP CRESCENT (BLDG. 106) – CURRENT ZONING

The City of Vaughan approved the Site Plan for Building Permit issuance regarding Bldg. 106, per Architect, A.W. Trusevych of A.W. Trusevych Associates, Architect Inc. confirming the building, and the subject property, were constructed in accordance and consistent with the City's approval as granted as per the Final Review Report.



Presently the subject property is zoned 'EM1 Prestige Employment Area Zone', Special Section, 9 (1013) per Zoning By-law 1-88, as amended, as further amended by By-law No. 233-99. Figure 2 is a Zoning Reference Map per City of Vaughan Zoning By-law 1-88, as amended, and Section 1013, Schedule E-1108 Schedule 2 is included in Appendix 'A'.

D. 71 ROYAL GROUP CRESCENT (BLDG. 106) – APPROVED BY-LAW VARIANCE A079/07

In 2008 By-Law Variances were approved with respect to the subject property, and the abutting property to the south, known as 81 Royal Group Crescent, based on Zoning By-law 1-88, as amended. Please refer to Addendum 'A' as it relates to the variances obtained for the subject property and related lands.

For the purposes of the Zoning By-law Special Section 1013, Royal Group Crescent is deemed a public road, among others. Please also note direct access to the subject property will be maintained via Royal Group Crescent with an additional secondary access, as well, to Royal Group Crescent, shared with the lands to the south, among other matters. Royal business operations obtain access to these properties through multiple shared driveway locations via Royal Group Crescent.

Also, related to the approved By-law Variances is an Easement Schedule describing those easements to be conveyed by 1260392 Ontario Limited together with the severed lands, as well as those easements to be reserved in favour of 1260392 Ontario Limited abutting Blocks per a contiguous Consent Applications. At that time there were no restrictive covenants associated with the subject lands according to the client's solicitor.

E. 91 ROYAL GROUP CRESCENT (BLDG. 108) – CURRENT ZONING

The City of Vaughan approved the Site Plan for Building Permit issuance regarding Bldg. 108, per Architect, A.W. Trusevych of A.W. Trusevych Associates, Architect Inc. confirming the building, and its property, were constructed in accordance and consistent with the City's approval as granted as per the Final Review Report.

Presently the subject property is zoned 'EM1 Prestige Employment Area Zone', Special Section, 9 (1013) per Zoning By-law 1-88, as amended, as further amended by By-law No. 233-99. Figure 2 is a Zoning Reference Map per City of Vaughan Zoning By-law 1-88, as amended, and Section 1013, Schedule E-1108 Schedule 2 is included in Appendix 'A'.



F. 91 ROYAL GROUP CRESCENT (BLDG. 108) – APPROVED BY-LAW VARIANCE A077/07

In 2007 By-Law Variances were approved with respect to the subject property, and the abutting property to the north, known as 81 Royal Group Crescent, based on Zoning By-law 1-88, as amended. Please refer to Addendum 'B' as it relates to the variances obtained for the subject property and related lands.

For the purposes of the Zoning By-law Special Section 1013, Royal Group Crescent is deemed a public road, among others. Please also note direct access to the subject property will be maintained via Royal Group Crescent with an additional secondary access, as well, to Royal Group Crescent, shared with the lands to the south, among other matters. Royal business operations obtain access to these properties through multiple shared driveway locations via Royal Group Crescent.

Also, related to the approved By-law Variances is an Easement Schedule describing those easements to be conveyed by 1260392 Ontario Limited together with the severed lands, as well as those easements to be reserved in favour of 1260392 Ontario Limited abutting Blocks per a contiguous Consent Applications. At that time there were no restrictive covenants associated with the subject lands according to the client's solicitor.

G. PROPOSED 'CZBR' SCHEDULE 'A' MAPPING PER ROYAL'S PROPERTY INTERESTS

Attached Figure 3, depicts the proposed zoning designation provided by CZBR Schedule 'A' mapping as it relates to 'Royal' property interests.

Royal's 71 & 91 Royal Group Crescent properties are depicted with the 'Prestige Employment Zone' EM1-686 zoning designation. This Exception No. 686 zone allows for the manufacturing or processing use in addition to related employment area activities. This proposed Exception fails however, in that it does not recognize the intent of VOP 2010, which provides for dual land use designations to the subject properties, which in effect permits 'outside storage'.

Of Interest, 'Outside Storage', 'Outdoor Storage', 'Open Storage' and 'On-Site' uses are defined and/or described differently by various land use planning documents. As well, 'storage' as a use is governed by many other factors such its type, primary or accessory, temporal or interim, scale required, location on site, staging, location relative to other surrounding uses, the level of screening required, deemed adverse affects, if any, and the relationship of the storage to a primary manufacturing use, among other matters.

To maintain the City's Employment Area competitive advantages, the 'Comprehensive Zoning By-law Review' will need to ensure clarity and certainty, in managing 'Outdoor Storage', 'Outside



Storage’, ‘Open Storage’ and ‘On-site Storage’ terminology, where, and how applied. The VOP 2010, as amended, and Zoning By-law definitions, planned functions and development standards and regulations require clarity and consistency to support economic competitiveness and environmental sustainability.

TABLE 1: HOW ‘STORAGE’ TERMS ARE APPLIED IN PLANNING DOCUMENTS

	Outside Storage	Outdoor Storage	Open Storage	On-site Storage
Provincial PBWP	NO	NO	YES	YES
Vaughan OPA 450	YES	NO	NO	NO
VOP 2010	YES	YES	NO	NO
Vaughan By-law 1-88	YES	NO	YES	NO
Vaughan CZBR	YES	NO	NO	NO

Another aspect to consider in seeking clarity and certainty in terms of the CZBR with regard to ‘outside storage’, is the planned function of manufacturing, and the inherent uses that apply to this use. Truck and trailer parking, for example, are inherent to this permitted use and are not typically deemed as a ‘storage’ function. The movement and staging of manufactured goods on site should be deemed as an inherent function, and not be subject to ‘storage’ use zoning by-law provisions. Please refer to ‘Table 2: Comparison of Storage Definitions’ which expresses a concern regarding the proposed definition of Outside Storage and how it is proposed to be applied by the CZBR.

Although the intent of VOP, 2010, as amended, permits ‘outside storage’ on a property, in this case 71 and 91 Royal Group Crescent, as depicted by a dual designation, it does not appear to be reflected in the CZBR to date. For example, it is important that ‘Royal’ be allowed to maintain the use of the 91 Royal Group Crescent for outside or outdoor storage purposes to support its manufacturing operations, notwithstanding the development standards that are applied to ‘outside storage’.

Therefore, to maintain uniformity and avoid non-compliance where possible, it is recommended that a new Special Section or site specific zoning for 71 & 91 Royal Group Crescent be consistent with the land use permissions of VOP, 2010, as amended, by recognizing the dual land use designations applying to each of the properties, and include land use permission in the new Zoning By-law, in loc-step with VOP 2010, as amended permissions.

H. ADDITIONAL ITEMS OF INTEREST

It is also important to acknowledge that certain industries require on-site storage silos, which are related to the manufacturing processes. In the proposed ‘EM1’ and ‘EM2’ Zones, silos are to be limited to 15m height in terms of building or structure height limitations per the Employment Zone development standards.

POUND & STEWART ASSOCIATES LIMITED



Also, there would be value in clarifying 'Accessory' as it may or may not relate to 'inherent' permitted uses associated with principal permitted uses, such as staging, truck and trailer activities. In Employment Zones reference is made to 'Accessory Office' and 'Accessory Retail' only.

I. CONCLUSION & RECOMMENDATION

In conclusion, this letter sets out principles and issues which the 'CZB' needs to address appropriately. Royal is pleased to provide continuing input as part of the City's 'CZBR' program in support of the following principles:

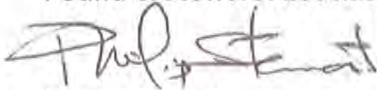
- 'Principle #1: Ensure Conformity with the Official Plan'
- 'Principle #2: Minimizing Legal Non-Conforming Uses and Non-Complying Structures';
- 'Principle #3: Maintaining Permission's where Possible', and;
- 'Principle #4: Creating a User-Friendly By-law'.

Our submission does not preclude any submission regarding these property's that may be filed by the property owner.

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your cooperation.

Yours truly,
Pound & Stewart Associates Limited



Philip Stewart
la/1711_ltr.Royal.Oct.28.20

Attachments: As noted herein

cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Mr. R. Gray, Miller Thomson
cc. Client



TABLE 2: COMPARISON OF ‘STORAGE’ DEFINITIONS`

Defined Terms	Parkway Belt West Plan	Office Consolidation March 1, 2019	Vaughan Zoning By-law 1-88, as amended	Vaughan Draft CBZR – First Draft April 2019	Vaughan Draft CBZR – Third Draft September 2020	PSP Comments
Outside Storage Use	No Definition PBWP References Include Temporary or Interim: ‘On-site Storage’ ‘Storage’	Section 9.2.2.10 General Employment e. ‘Outside Storage’	OUTSIDE STORAGE - Means the leaving, placing or parking of goods, materials, machinery, equipment or vehicles on a lot and not covered by a structure in the EM2 Zone only.	Outside Storage: Means an open area of land <u>used</u> for the temporary storage of materials, equipment, intermodal containers or finished goods which are associated with the <u>principal use</u> of the <u>lot</u> . Storage: Means an area that is <u>used</u> for the keeping of goods or material, either within a <u>building</u> or structure, or in an <u>outside storage area</u> , where expressly permitted by this By-law.	Outside Storage: Means an open area of land used for the temporary storage of materials, equipment, intermodal containers, or finished goods which are associated with the principal use of the lot, and may include the temporary parking of commercial vehicles.	It is noted that the definition for ‘storage’ has been removed in the third draft. The definition of ‘Outside Storage’ has been expanded upon to include “... the temporary parking of commercial vehicles”. Does this mean that any zone which allows for ‘manufacturing or processing facility’ technically requires the ‘outside storage’ use to accommodate the temporary parking of commercial vehicles? Such as the EM1 zone, which allows for ‘manufacturing or processing facility’ but not ‘outside storage’.
Outdoor Storage Use	No Definition PBWP References Include Temporary or Interim: ‘On-site Storage’	General Employment Section 9.2.2.10 bi. ‘Outdoor Storage’ Infrastructure & Utilities Section 9.2.2.26. b ii. <i>“secondary uses such as passive or active recreation community gardens, other utilities, parking lots and outdoor storage that are accessory to adjacent land</i>	No Definition	No Definition	No Definition	

TABLE 2: COMPARISON OF 'STORAGE' DEFINITIONS`

Defined Terms	Parkway Belt West Plan	VOP, Office Consolidation March 1, 2019	Vaughan Zoning By-law 1-88, as amended	Vaughan Draft CBZR – First Draft April 2019	Vaughan Draft CBZR – Third Draft September 2020	PSP Comments
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	'Storage'	<i>uses subject to the review/approval of the utility provider."</i>				
Open Storage Use	No Definition PBWP References Include Temporary or Interim: 'On-site Storage' 'Storage'	No Reference	OPEN STORAGE - Means the leaving, placing or parking of goods, materials, machinery, equipment or vehicles on a lot and not covered by a structure for a period of more than 72 hours.	No Definition	No Definition	
On-Site Storage Use	'On-site Storage'	No Reference	No Definition	No Definition	No Definition	

1711_TableA_Definitions_Comparison_October 2020

IMAGE 1: ROYAL GROUP, INC. CITY OF VAUGHAN
OCTOBER 2020



FIGURE 1: CITY OF VAUGHAN OFFICIAL PLAN, OFFICE CONSOLIDATION JUNE 2019 - SCHEDULE 13: LAND USE COMPREHENSIVE ZONING BY-LAW REVIEW (3RD DRAFT)
 71 & 91 ROYAL GROUP CRESCENT - CITY OF VAUGHAN
 OCTOBER 2020



1711_Figure1_71-91_OP_Oct.27.20

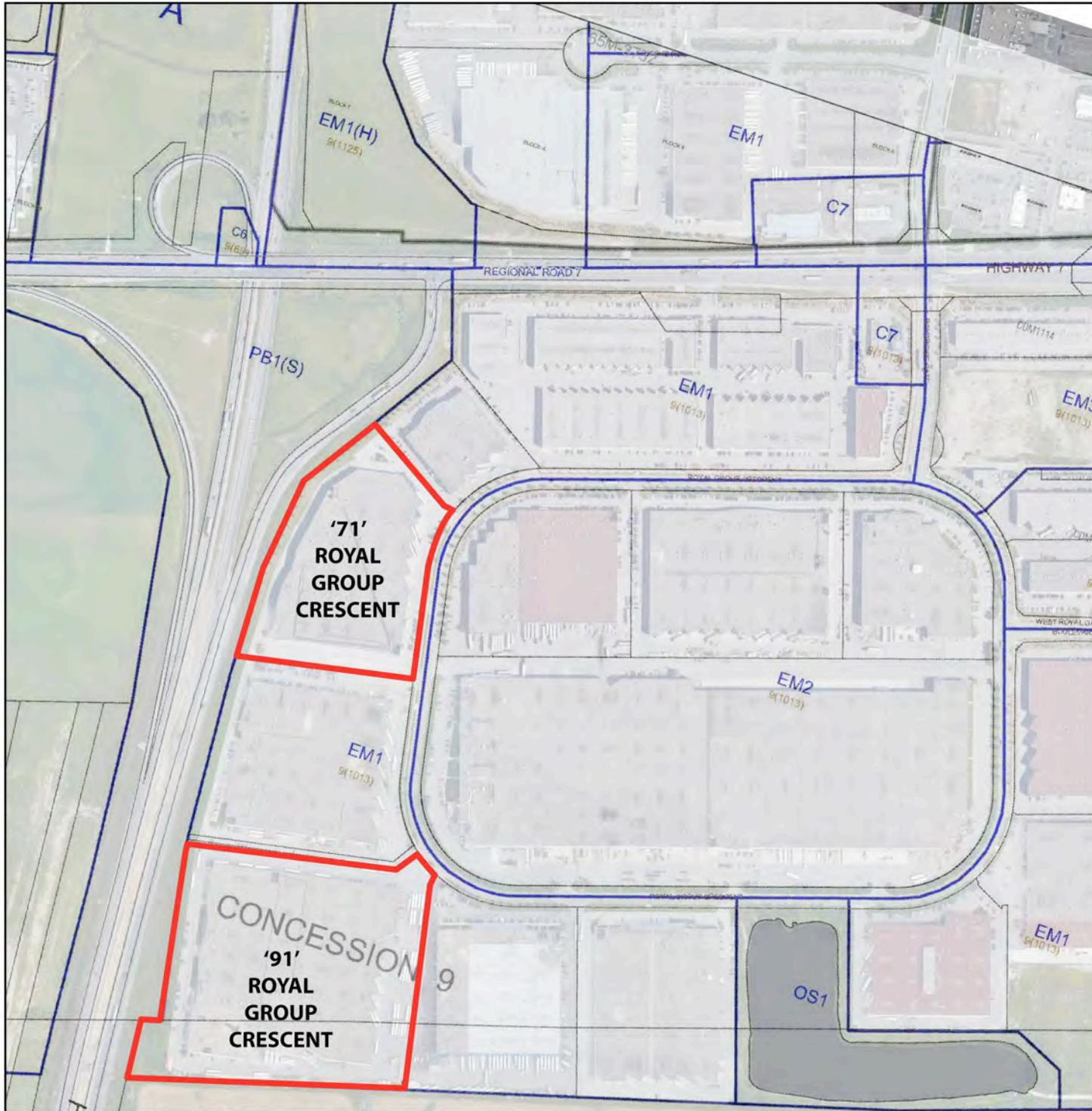


ROYAL Building Products
A Woodbridge Company

POUND & STEWART
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CITYPLAN+PORTAL
 Helping People Shape Living, Working & Public Spaces

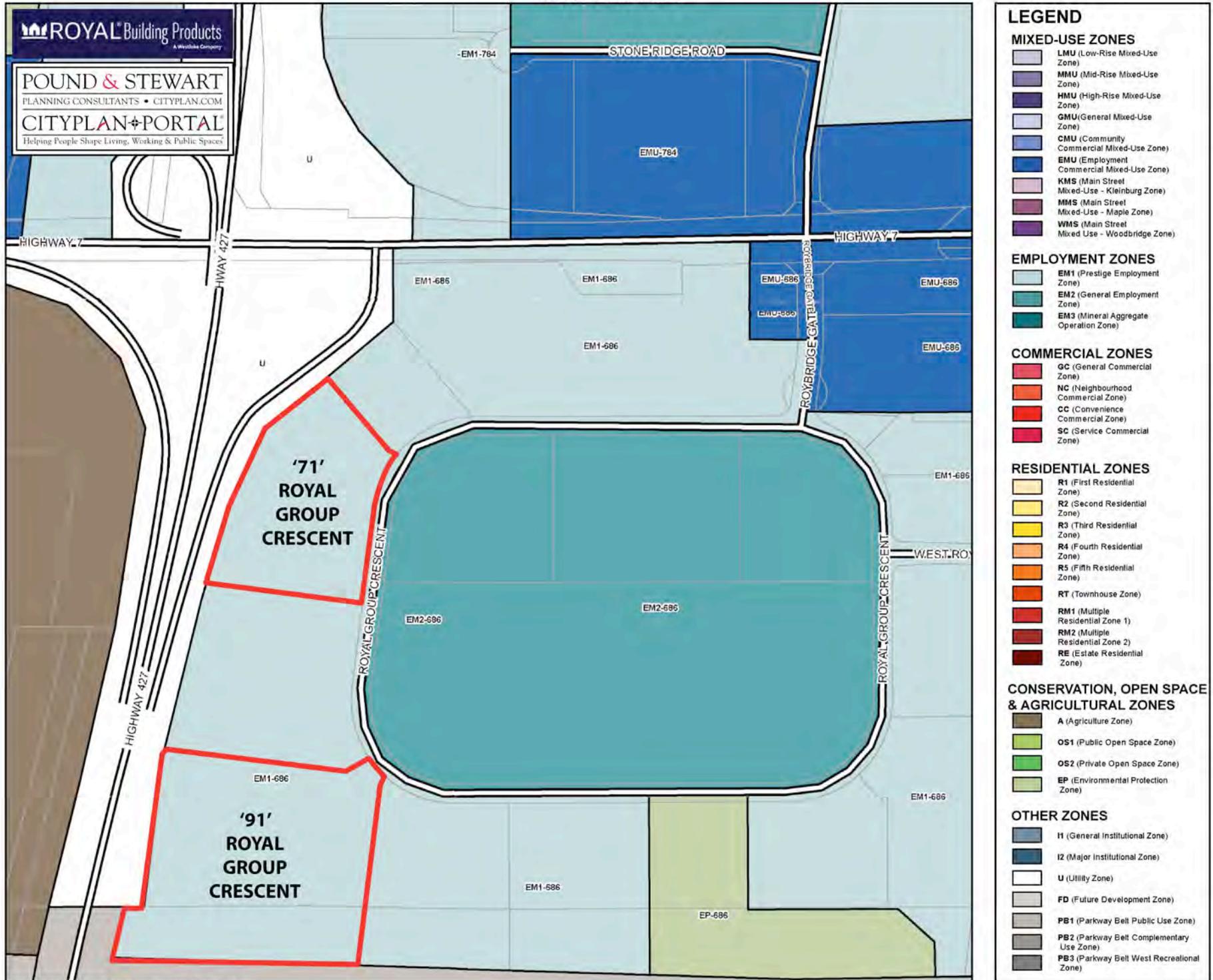
**FIGURE 2: CITY OF VAUGHAN ZONING BY-LAW 1-88, AS AMENDED
71 & 91 ROYAL GROUP CRESCENT - CITY OF VAUGHAN
OCTOBER 2020**



ZONES	PERMITTED USE CATEGORIES
EM1	PRESTIGE EMPLOYMENT ZONE
EM2	GENERAL EMPLOYMENT ZONE
EM3	MINERAL AGGREGATE OPERATION ZONE
C7	SERVICE COMMERCIAL ZONE
OS1	OPEN SPACE CONSERVATION ZONE



**FIGURE 3: CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW - 3RD DRAFT ZONING BY-LAW MAPPING - SCHEDULE A
71 & 91 ROYAL GROUP CRESCENT - CITY OF VAUGHAN
OCTOBER 2020**



Appendix A

1013) Notwithstanding the provisions of:

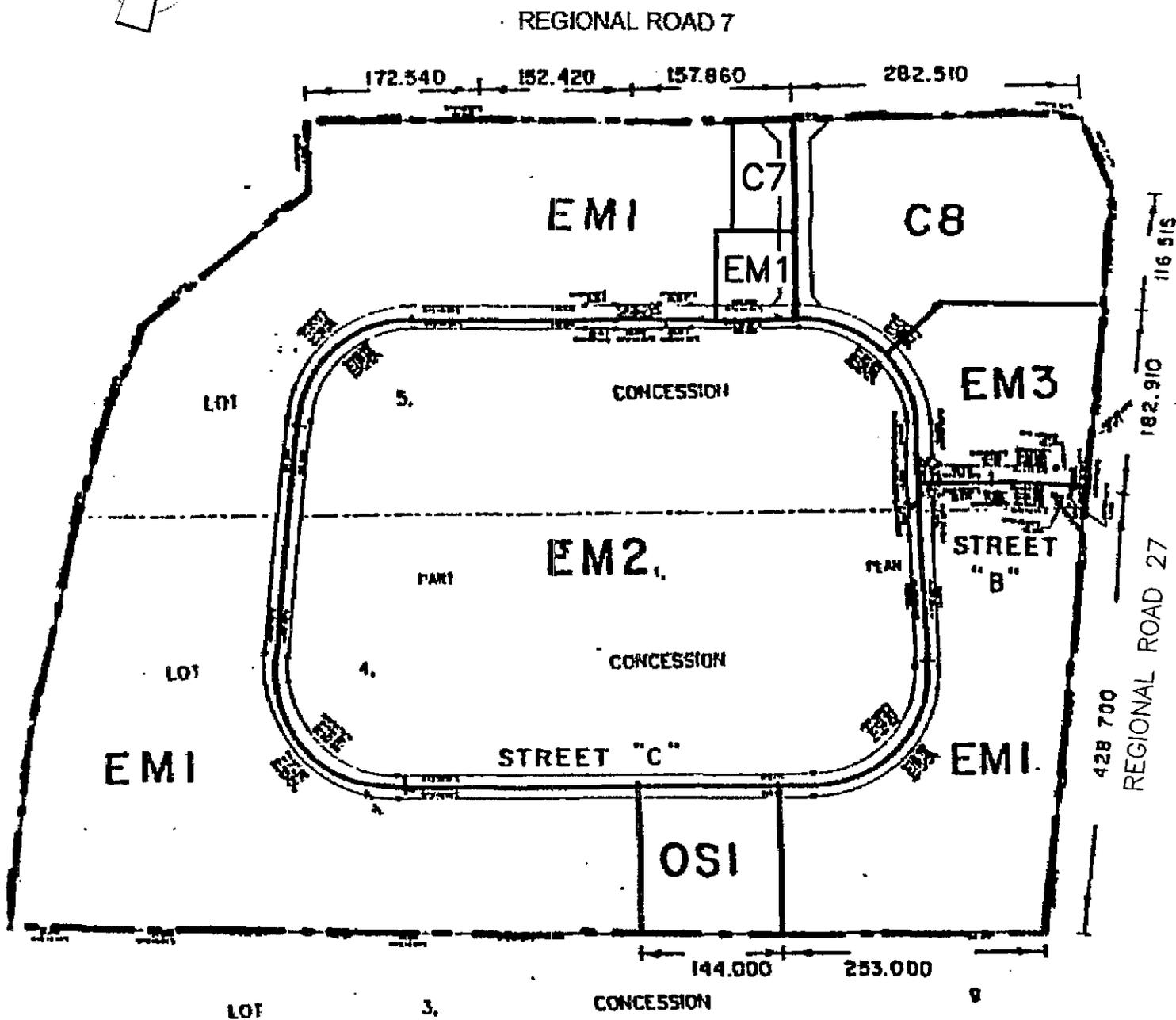
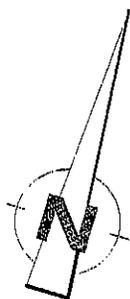
- a) Deleted;
- b) Subsection 3.9(d) respecting loading space requirements;
- c) Subsection 2 respecting the definition of "Public Highway";
- d) Schedule "A" respecting the maximum building height requirement in a C8 Office Commercial Zone;
- e) Subsection 6.1.6(a) respecting landscaping requirements in Employment Area zones;
- f) Subsection 6.1.6(d) respecting the minimum width of a landscape strip in the EM1 Prestige Employment Area Zone where it abuts lands zoned OS1 Open Space Conservation Zone;
- g) Subsection 2 respecting the definition of a lot.
- h) Schedule "A" respecting the minimum lot frontage and minimum lot area requirements in a C7 Service Commercial Zone.
- i) Subsection 5.1.4 respecting Use Permitted, All Commercial Zones;
- j) Subsection 2 respecting the definition of "Lot Line, Front";
- k) Subsection 3.8 a) respecting Parking Requirements;
- l) Subsection 3.8 g) respecting driveway widths;
- m) Subsection 3.9 a) ii) respecting loading space requirements for an office building;
- n) Subsection 6.1.1 respecting Permitted Uses in all Employment Area Zones and Subsection 6.5.1 respecting permitted uses in the Retail Warehouse Employment Area Zone;
- o) Schedule "A" respecting the zone standards in the EM3 Retail Warehouse Employment Area Zone;
- p) Schedule "A" respecting the minimum rear yard setback in a EM1 Prestige Employment Area Zone;
- q) Section 2.0 respecting the definition of a Mixing Plant;
- r) Subsection 6.2.1 respecting the permitted uses in the EM1, Prestige Employment Area Zone;

The following provisions shall apply to the lands shown as "Subject Lands" on [Schedule "E-1108"](#):

- ai) Deleted;
- bi) Loading and unloading shall be permitted to be located between a building and a street;
- ci) For the purposes of this By-law, Streets "A", "B" and "C" shown on [Schedule "E-1108"](#) shall be considered to be public streets;
- di) The maximum building height shall be 30 metres;
- ei) A strip of land not less than 6m in width shall be provided along a lot line which abuts the street line of Street "B" shown on [Schedule "E-1108"](#). This shall not prevent the provision of access driveways across the said strip;
- fi) No landscape strip is required within and along the boundary of an EM1 Zone where it abuts an OS1 Zone;

- gi) For the purposes of zoning conformity, the lands shown as C7- Service Commercial Zone on [Schedule "E-1108"](#) and [Schedule "E-1108A"](#) shall be deemed to be a lot;
- gii) For the purposes of zoning conformity the lands shown as "Subject Lands" on [Schedule "E-1108B"](#) shall be deemed to be one lot and to comply with the provisions of this By-law, regardless of the creation of a new lot by way of condominium, part-lot control, consent or any easements, or other rights or registrations given or made;
- hi) The minimum lot frontage shall be 55m and the minimum lot area shall be 5400m² on the lands shown as C7 Service Commercial Zone on [Schedule "E-1108"](#) and [Schedule "E-1108A"](#);
- ii) Subsection 5.1.4 shall not apply to the lands shown as C7 Service Commercial Zone on [Schedule "E-1108"](#) and [Schedule "E-1108A"](#);
- ji) The north property line shall be deemed to be the front lot line for the lands shown as "Subject Lands" on [Schedule "E-1108B"](#);
- ki) The minimum number of parking spaces shall be 649 for the lands shown as "Subject Lands" on [Schedule "E-1108B"](#);
- kii) The minimum parking requirement for the lands shown as EM2 General Employment Area Zone and identified as "Part 1" on [Schedule "E-1108"](#) shall be 0.6 parking spaces/100 sq.m.;
- kiii) The minimum number of parking spaces shall be 78 for the lands shown as EM1 Prestige Employment Area Zone on [Schedule "E-1108A"](#);
- kiv) The minimum number of parking spaces shall be 314 for the lands shown as the "Subject Lands" on [Schedule "E-1108C"](#).
- li) The maximum driveway width shall be 9m for the lands shown as "Subject Lands" on [Schedule "E-1108B"](#);
- mi) Loading spaces shall not be required for an office building on the lands shown as "Subject Lands" on [Schedule "E-1108B"](#);
- ni) The following uses shall not be permitted on the lands shown as "Subject Lands" on [Schedule "E-1108B"](#):
 - Building Supply Outlet, and;
 - Swimming Pool, Recreation Vehicles Leasing/Rental/Sales
- nii) The following additional use shall be permitted on the lands shown as "Subject Lands" on [Schedule "E-1108B"](#):
 - Business and Professional Offices, including offices for regulated health professionals;
- oi) The minimum rear yard setback shall be 4.9m for the lands shown as "Subject Lands" on [Schedule "E-1108B"](#);
- pi) The minimum rear yard setback shall be 6.1m for the lands shown as EM1 Prestige Employment Area Zone on [Schedule "E-1108A"](#).
- qi) Notwithstanding the definition of a Mixing Plant in Section 2.0, for the purposes of this exception a Mixing Plant shall be defined as Follows:

Mix Plant – Means a building or structure or part of a building or structure where various Dry and wet goods or materials are mixed and/or batched for the purposes of Manufacturing powder and adhesives, to produce mortars, grout, adhesives and other Related products provided that all mixing shall occur within a wholly enclosed building Without Outside Storage.
- ri) The following additions used shall be permitted on the subject lands as shown on [Schedule "E-1108C"](#)
 - Mixing Plant.



THIS IS SCHEDULE 'E-1108'
TO BY-LAW 1-88, SECTION 9(1013)

NOT TO SCALE

THIS IS SCHEDULE '2'
TO BY-LAW 225 - 2010
PASSED THE 7th DAY OF SEPT., 2010

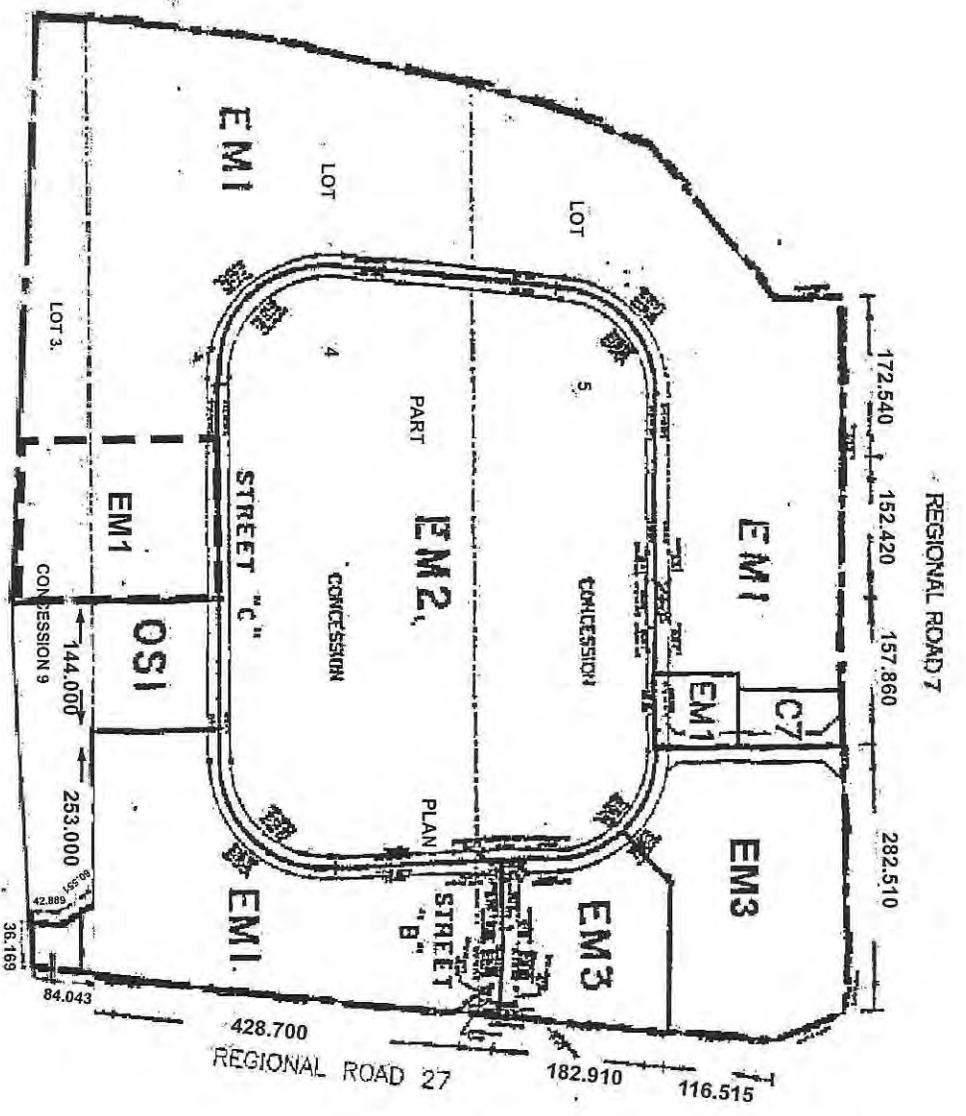
SUBJECT LANDS

FILE: Z.09.039
RELATED FILE: DA.09.081
LOCATION: Part Lot 5, Concession 9
APPLICANT: GANZ REALTY LIMITED
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK



THIS IS SCHEDULE 'E-1108'
 TO BY-LAW 1-88
 SECTION 9(1013)

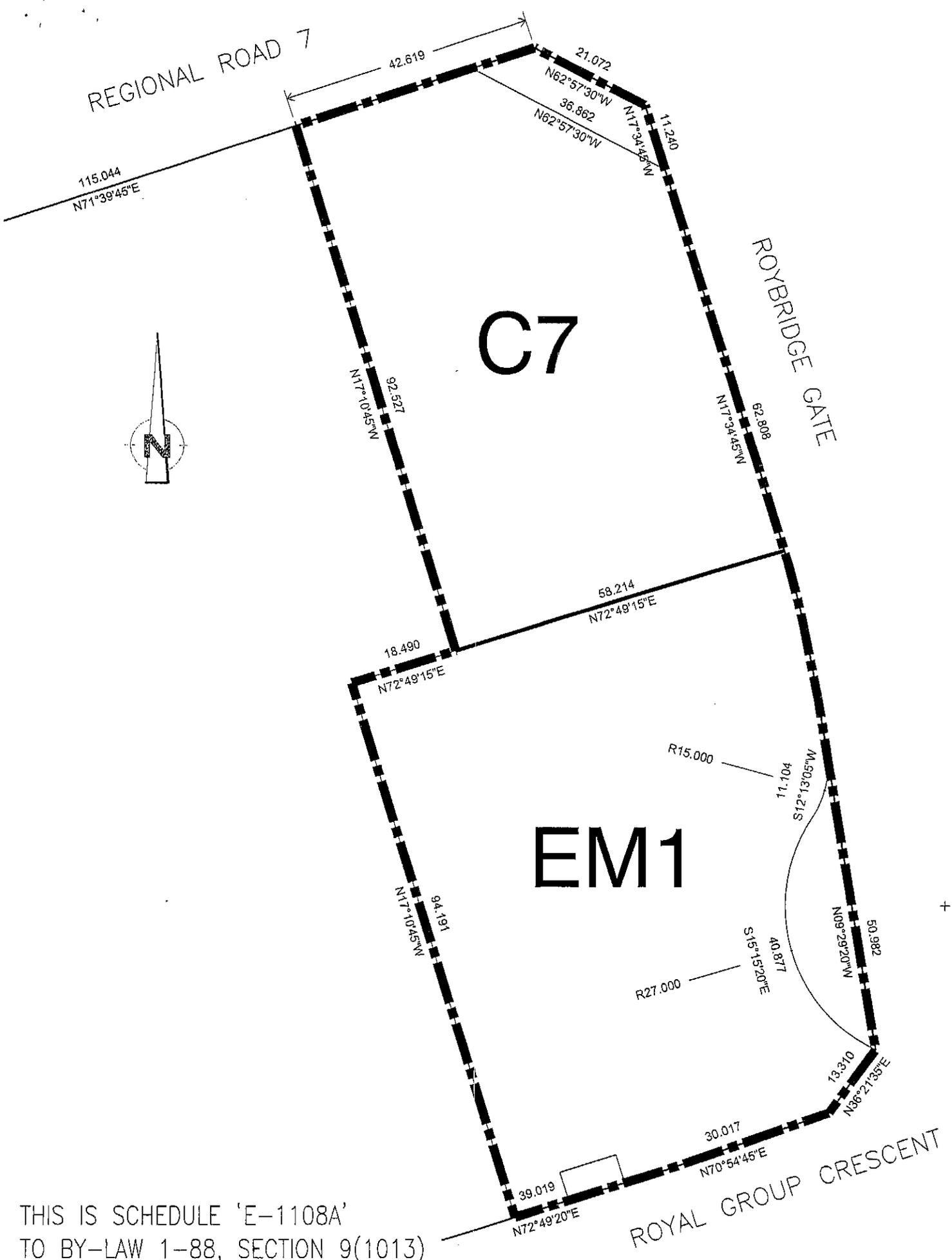
FILE: Z.17.043
 RELATED FILE: DA.18.010
 LOCATION: PART OF LOTS 3 AND 4, CONCESSION 9
 APPLICANT: OMERS REALTY CORPORATION
 CITY OF VAUGHAN

THIS IS SCHEDULE '1'
 TO BY-LAW 122 -2018
 PASSED THE 10th DAY OF JUNE, 2018



SIGNING OFFICERS
 MAYOR
 CLERK

REGIONAL ROAD 7



C7

EM1

THIS IS SCHEDULE 'E-1108A'
TO BY-LAW 1-88, SECTION 9(1013)

NOT TO SCALE

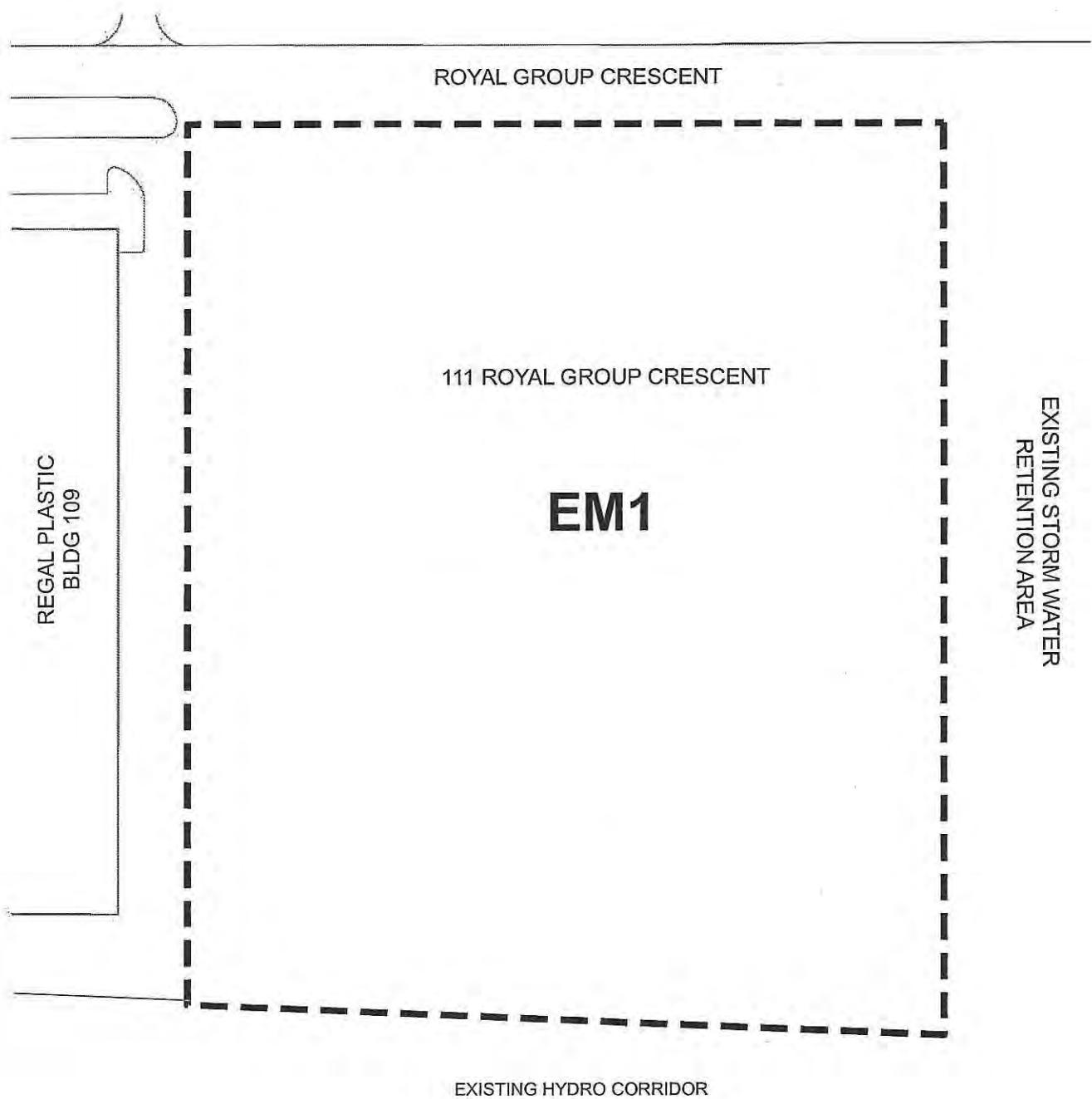
THIS IS SCHEDULE '1'
TO BY-LAW 225 - 2010
PASSED THE 7th DAY OF SEPT., 2010

 SUBJECT LANDS

FILE: Z.09.039
 RELATED FILES: DA.09.081, Z.04.065, DA.05.003
 LOCATION: Part Lot 5, Concession 9
 APPLICANT: GANZ REALTY LIMITED
 CITY OF VAUGHAN

 SIGNING OFFICERS
 MAYOR

 CLERK



THIS IS SCHEDULE 'E-1108C'
 TO BY-LAW 1-88
 SECTION 9(1013)

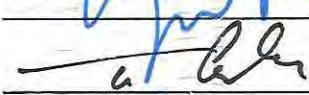
 Subject Lands

Not to Scale

THIS IS SCHEDULE '2'
 TO BY-LAW 122 -2018
 PASSED THE 19th DAY OF JUNE, 2018

FILE: Z.17.043
 RELATED FILE: DA.18.010
 LOCATION: PART OF LOTS 3 AND 4, CONCESSION 9
 APPLICANT: OMERS REALTY CORPORATION
 CITY OF VAUGHAN

SIGNING OFFICERS

 _____ MAYOR

 _____ CLERK

14.686

Exception Number 686	Legal Description: 1-19 Roybridge Gate, 20-151 Royal Group Crescent, 6125-6251 Highway 7, 7500-7600 Highway 27
Applicable Parent Zone: EP, EM1, EM2, EMU	
Schedule A Reference: 22, 23, 42, 43	Figure E Link (if applicable)
By-law / Tribunal Decision Reference	Figure T Link (if applicable)
14.686.1 Permitted Uses	
<p>1. The following uses shall not be permitted on the area labelled “Subject Lands” on Figure E-1108B:</p> <ul style="list-style-type: none">a. Building supply outlet; and,b. Swimming pool, recreation vehicles leasing/rental/sales. <p>2. The following additional uses shall be permitted on the area labelled “Subject Lands” on Figure E-1108B:</p> <ul style="list-style-type: none">a. Clinic; and,b. Office <p>3. A mixing plant shall be permitted as an additional use on the area labelled “Subject Lands” on Figure E-1108C.</p>	
14.686.2 Lot and Building Requirements	
<p>1. The following provisions shall apply to the area shown as “Subject Lands,” on Figure E-1108:</p> <ul style="list-style-type: none">a. The Streets shown as “A,” “B” and “C” on Figure E-1108 shown on shall be considered to be public streets;b. The maximum building height shall be 30.0 m;c. The minimum width of a landscape strip along the lot line abutting the street line of Street “B” shall be 6.0 m; and,d. no landscape strip is required within and along the boundary of an EM1 zone where it abuts a C zone. <p>2. The area labelled “C7” on Figure E-1108 and Figure E-1108A shall be deemed to be a lot.</p>	

3. The area shown as "Subject Lands" on Figure E-1108B shall be deemed to be one lot and to comply with the provisions of this By-law, regardless of the creation of a new lot by way of condominium, part-lot control, consent or any easements, or other rights or registrations given or made.
4. The following provisions shall apply to the area labelled "C7" on Figure E-1108 and Figure E-1108A:
 - a. The maximum lot frontage shall be 55.0 m; and
 - b. The minimum lot area shall be 5,400.0 m².
5. The north property line shall be deemed to be the front line for the lands labelled "Subject Lands" on Figure E-1108B.
6. The maximum driveway width for the lands labelled "Subject Lands" on Figure E-1108B shall be 9.0 m.
7. The minimum rear yard for the area labelled "Subject Lands" on Figure E-1108B shall be 6.1 m.
8. The minimum rear yard for the area labelled "EM1" on Figure E-1108A shall be 4.9 m.

14.686.3 Parking

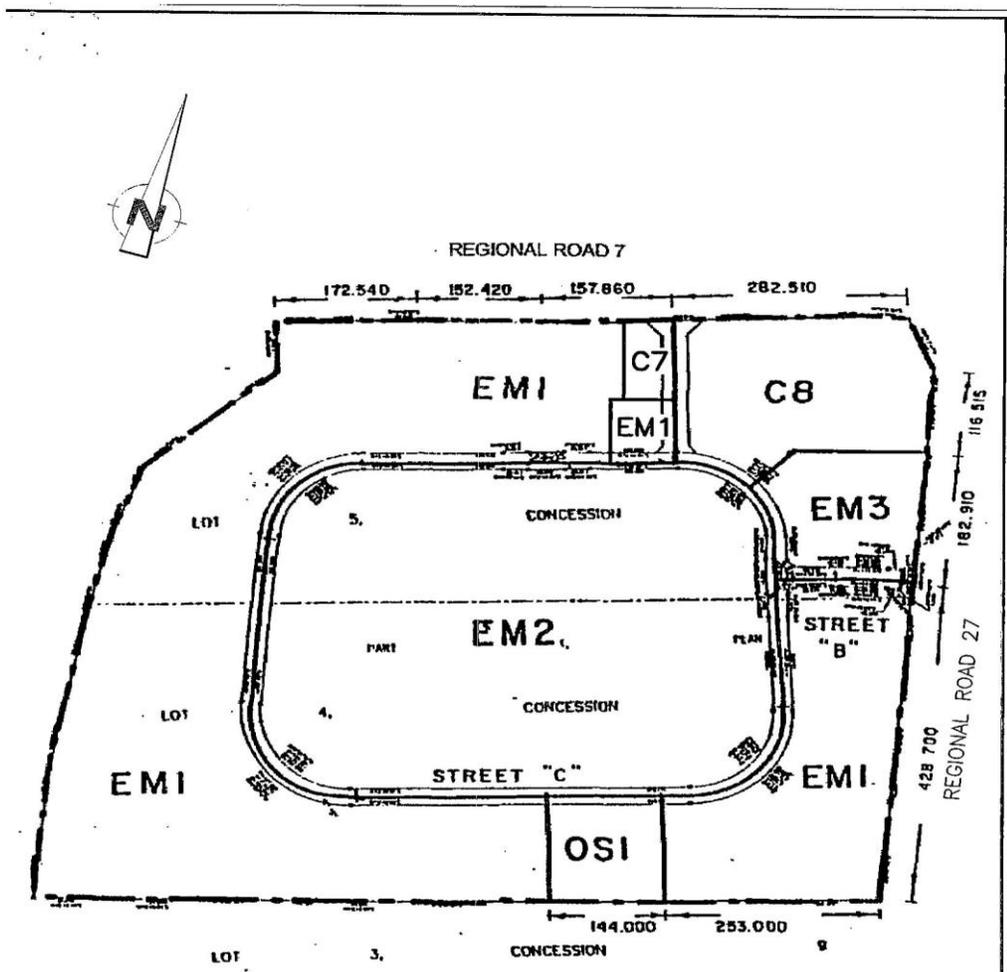
1. Loading and unloading shall be permitted to be located between a building and a street on the area labelled "Subject Lands" on Figure E-1108.
2. The minimum number of required parking spaces for the area labelled "Subject Lands" on Figure E-1108B shall be 649.
3. The minimum number of required parking spaces for the area labelled "EM2" and identified as "Part 1" on Figure E-1108 shall be calculated at a rate of 0.6 parking spaces per 100.0 m² of gross floor area.
4. The minimum number of required parking spaces for the lands labelled "EM1," on Figure E-1108A shall be 78.
5. The minimum number of required parking spaces for the lands labelled "Subject Lands," on Figure E-1108B shall be 314.
6. Loading spaces shall not be required for an office building on the lands labelled "Subject Lands" on Figure E-1108B.

14.686.4 Other Provisions

1. A mixing plant shall mean a building or structure or part of a building or structure where various dry and wet goods or materials are mixed and/or batched for the purposes of manufacturing

powder and adhesives, to produce mortars, grout, adhesives and other related products
provided that all mixing shall occur within a wholly enclosed building without Outside Storage.

Figure E-1108



NOT TO SCALE

LOCATION: Part Lot 5, Concession 9
APPLICANT: GANZ REALTY LIMITED
CITY OF VAUGHAN

Figure E-1108

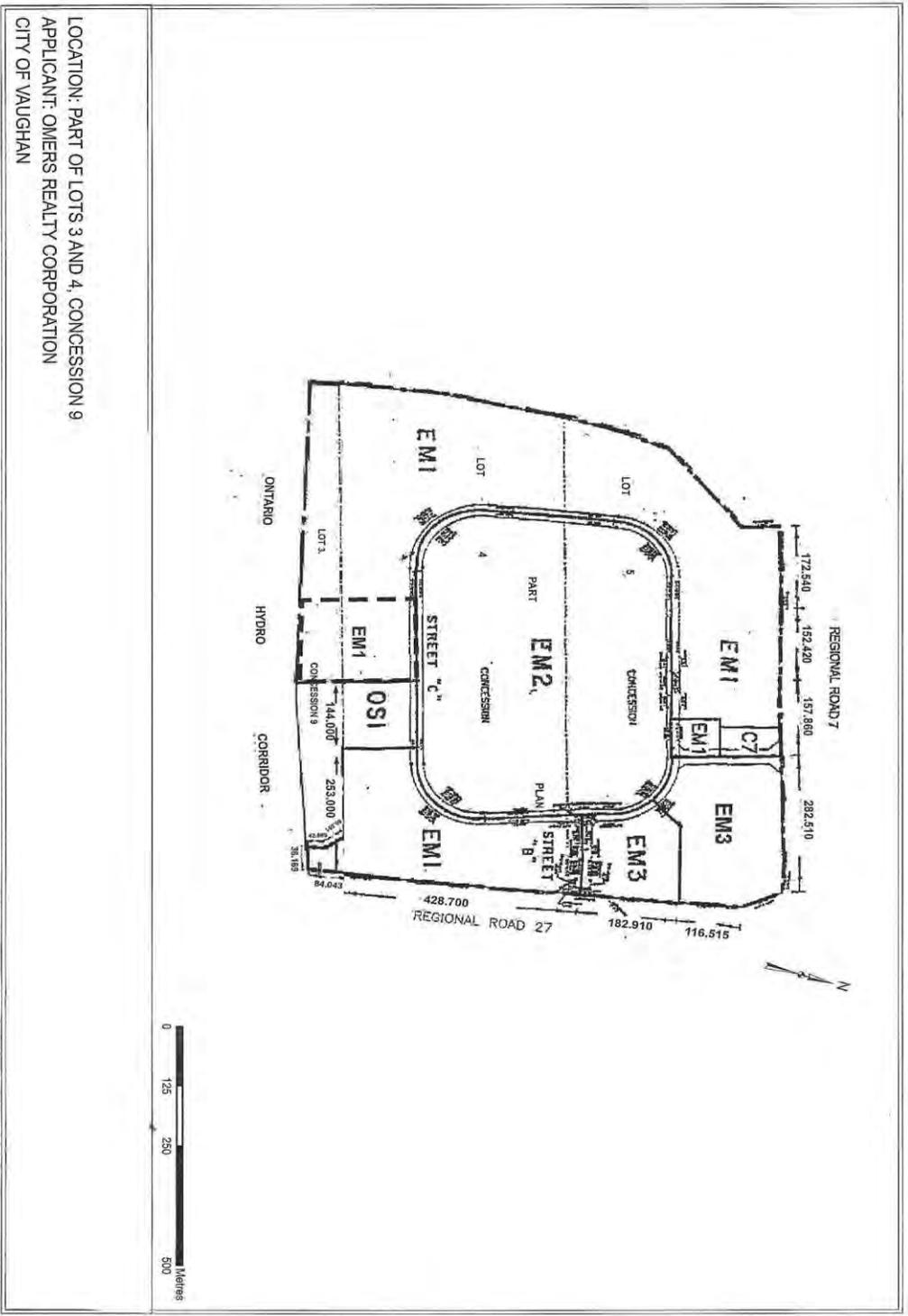


Figure E-1108B

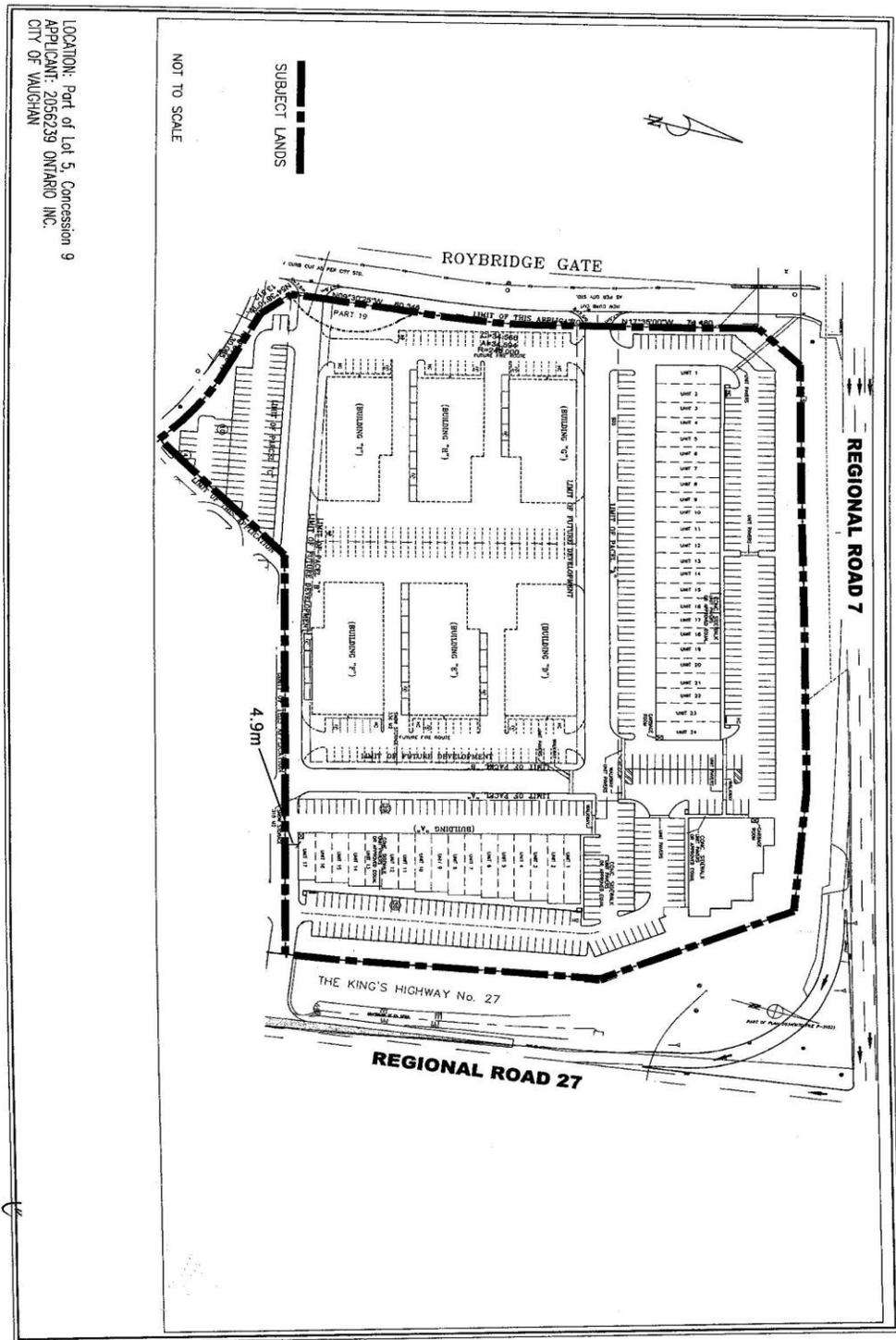
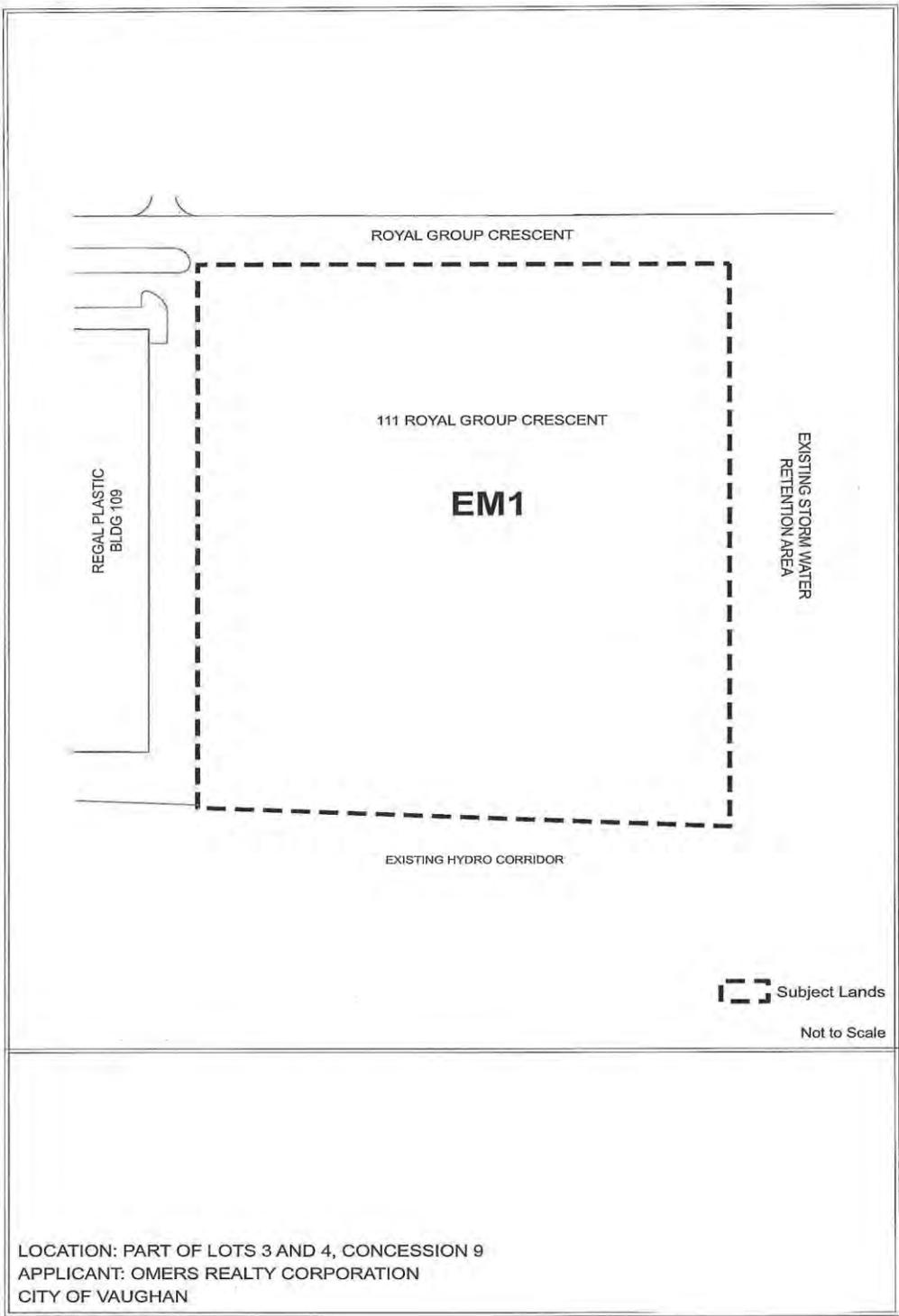


Figure E-1108C



LOCATION: PART OF LOTS 3 AND 4, CONCESSION 9
APPLICANT: OMERS REALTY CORPORATION
CITY OF VAUGHAN

Addendum 'A' - Minor Variance Application File No. A 079/07

71 Royal Group Crescent - Block 'K'

This Minor Variance application supports a concurrent Consent Application in progress as it relates to the subject lands. Please refer to the Summary Map providing comprehensive overview of the proposed Minor Variances as it relates to this Block, and as related to abutting Blocks which are each supported by separate Minor Variance applications.

Also attached is a Minor Variance Key Map in the same format outlining the Shared Access and Driveway Width minor variance locations as per the attached Draft Reference Plan as prepared by Schaeffer and Dzaldov Limited.

6 (b). The City of Vaughan Zoning By-law, 1-88, as amended requirement(s):

Minor variances are sought to obtain relief from Section 3.8 **PARKING REQUIREMENTS** of the City of Vaughan Zoning By-law, 1-88, as amended, and as determined by the Building Standards Department - Zoning Section. Section 3.8 a) reads in part as follows:

"The owner of every building or structure erected or used for any of the uses hereinafter set forth shall provide and maintain on the lot on which it is erected, for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time parking spaces and areas as follows:"

No. 1 – A minor variance is sought to permit shared driveway access per section 3.8 (a).

No. 2 - A minor variance is sought to obtain relief from a drive aisle width of 6 metres, where the subject lands will accommodate a minimum 3 metres of a 6 metre mutual drive aisle per section 3.8 (a) and (f).

No. 3 - A minor variance is sought to obtain relief from the parking space requirements.

7. Why is it not possible to comply with the provisions of the By-law?

No. 1 – Where shared driveway access is proposed, a minor variance is required per Section 3.8 (a) above. The subject lands require a shared driveway providing access with the abutting lands to the south, 81 Royal Group Crescent (Block 'J').

No. 2 – Where a mutual or share driveway is proposed, a minor variance is required per Section 3.8 (a) and (f) of the City of Vaughan Zoning By-law, 1-88, as amended. The subject lands will accommodate a minimum 3 metres of a 6 metre mutual drive aisle to be shared with the abutting lands to the south, 81 Royal Group Crescent (Block 'J').

No. 3 – The parking space requirement is 350, where there are 319 existing parking spaces leaving a deficiency of 31 parking spaces, or 9.1%.

6 (c). Proposed Change to By-law requirements:

The approval of the following minor variances will facilitate the orderly use of the subject lands:

No. 1 – A shared driveway access will be provided in favour of the subject lands, over the lands to the immediate south described as Part 24, as per the draft Reference Plan, as further supported by the Easement Schedule.

No. 2 - A minimum 6 metre mutual drive aisle will be provided per Part 27 on the subject lands, collectively with the lands to the south comprised of Part 24 on the draft Reference Plan, per the Easement Schedule.

No. 3 - The lands are developed and the new lot boundary creates a minor parking space deficiency.

Also.file_1613Add.Feb.19.07

Addendum 'B' - Minor Variance Application File No. A077/07

91 Royal Group Crescent - Block 'I'

This Minor Variance application supports a concurrent Consent Application in progress as it relates to the subject lands. Please refer to the Summary Map providing comprehensive overview of the proposed Minor Variances as it relates to this Block, and as related to abutting Blocks which are each supported by separate Minor Variance applications.

Also attached is a Minor Variance Key Map in the same format outlining the Shared Access, Driveway Width and Lot Frontage minor variance locations as per the attached Draft Reference Plan as prepared by Schaeffer and Dzaldov Limited.

6 (b). The City of Vaughan Zoning By-law, 1-88, as amended requirement(s):

Minor variances are sought to obtain relief from Section 3.8 **PARKING REQUIREMENTS** of the City of Vaughan Zoning By-law, 1-88, as amended, and as determined by the Building Standards Department - Zoning Section. Section 3.8 a) reads in part as follows:

“The owner of every building or structure erected or used for any of the uses hereinafter set forth shall provide and maintain on the lot on which it is erected, for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time parking spaces and areas as follows:”

No. 1 – A minor variance is sought to permit shared driveway access per section 3.8 (a).

No. 2 - A minor variance is sought to obtain relief from the minimum lot frontage width of 36 metres, Zone Requirement Table, Schedule 'A' per the City of Vaughan Zoning By-law, 1-88, as amended, where the subject lands will provide for a lot frontage of 33.09 metres as measured at 6.4 metres back from the streetline.

7. Why is it not possible to comply with the provisions of the By-law?

No. 1 – Where shared driveway access is proposed, a minor variance is required per Section 3.8 (a) above. The subject lands require a shared driveway providing access with the abutting lands to the north, 81 Royal Group Crescent (Block 'J').

No. 2 – The proposed Industrial lot configuration in terms of existing driveway access points and functionality is best served by a lot frontage of 33.09 metres.

6 (c). Proposed Change to By-law requirements:

The approval of the following minor variances will facilitate the orderly use of the subject lands:

No. 1 – A shared driveway access will be provided in favour of the subject lands, over the lands to the immediate north described as Parts 16 & 20, as per the draft Reference Plan, as further supported by the Easement Schedule.

No. 2 - A lot frontage width of 33.09 metres is proposed which will exceed the maximum lot frontage by 2.91 metres or about 8 %.

Also.file_1611Add.Feb.19.07

COMMUNICATION C6
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

From: Eugenio Covello [REDACTED]
Sent: Tuesday, October 5, 2021 6:04 PM
To: Clerks@vaughan.ca
Cc: Brandon Correia
Subject: [External] Committee of the Whole - Oct 13, 2021 - Item 9 - City-Wide Comprehensive Zoning By-law - Submission Letter - 1983 Highway 7
Attachments: 1983 Highway 7 - Submission Letter (29 Sept 2021).pdf; Graphics Package - 1983 Highway 7.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon,

Please find attached to this email my written submission regarding the Vaughan City-Wide Comprehensive Zoning By-law, that will be considered at Committee of the Whole as Item 9 on the agenda. This submission was previously provided to Mr. Brandon Correia, Manager, Special Projects, on September 29, 2021. I kindly ask that this correspondence be submitted to Council for consideration.

Please confirm receipt of this correspondence and the attachments. Should you have any questions or difficulty accessing the attachments, do not hesitate to contact me.

Kind regards,

Eugenio Covello

Begin forwarded message:

From: Eugenio Covello [REDACTED]
Date: September 29, 2021 at 22:43:50 EDT
To: brandon.correia@vaughan.ca
Subject: **Vaughan City-Wide Comprehensive Zoning By-law - Submission Letter - 1983 Highway 7**

Dear Mr. Correia,

Please find attached to this email my written submission regarding the Vaughan City-Wide Comprehensive Zoning By-law that will be submitted to Committee of the Whole on October 13, 2021. The submission outlines in greater detail the site-specific considerations applicable to my property at 1983 Highway 7, which support higher residential permissions than the single-detached zoning currently included in the draft by-law. Enclosed with the submission letter is a graphics package with supporting information for your review.

I kindly ask that you confirm receipt of this submission. I also kindly request that you provide me any information regarding staff's position on the requested changes to the draft by-law at your earliest convenience.

Thank you in advance for considering my submission. Should you have any questions, do not hesitate to contact me.

Kind regards,

Eugenio Covello

Mr. Eugenio Covello
[REDACTED] Highway 7
Vaughan, Ontario
[REDACTED]

September 29, 2021

ATTENTION:

Mr. Brandon Correia, BES PMP
Manager, Special Projects
City of Vaughan
Office of the Deputy City Manager, Planning and Growth Management Portfolio
2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

Dear Mr. Correia,

**Re: Vaughan City-Wide Comprehensive Zoning By-law
Committee of the Whole Item 8, June 8, 2021
Request for Consideration of Site-Specific Concerns
1983 Highway 7 (PL 2468 PT LTS 13 &14), City of Vaughan**

I am the owner of the lands known municipally as 1983 Highway 7 in Vaughan (the "Site"). The Site is located at the southwest corner of Highway 7 and Baldwin Avenue, and is currently occupied with a 2-storey single detached dwelling with vehicular access taken from Baldwin Avenue.

(i) Introduction of Site-Specific Considerations for Site

On March 30th and May 14th 2021, we met to discuss the ongoing City-Wide Comprehensive Zoning By-law (the "New ZBL") process and the appropriate zoning for the Site given its location along a designated regional intensification corridor. Currently, the latest draft of the proposed New ZBL dated June 2021 shows the Site on Schedule "A", Map 54, as zoned R1E-348.¹ While reflective of the current use of the property, the R1E zoning in the New ZBL is not consistent and does not conform with the direction in Provincial, Regional, and Municipal level policy that supports higher density development in this location along the Highway 7 intensification corridor. Further, the site-specific context of this particular Site, as a corner condition with frontage directly on Highway 7, with vehicular access off the flanking Baldwin Avenue, and adjacent to an already signalized four-way intersection with direct access to transit, supports the use of the property for a higher form of development and renders the single-family permissions that are currently proposed in the New ZBL as unnecessarily restrictive and contrary to the goals of good planning.

(ii) Committee of the Whole Direction to Consider Site-Specific Concerns

On June 8, 2021, Committee of the Whole considered the New ZBL as Item 8, and adopted modified recommendations that included the following:

¹ https://www.vaughan.ca/services/business/zoning_services/General%20Documents/Schedule%20A%20-%20Mapping.pdf

"1) That further consideration of this matter be deferred to the Committee of the Whole meeting of October 13, 2021, and that staff report back with an updated by-law;

2) That as a part of the deferral, staff be directed to address all site-specific concerns raised with a view to having the By-law conform to the VOP 2010 (as amended), legally existing uses and all Provincial plans;"² [underlining added]

As a result of the Committee's express direction, I am formally making this submission to request that staff address the site-specific considerations applicable to the Site and to permit the zoning of the property in the New ZBL to conform to the Vaughan Official Plan 2010 (the "**VOP 2010**"), the York Region Official Plan 2010 (the "**YROP 2010**"), and the Growth Plan for the Greater Golden Horseshoe 2020 (the "**GP**") and be consistent with the Provincial Policy Statement, 2020 (the "**PPS**").

As explained in more detail below, given the unique site-specific characteristics of this property and as supported by applicable planning policies, I am requesting staff consider a higher residential permission for the Site that would permit intensification through multiple residential dwellings such as Semi-Detached Dwelling and Townhouses, specifically the R5 or RT zones.

(iii) Provincial Policies Support Optimization of Site through Intensification

The PPS, in Part IV: Vision for Ontario's Land Use Planning System and in Policy 1.1.1.(e), promotes land use planning that permits efficient development that optimizes the uses of land, resources, and public investment in infrastructure and public service facilities. This is achieved through intensification and the creation of transit-supportive developments.

Similarly, the GP provides an emphasis on "optimizing the use of the existing urban land supply" (p.12). This represents "an *intensification* first approach to development and city-building, one which focuses on making better use of our existing *infrastructure* and *public service facilities*, and less on continuously expanding the urban area" (p.12). In order to achieve the goal of optimization, particularly of provincial investment in higher order transit, the GP "also identifies *priority transit corridors* and the Province expects municipalities to complete detailed planning for *major transit station areas* on these corridors to support planned service levels". (p.11)

The Site is located directly on Highway 7, which is designated a "Priority Transit Corridor" on Schedule 2 of the GP. The Site is also located approximately 200 metres west from the future Concord BRT Station, comfortably within the standard 500 metres walking radius of the rapid transit station. As a result, the Site is within the proposed delineated major transit station area ("**MTSA**") boundary for the Concord BRT Station, known as MTSA 14, as shown on p.26 of Attachment 3 to the Major Transit Station Areas Endorsement Report to York Region's Committee of the Whole dated September

² <https://pub-vaughan.escrimemeetings.com/FileStream.ashx?DocumentId=77646>

10, 2020.³ The Concord BRT Station MTSA has a density target of 160 people and jobs per hectare, however, the current density in MTSA 14 as noted in the report is only 20 people and jobs per hectare. In order to achieve the density target, greater intensification within the Concord BRT Station MTSA, particularly on properties like the Site which fronts onto Highway 7, is required. In fact, Vaughan City Planning staff acknowledged the need to intensify sites currently used for single-detached uses in their report to the Committee of the Whole dated March 9, 2020, which provided comments on the Region's delineation of MTSA boundaries.⁴ On p.7 of that report, City Planning staff outline certain "land use assumptions" for different property types that are included in MTSA boundaries, and sets out the "[p]otential outcome if developed lands are included within the interior of a MTSA". For single-detached properties included in an MTSA (such as this Site), City Planning states that such areas "[m]ay be considered areas for future intensification."

The GP provides further direction requiring the municipality to plan for and permit intensification on properties along transportation and transit corridors like Highway 7 and the Site. Policy 2.2.1.3(c) states that:

"Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will: ...

c) provide direction for an urban form that will optimize *infrastructure*, particularly along transit and transportation corridors, to support the achievement of *complete communities* through a more *compact built form*;"

As shown above, the applicable provincial policies support the optimization of the Site through land use permissions that permit greater intensification beyond the current single-detached use.

(iv) Site is Located on Designated Regional Intensification Corridor in YROP 2010 and VOP 2010

The Site, located directly on Highway 7 at the corner of Baldwin Avenue, falls within lands specifically intended for further intensification in both the YROP 2010 and the VOP 2010.

The YROP 2010, on Map 1 – Regional Structure, delineates Highway 7 where the Site is located as a "Regional Corridor". Policy 5.4.28 of the YROP 2010 explains the intended function and built form for such Regional Corridors:

"5.4.28 That Regional Corridors are planned to function as urban mainstreets that have a compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form."

³ <https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=15052>

⁴ <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=30784>

The VOP 2010 reflects the direction set out in the regional plan. On VOP 2010 Map 1 – Urban Structure, the Site is located within a "Regional Intensification Corridor within Employment Areas" and is located directly adjacent to a "Local Centre". The Regional Intensification Corridor within which the Site is located falls within the definition of "Intensification Areas" in the VOP 2010. In addition, the Site meets the definition of a "Key Development Areas", which are "[t]hose properties with frontage directly on the street forming a Regional Intensification Corridor." Policy 2.2.1.2, explaining Vaughan's Urban Structure, clearly identifies Intensification Areas and Regional Intensification Corridors as the primary areas for growth and intensification within the city. The policy states:

"2.2.1.2. That the areas identified on Schedule 1 as the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Regional Intensification Corridors and Primary Intensification Corridors are collectively known within this Plan as *Intensification Areas*. *Intensification Areas* will be the primary locations for the accommodation of growth and the greatest mix of uses, heights and densities in accordance with the prescribed hierarchy established in this Plan. The policies related to *Intensification Areas* shall be consistent with policies for such areas as contained in the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan."

Despite the location of the Site on Highway 7 and in an Intensification Area, VOP 2010 Map 13 – Land Use designates the lands as "Low Rise Residential".

However, within the Low Rise Residential designation, more intense forms of uses beyond the single-detached use currently proposed in the New ZBL for the Site are permitted. Policy 9.2.2.1(c) permits detached houses, semi-detached houses, townhouses, and public and private institutional buildings within Low Rise Residential areas. Therefore, the New ZBL permissions for the Site can conform to the direction for greater intensification on the Site found in of both the VOP 2010 and YROP 2010 by appropriately permitting semi-detached and townhouses on this property.

(v) Conclusion and Request to Address Site-Specific Considerations for Site in New ZBL

As demonstrated above, Provincial, Regional, and Municipal policies clearly identify the Site as being appropriate for further intensification. The Site is located within the future MTSA for the Concord BRT Station, whose existing density of people and jobs per hectare is significantly below the provincially directed target. To achieve the intensification target, the City is required to facilitate greater intensification on properties that can accommodate higher uses such as the Site. Finally, the location of the Site along Highway 7, a Regional Intensification Corridor, and within a municipally designated Intensification Area requires the lands to be appropriately considered for more intense forms of use than are currently permitted by the single-detached "R1E" zone recommended in the current draft of the New ZBL.

For further information, please find enclosed a graphics package with relevant maps, photos, and excerpts of the policy and zoning documents for the Site.

As a result of these site-specific policy considerations and given the unique site-specific characteristics of this property, I kindly request staff consider a higher residential permission for the Site that would permit intensification through multiple residential dwellings such as Semi-Detached Dwelling and Townhouses, specifically the R5 or RT zones.

Thank you,

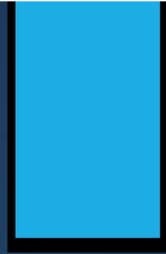
Eugenio Covello

Eugenio Covello

[REDACTED]
[REDACTED]

Encl: 1983 Highway 7 Graphics Package

1983 Highway #7

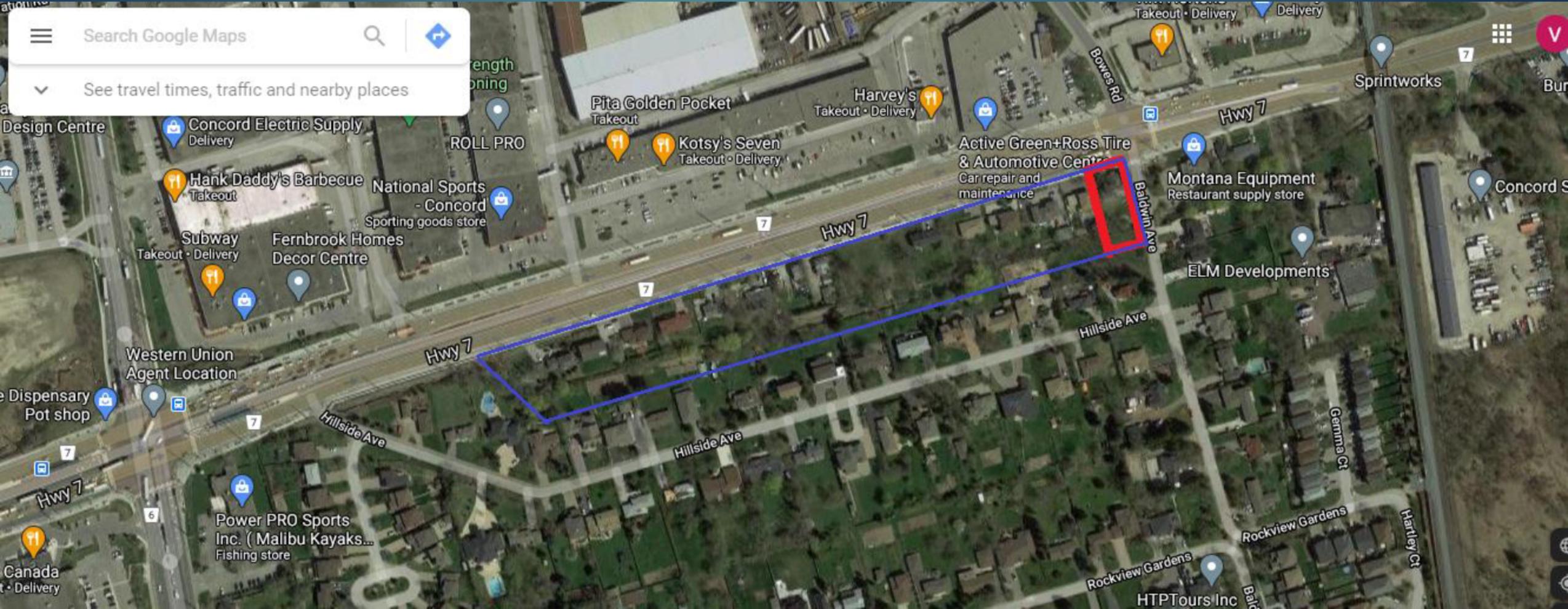


Graphics Package

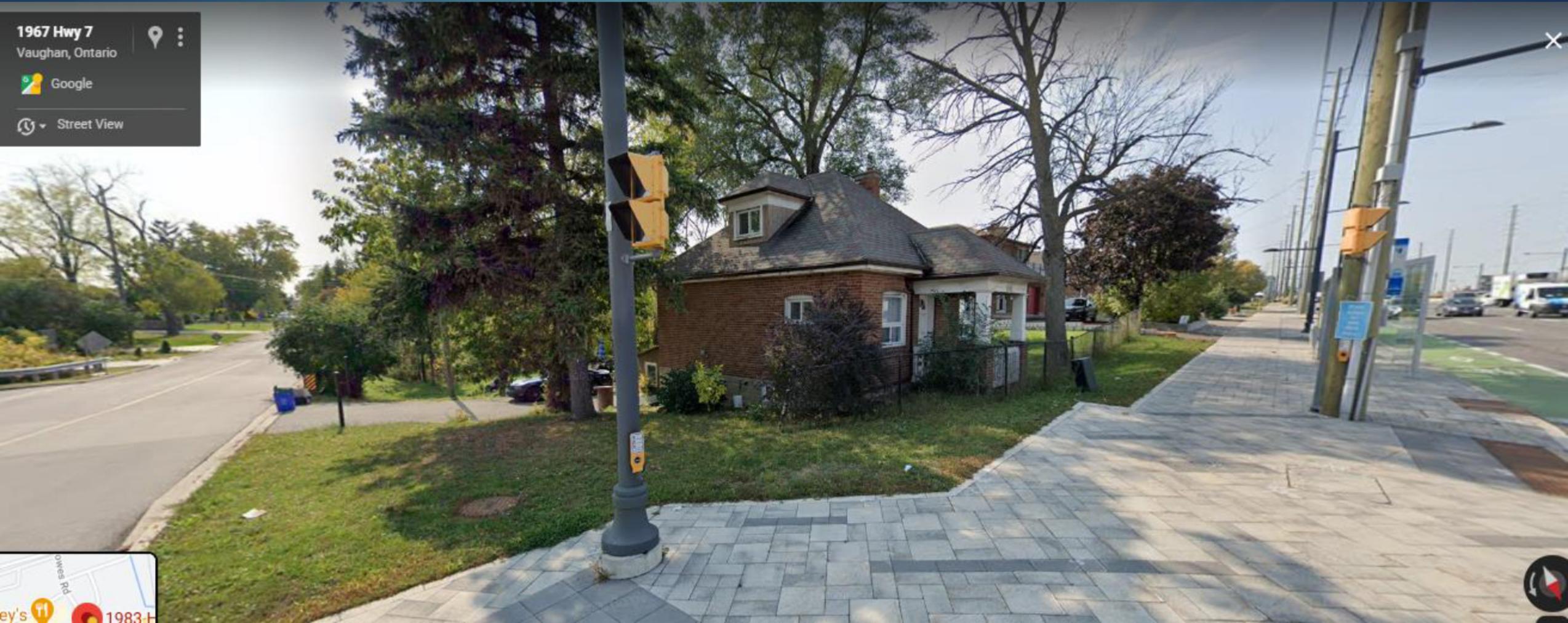
1983 Highway #7



SUBJECT PROPERTY



1983 Highway #7



1983 Highway #7



1983 Highway #7

York Region Official Plan, Map 1 – Regional Structure

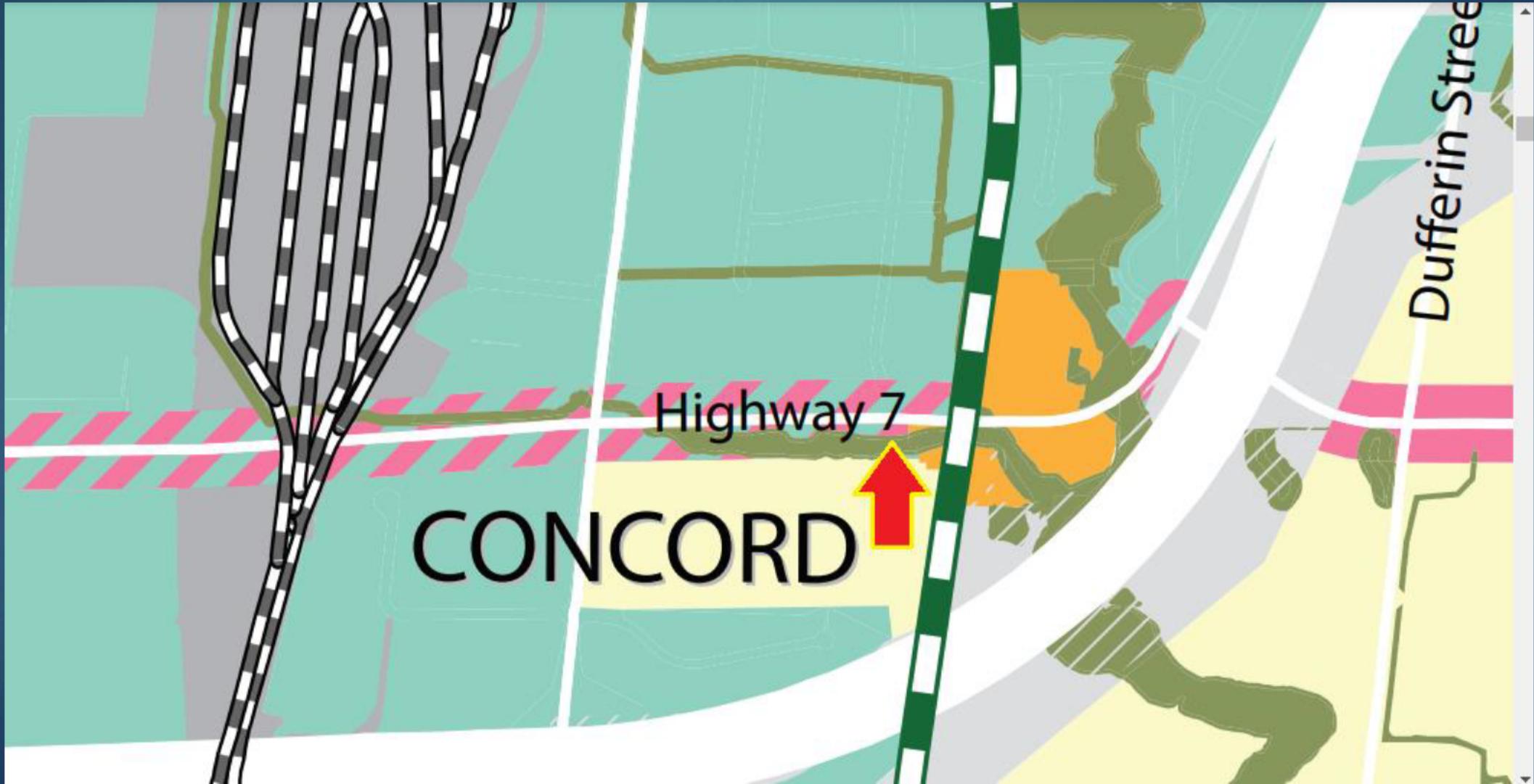
Located along “Regional Corridor” (Highway #7)



1983 Highway #7

Vaughan Official Plan, Map 1 – Urban Structure

Located within “Regional Intensification Corridor within Employment Areas” & Adjacent to “Local Centre”



1983 Highway #7

Vaughan Official Plan, Map 13 – Land Use

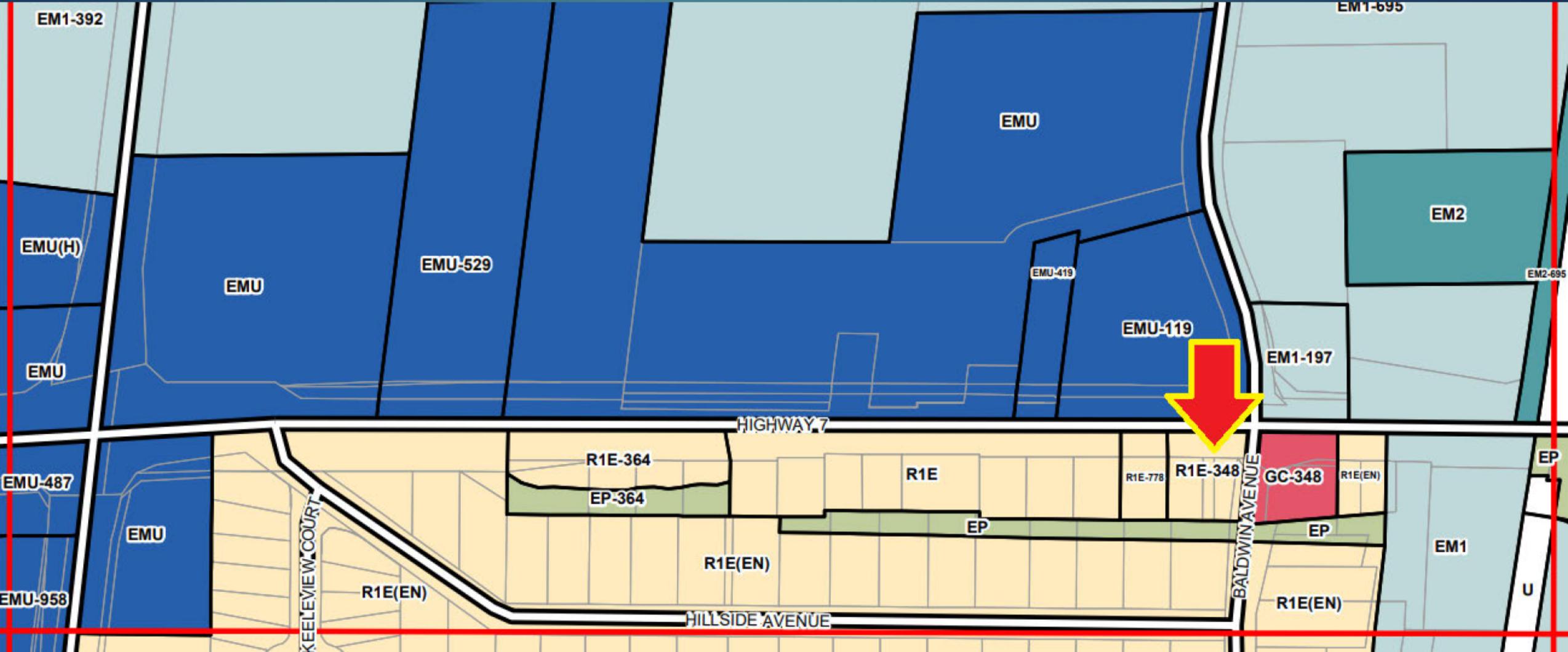
Designated “Low Rise Residential”



1983 Highway #7

New Vaughan Comprehensive By-law, Final Draft, Schedule A

Zoned "R1E-348"



1983 Highway #7

New Vaughan Comprehensive By-law, Final Draft, Section 7.3.1

7.3.1 Permitted Uses in the RT and RM Zones

Table 7-6: Permitted Uses in the RT and RM Zones

	RT1	RT2	RM1	RM2	RM3
Residential Uses					
<u>Apartment dwelling</u>			•	•	•
<u>Block townhouse dwelling</u>	•	• ⁽¹⁾			
<u>Independent living facility</u>	•	• ⁽¹⁾	•	•	•
<u>Multiple-unit townhouse dwelling</u>			•		
<u>Podium townhouse dwelling</u>				•	•
<u>Retirement residence</u>			•	•	•
<u>Street townhouse dwelling</u>	•	• ⁽¹⁾			

Community Uses					
<u>Community garden</u> ⁽²⁾	•	•	•	•	•
<u>Urban square</u>	•	•	•	•	•
Other Uses					
<u>Model home</u> ⁽²⁾	•	•			
<u>Temporary sales office</u> ⁽²⁾	•	•	•	•	•
Specified Accessory Uses					
<u>Home occupation</u> ⁽²⁾	•	•	•	•	•
<u>Secondary suite</u> ⁽²⁾	•	•			



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COMMUNICATION C8
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

October 8, 2021

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON
L6A 1T1

Dear Mr. Correia:

VAUGHAN COMPREHENSIVE ZONING BY-LAW - FINAL DRAFT - TOROMONT INDUSTRIES LTD. COMMENTS

IBI Group are the planning consultants for Toromont Industries Ltd. (herein referred to as 'our clients') who own approximately 27-acres of land south of Highway No.7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan.

On behalf of our client, IBI Group wishes to provide the following correspondence on the Final Draft of the proposed Comprehensive Zoning By-law (CZBL). This letter is to be read in conjunction with our comments on the First Draft, which were submitted on August 13, 2019; the Second Draft, which were submitted on February 19, 2020; the Third Draft submitted on October 28th 2020; as well as comments on the Final Draft provided on June 7, 2021, attached hereto in Appendices A, B, C, and D, respectively. Appendix E provides a comprehensive list of IBI Group's comments on the Final Draft of the CZBL. The comments for unresolved matters found in each of these Appendices shall be considered as part of this letter.

IBI Group is of the opinion that the majority of our client's concerns have not been addressed in the subsequent drafts of the CZBL. In particular, IBI Group takes specific issues with the following items, further summarized in the Appendices, attached hereto:

- Lot and building requirements;
- Podium and tower requirements;
- Active use frontage requirements;
- Minimum amenity requirements; and,
- Certain definitions, including Amenity Area.

IBI Group has made multiple requests to have discussions with City Staff on the matters identified in this letter and in previous correspondence. It is IBI Group's opinion that there has been little to no movement on a large number of these matters, which are still present within the CZBL. IBI Group maintains committed to resolve these outstanding matters prior to the conclusion of this process. Please do not hesitate to contact the undersigned should you have any questions.

Sincerely,

IBI Group
Stephen Albanese MCIP RPP
CC: Reeve Whitman, Toromont Industries Ltd.

APPENDIX A

Comments on the First Draft of the CZBL



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August 13, 2019

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Mr. Correia:

COMPREHENSIVE ZONING BY-LAW REVIEW - TOROMONT INDUSTRIES LTD. COMMENTS

IBI Group are the planning consultants for Toromont Industries Ltd. , who own roughly 27-acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. Toromont Industries Ltd. were actively involved in the policy development stages of the VMC SP, as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the First Draft of the Comprehensive Zoning By-law, which was released in Spring 2019. This letter is intended to provide preliminary feedback to the Zoning update process. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss this Draft.

Consistency with the Vaughan Metropolitan Centre Secondary Plan

IBI Group understands the City of Vaughan is undertaking a review of Zoning By-law 1-88 to create a new Comprehensive Zoning By-law that reflects the policies and permissions of the Vaughan Official Plan 2010 (VOP 2010), including the Vaughan Metropolitan Centre Secondary Plan (VMC SP). IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies. It should be noted that a mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with specific regard to the built form policies. As such, IBI Group is supportive of provisions within the Comprehensive Zoning By-law that accurately reflect the policies from the VMC SP, but wish to ensure that the flexibility currently existing in the VMC SP policies are carried forward in the Draft Zoning By-law.

In the current Draft, many of the provisions proposed accurately match the policies from the VMC SP. For example, the locations of the land use precincts and areas of prescribed height and density from the Schedules of the Draft Comprehensive Zoning By-law accurately match the locations of the land use precincts and areas of prescribed height and density from Schedules of the VMC SP. The road pattern depicted in the Draft Comprehensive Zoning By-law also accurately matches that within the VMC SP. While the lot and building requirements are reflective of the policies from the VMC SP, the flexibility that was integrated into the VMC SP policies was not carried forward in the Draft. Please ensure this flexibility is carried forward in the next Draft.

Mr. Brandon Correia – August 13, 2019

There are also several policies from the VMC SP that are not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

- Policy 8.1.1, which states that “...10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot...”;
- Policy 8.1.15, which states that “No development, except a public school, a stand-alone above grade structured parking facility or other institutional use, shall have a density lower than the minimum FSI identified in Schedule I or a density higher than the maximum FSI identified in Schedule I...”
- Policy 8.1.17, which states that “The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure.”
- Policy 8.1.18, which states that “Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation.”
- Policy 8.1.21, which states that “...Office developments with a lower density than the minimums set out in Schedule I may be permitted in the South Precinct and portions of the East and West Employment Precincts outside the Urban Growth Centre, as defined in Schedule A, provided it has been demonstrated in a Development Concept Report, to the satisfaction of the City, that the minimum density can be achieved on the block with future phases of development.”
- Policy 8.1.24, which states that “Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)...” (subject to certain conditions);
- Policy 8.7.11, which states that “...Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D...”;
- Policy 8.7.12, which states that “... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.”

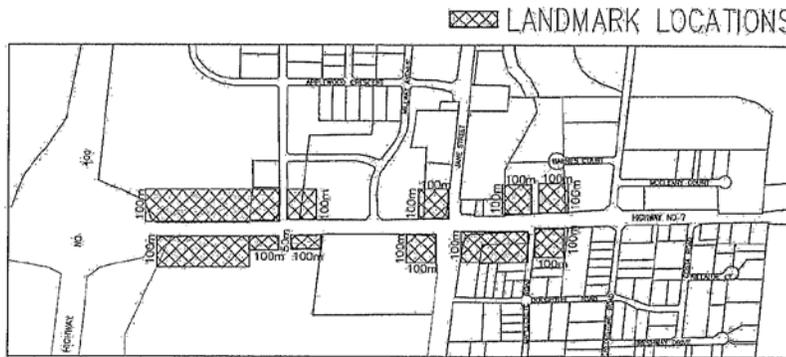
Mr. Brandon Correia – August 13, 2019

IBI Group would like to ensure that these policies are included in the next version of the Draft Comprehensive Zoning By-law as well as ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Consistency with Current Zoning Provisions

IBI Group would also like to highlight that notable provisions from Zoning By-law 1-88 are missing from the current Draft Comprehensive Zoning By-law, including the Landmark Location provision from Schedule A2 of Zoning By-law 1-88 (**Figure 1**). This provision permits unlimited height in certain locations along Highway 7 to serve as a gateway to the Highway 7 corridor. IBI Group is not supportive of the exclusion of these provisions from the Comprehensive Zoning By-law and wish to see them included in the Second Draft. Several towers have already been approved and/or constructed along Highway 7 within the Landmark Locations, setting a precedent for the built-form along this corridor. The removal of these provisions will create a disconnect between the built-form, conflicting with several of the City’s Urban Design objectives and creating great variations in height and density.

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



IBI Group is generally supportive of the revisions to the parking requirements including the removal of minimum parking requirements for the majority of commercial uses, including general office, retail, and restaurants, and the slight decrease in rates for residential uses to 0.6 per dwelling unit plus 0.15 visitor parking spaces per dwelling unit. These will have positive impacts in promoting walkability and the use of active and public transportation in the VMC, as well as better responds to current market conditions and car ownership. We would like to ensure that the parking requirements proposed are consistent with what is currently being approved in the VMC. If lower rates are currently being approved, an adjustment to the rates is needed.

Definitions

IBI Group also wishes to note the differences that currently exist between the definitions of Gross Floor Area within Zoning By-law 1-88, the Draft Comprehensive Zoning By-law and the VMC SP. The following table provides the definitions listed in each document:

ZONING BY-LAW 1-88	DRAFT COMPREHENSIVE ZONING BY-LAW	VMC SP
Gross Floor Area: Means the aggregate of	Gross Floor Area: In reference to a building,	Gross Floor Area: The calculation of gross floor area shall not include the

Mr. Brandon Correia – August 13, 2019

<p>the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.</p>	<p>the aggregate of the floor areas of all storeys of a building, excluding any cellar, attic, mechanical room, mechanical penthouse, but excluding any portion of a garage or parking structure.</p>	<p>floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. (8.1.19)</p>
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The definition listed in Zoning By-law 1-88 includes the floor areas of a building for mechanical rooms and mechanical penthouses, whereas the definition listed in Draft Comprehensive Zoning By-law excludes these floor areas. Furthermore, the definitions listed in Zoning By-law 1-88 and the Draft Comprehensive Zoning By-law exclude any floor area of a cellar, whereas the VMC SP includes floor area of a cellar. Another notable difference is that the VMC SP states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. The Draft Comprehensive Zoning By-law does not make reference to this policy in any of its provisions. All definitions between the three documents are consistent in that they exclude any floor area devoted to parking structures.

The calculation of gross floor area has significant implications on the calculation of several municipal fees, including but not limited to Development Charges, Section 37, and Parkland dedication. It is imperative that there is consistency between the definitions moving forward moving forward, and IBI Group recommends a revisit of these definitions.

Concluding Remarks

IBI Group wishes to reiterate our support for the proposed provisions within the Draft Comprehensive Zoning By-law that accurately reflect the policies within the VMC SP. However, as it stands there are still several policies from the VMC SP that are not reflected in the current Draft and many of the provisions do not include the flexibility that is included in the VMC SP policies. Efforts should be made to ensure that these policies and the flexibility are reflected in the provisions moving forward. Furthermore, IBI Group would like to ensure that the Landmark Location provisions are carried forward in the Comprehensive Zoning By-law and that there is consistency between the VMC SP and the Comprehensive Zoning By-law in regards to the definition of Gross Floor Area.

IBI Group kindly requests to be included in all further consultations regarding the Comprehensive Zoning By-law and be notified of any future updates. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss this Draft. Please do not hesitate to contact the undersigned should you have any questions.

Yours truly,

IBI Group



Stephen Albanese MCIP RPP

APPENDIX B

Comments on the Second Draft of the CZBL



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February 19, 2020

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON L6A 1T1

Dear Mr. Correia:

COMPREHENSIVE ZONING BY-LAW - SECOND DRAFT - TOROMONT INDUSTRIES LTD. COMMENTS

IBI Group are the planning consultants for Toromont Industries Ltd., who own roughly 27 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. Toromont Industries Ltd. were actively involved in the policy development stages of the VMC Secondary Plan (SP), as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the Second Draft of the Comprehensive Zoning By-law, which was released on January 28, 2020. This letter is intended to provide additional feedback to the Zoning update process, in addition to our comments on the First Draft, which were submitted on August 13, 2019. We respectfully request a working session with City staff and key VMC landowners to review and discuss the Draft Comprehensive Zoning By-law.

Consistency with the Vaughan Metropolitan Centre Secondary Plan

IBI Group understands the City of Vaughan is undertaking a review of Zoning By-law 1-88 to create a new Comprehensive Zoning By-law that reflects the policies and permissions of the Vaughan Official Plan 2010 (VOP 2010), including the Vaughan Metropolitan Centre Secondary Plan (VMC SP). IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies. It should be noted that a mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with specific regard to the built form policies. As such, IBI Group is supportive of provisions within the Comprehensive Zoning By-law that accurately reflect the policies from the VMC SP, but wish to reiterate that the flexibility currently existing in the VMC SP policies are carried forward in the Comprehensive Zoning By-law.

Further, IBI Group understands that the City of Vaughan will begin to undertake a comprehensive review of the VMC SP this year. We would like to understand the City's plan to update the Comprehensive Zoning By-law as new planning policies of the VMC SP come into effect to ensure consistency. If the Comprehensive Zoning By-law is updated to reflect the existing VMC SP policies, the zoning will need to be updated again to be consistent with the new VMC SP policies. IBI Group requests that updating the Zoning within the VMC be postponed until the VMC SP review process is complete to avoid unnecessary amendments to the Comprehensive Zoning By-law.

Mr. Brandon Correia – February 19, 2020

In the second Draft, many of the provisions proposed still accurately match the policies from the VMC SP. For example, the locations of the land use precincts and areas of prescribed height and density from the Schedules of the Draft Comprehensive Zoning By-law accurately match the locations of the land use precincts and areas of prescribed height and density from Schedules of the VMC SP.

IBI Group supports the inclusion of *Office Use Permitted Zones* outside the Urban Growth Centre in Schedule B1 in the Second Draft. Additionally, the inclusion of *Section 1.5.3 Planning Approvals in Process*, brings additional clarity to on-going projects and those with site-specific zoning before the enactment of the Draft Comprehensive By-law.

There are, however, several policies from the VMC SP that are still not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

- Policy 8.1.1, which states that “...10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot...”;
- Policy 8.1.17, which states that “The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure.”
- Policy 8.1.18, which states that “Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation.”
- Policy 8.1.24, which states that “Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)...” (subject to certain conditions);
- Policy 8.7.11, which states that “...Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D...”;
- Policy 8.7.12, which states that “... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.”

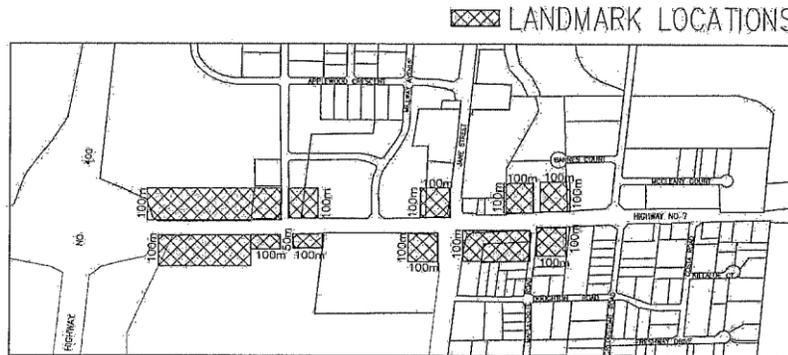
Mr. Brandon Correia – February 19, 2020

IBI Group would like to ensure that these policies are included in the final draft of the Comprehensive Zoning By-law and ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Landmark Locations

IBI Group would also like to highlight that notable provisions from Zoning By-law 1-88 are still missing from the Second Draft Comprehensive Zoning By-law, including the Landmark Location provision from Schedule A2 of Zoning By-law 1-88 (**Figure 1**). This provision permits unlimited height in certain locations along Highway 7 to serve as a gateway to the Highway 7 corridor. IBI Group is not supportive of the exclusion of these provisions from the Comprehensive Zoning By-law that essentially downzone the parcels and wish to see them included in the Final Draft. The removal of these provisions will create a downzoning that is inconsistent with provincial policy related to urban growth centres and MTSAs.

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



Definitions

IBI Group is pleased with the updates to the Gross Floor Area (GFA) definition in the Second Draft, which provides additional clarity into the calculation of GFA. However, there is still a significant difference with the definition within the VMC SP, which states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. The Draft Comprehensive Zoning By-law does not make reference to this policy in any of its provisions. It is imperative that there is consistency between the definitions moving forward.

Mr. Brandon Correia – February 19, 2020

Document	Gross Floor Area Definition
Zoning By-Law 1-88	Means the aggregate floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.
VMC SP	The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. (8.1.19)
1st Draft Comprehensive Zoning By-Law	In reference to a building, the aggregate of the floor areas of all storeys of a building, excluding any cellar, attic, mechanical room, mechanical penthouse, but excluding any portion of a garage or parking structure.
2nd Draft Comprehensive Zoning By-Law	In reference to a building or structure, means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, mechanical penthouse, elevator, elevator shaft, escalators, bicycle parking space, loading space, a dedicated waste storage area, or any portion of a garage or parking structure located above or below grade.

Permitted Uses and Building and Lot Requirements

A working session with City Staff would be beneficial to discuss detailed matters such as the permitted uses and lot and building requirements within the VMC Zones. Some elements of concern that IBI Group would like to highlight, include, but are not limited to:

Permitted Uses

- Permitted uses within V3 Zone (Vaughan Metropolitan Centre Neighbourhood Zone) are more prescriptive than the permitted uses listed within the VMC SP for Neighbourhood Precincts (Policy 8.4.1). For example, while the VMC SP permits retail and service commercial uses within the Neighbourhood Precincts in accordance with Section 8.6 (Retail), these uses are not permitted based on the Draft Comprehensive Zoning By-law.
- Public parking is not permitted in V3, which is inconsistent with future driving trends and does not allow for shared parking opportunities.
- Note #3: Why are commercial uses restricted to the ground floor? What is the rationale behind the proposed 10% restriction? ;
- Note #4: Restricting office uses to the V3 zone subject to areas shown on Schedule B-1 is overly restrictive, resulting in an intent not consistent with VMC SP;

Mr. Brandon Correia – February 19, 2020

- Note #5: This condition exists/is proposed within several applications within the VMC. Instead of restricting apartment dwellings within the ground floor frontage, can they be limited to a certain percentage?
- Note #6: It is too restrictive to limit these uses to corner lots only. What is the rationale for this?

Lot and Building Requirements

IBI Group wishes to understand the rationale behind the following changes to the lot and building requirements for the VMC zones between the First and Second Draft Comprehensive By-law:

- An increase to the minimum front yard from 2.0m to 3.0m for V1, V2 and V4;
- An increase to the minimum exterior side yard from 2.0m to 3.0m for V1, V2 and V4; and
- An increase to the required build-to-zone from 3.0m to 5.0m for V1, V2 and V3.

IBI Group is supportive of the removal of the 30.0m height minimum for podium and tower.

Overall it appears there are several inconsistencies between the VMC SP and the current Draft Comprehensive Zoning By-law in terms of permitted uses and the lot and building requirements. IBI Group wishes that more flexibility be integrated within the lot and building requirements so that the provisions are not too restrictive. There is currently an innovative and collaborative approach to city building occurring in the VMC between the landowners and City staff, and the restrictive nature of the zoning provisions within the current Draft Comprehensive By-law could remove some of this creativity and collaboration.

Conclusion

On behalf of our client, we continue to contend the advancement of a Comprehensive Zoning By-law in advance of a new policy review of the VMC SP appears premature. Notwithstanding, should the City wish to continue, we submit that the Comprehensive Zoning By-law accurately reflect the policies within the VMC SP including the flexibility that was arbitrated through a lengthy Ontario Municipal Board Hearing. Additional efforts should be made to ensure that these policies and the flexibility are reflected in the provisions moving forward. Furthermore, our clients would like to ensure that the Landmark Location provisions are carried forward in the Comprehensive Zoning By-law so as to not downzone the existing permissions enjoyed by these select blocks.

IBI Group kindly requests to be included in all further consultations regarding the Comprehensive Zoning By-law and be notified of any future updates. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss the draft Comprehensive By-law. We would also like to understand the City's plan to update the Comprehensive Zoning By-law as new planning policies of the VMC SP come into effect to ensure consistency. Please do not hesitate to contact the undersigned should you have any questions.

Thank you,

IBI GROUP



Stephen Albanese MCIP RPP

cc: Lynn Korbak, Toromont Industries Ltd.

APPENDIX C

Comments on the Third Draft of the CZBL



IBI GROUP
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October 28, 2020

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON
L6A 1T1

Dear Mr. Correia:

VAUGHAN COMPREHENSIVE ZONING BY-LAW - THIRD DRAFT - TOROMONT INDUSTRIES LTD. COMMENTS

IBI Group are the planning consultants for Toromont Industries Ltd., who own roughly 27 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. Toromont Industries Ltd. were actively involved in the policy development stages of the VMC Secondary Plan (VMC SP), as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the Third Draft of the Comprehensive Zoning By-law (CZBL). The intent of this letter is to highlight our main concerns and comments on the Third Draft of the CZBL.

At the outset, IBI Group believes that the lack of consistency between the Third Draft CZBL and the VMC SP significantly impedes the achievement of the City's vision for the VMC. The absence of flexibility in the proposed regulations largely deviates from the collaborative efforts which were undertaken during the lengthy VMC SP mediation processes at the Ontario Municipal Board. The overarching theme of the negotiations were to ensure that VMC SP policies did not impose upon the VMC lands with largely prescriptive standards that reflected a suburban context and would ultimately create challenges with urban development and marketability given the long development timeframe. Given that market and design may change over time, the provisions presented within the draft CZBL revert back to many of the fundamental concerns our clients had in prescribing the VMC lands with an overly rigid planning and development framework.

We would also like to raise additional concerns over the missing provisions regarding calculating density for sub-surface easements where no compensation was taken, as well as the built form and landscape requirements, the proposed parking rates, the minimum amenity area requirements as well as the general lack of consistency in considering recently approved development applications which represent an ideal, real-world example of where the market stands in association with VMC related developments. The draft CZBL largely does not take these amendments into account.

This letter is intended to provide additional feedback to the Zoning update process, adding onto our comments on the First Draft, which were submitted on August 13, 2019 and Second Draft, which were submitted on February 19, 2020, attached hereto in Appendices A and B. The comments found in each of these Appendices shall be considered as part of this letter.

Mr. Brandon Correia – October 28, 2020

Notwithstanding repeated requests to meet and discuss the Draft CZBL with City of Vaughan Staff, we have yet had the opportunity to do so, and continue to respectfully request this in advance of the CZBL proceeding to Committee and Council.

Vaughan Metropolitan Centre Secondary Plan

The City of Vaughan has an ambitious and commendable vision for the VMC to become a new downtown. The VMC SP was created following the City of Vaughan adoption of a new Official Plan in 2010 which designated the subject lands as being within the VMC Intensification Area. Design and development guidance in the VMC SP is provided in conjunction with the VMC Urban Design Guidelines (VMC UDG) and the VMC Streetscape and Open Space Plan (VMC SOSP). A mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with respect to a number of development-related considerations such as built-form, height, density and land use. IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies, collectively working alongside City Staff throughout this process. As such, we are adamant that the flexibility present in the VMC SP policies is reflected in the provisions in the CZBL.

To date, developments in the VMC demonstrate built-form excellence and a high quality of design. They utilize existing and planned investments in rapid transit and establish a hierarchical, fine-grain grid network of streets and pathways, creating a downtown that is walkable, accessible, vibrant, and beautiful. This success is largely a result of the collective approach to policy development that incorporated flexibility into the VMC SP policies. This flexibility encourages a creative and collaborative approach to design and city-building with the public, agencies, and the property owners/developers, and is beneficial to all parties involved.

As it stands, the provisions in the Draft CZBL do not reflect the collaborative efforts between City Staff and stakeholders including Toromont Industries Ltd., throughout the development of the VMC SP policies, and the current policies in the VMC SP. IBI Group and our client are concerned that the rigidity of the Draft CZBL provisions will constrain the collaborative processes to urbanism that made the VMC successful in the first place. It is essential that the policies and intent of the VMC SP are accurately reflected in the regulations of the Draft CZBL.

There are still several policies from the VMC SP that are still not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

- Policy 8.1.1, which states that “...10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot...”;
- Policy 8.1.17, which states that “The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure.”
- Policy 8.1.18, which states that “Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation.”

Mr. Brandon Correia – October 28, 2020

- Policy 8.1.19, which states that “*The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot.*”
- Policy 8.1.21, which states that “*Notwithstanding Policy 8.1.15, office developments with a lower density than the minimums set out in Schedule I may be permitted in the South Precinct and portions of the East and West Employment Precincts outside the Urban Growth Centre, as defined in Schedule A, provided it has been demonstrated in a Development Concept Report, to the satisfaction of the City, that the minimum density can be achieved on the block with future phases of development.*”
- Policy 8.1.24, which states that “*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)...*” (subject to certain conditions);
- Policy 8.7.11, which states that “*...Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D...;*”
- Policy 8.7.12, which states that “*... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*”

IBI Group would like to ensure that these policies are included in the final draft of the Comprehensive Zoning By-law and ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Rights to Appeal

In order to allow for the collaborative approach to urban development in the VMC to continue, IBI Group requests that Vaughan Council pass a resolution to permit all current and future VMC landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the Zoning By-law coming into full force and effect for all applications. This exception would be consistent with Section 34.10.0.0.2 of the *Planning Act*, repealing Section 34.10.0.0.1 of the *Planning Act* which prescribes a two-year moratorium on Zoning By-law Applications once a new Zoning-By-law has been introduced and is in-effect.

IBI Group understands that the City of Vaughan has begun to undertake a comprehensive review of the VMC SP. A resolution allowing landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the Zoning By-law coming into full force and effect, would ensure that new developments are able to meet the intent of all the latest policy documents at the municipal, regional, and provincial levels. The resolution would also allow for the collaborative and creative design processes with City staff, agencies, and the public to continue.

Mr. Brandon Correia – October 28, 2020

Density Commitments

The proposed draft CZBL contains no reference to Policy 8.1.18, which states that *“Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation.”* Without this Policy properly reflected in the proposed draft CZBL, our client loses a significant amount of permitted density on their lands. It is critical that the density commitments that were achieved through the VMC SP negotiations in regards to giving up compensation for sub-surface easements are included into the draft CZBL.

Parking Rates

The VMC is well served by higher-order transit, with the recently opened Vaughan Metropolitan Centre station on the TTC’s Yonge-University-Spadina Subway Line and the VIVA Orange Bus Rapid Transit (BRT) line. To support these transit investments and encourage their use, it is important that the City of Vaughan implement lower parking rates. By providing less parking, the City, developers and residents alike will be supported and encouraged to use non-automobile forms of transportation, such as transit and active forms of transportation such as cycling or walking.

It was noted in the Public Open House on October 14, 2020 that the parking rates were based off an IBI Group study that was completed in 2010. These rates were then confirmed through a benchmarking exercise that compared the parking rates across municipalities in the Greater Toronto Area. IBI Group is concerned that these rates reflect ten-year-old realities, are outdated and not location specific. If an update was completed to this Study, or alternatively a more current parking study was completed to establish and support the draft CZBL proposed rates, IBI Group requests that this study be made public.

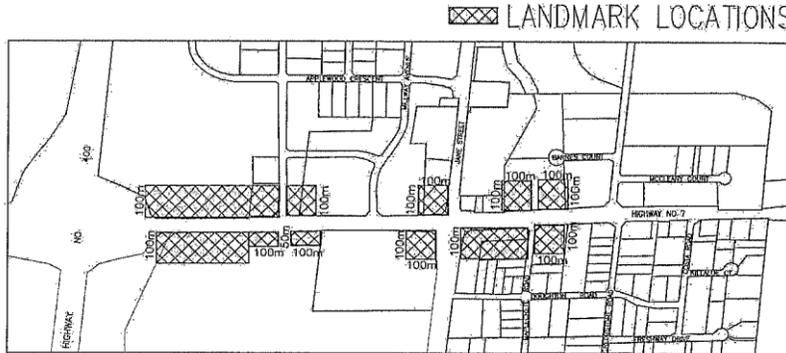
IBI Group supports removing the minimum parking rates altogether, which is consistent with the provisions of the First Draft of the CZBL. Removing minimum parking rates allows for development applications to reflect the market realities at the time of the applications and support transit initiatives as well as walkability.

Landmark Locations

IBI Group would also like to highlight that the notable Landmark Location provision from Schedule A2 of Zoning By-law 1-88 is missing from the Third Draft CZBL. This provision permits unlimited height in key locations along Highway 7 to encourage the development of “landmark buildings”, serving as gateways into the VMC (**Figure 1**). The exclusion of these historic provisions from the CZBL essentially downzones the parcels which is inconsistent with provincial policy related to urban growth centres and MTSAs. We wish to see them included in the Final Draft.

Mr. Brandon Correia – October 28, 2020

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



Conclusion

On behalf of our client, we continue to contend that the CZBL accurately reflect the policies within the VMC SP including the flexibility that was arbitrated through a lengthy Ontario Municipal Board Hearing and ultimately successfully and collaboratively settled upon. IBI Group and our client are appreciative and commendatory of the collaborative approach to city-building the City of Vaughan has undertaken thus far in the VMC and hopes that these processes can continue moving forward.

We would also like to ensure that Vaughan Council pass a resolution permitting all current and future VMC landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the CZBL coming into full force and effect. In addition, we request the Draft CZBL that goes before Council be consistent with the density commitments for sub-surface easements, remove the minimum parking ratios, revisit the minimum amenity areas, and include the missing landmark locations.

IBI Group and Toromont Industries Ltd. kindly request to be included in all further consultations regarding the CZBL and be notified of any future updates and decisions. Please do not hesitate to contact the undersigned should you have any questions.

Sincerely,

IBI Group

Stephen Albanese MCIP RPP

CC: Lynn Korbak, Toromont Industries Ltd.

APPENDIX D

Comments on the Fourth Draft of the CZBL



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June 7, 2021

Mr. Todd Coles
City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON
L6A 1T1

Dear Mayor and Members of Committee:

VAUGHAN COMPREHENSIVE ZONING BY-LAW- TOROMONT INDUSTRIES LTD. COMMENTS

IBI Group are the planning consultants for Toromont Industries Ltd. (herein referred to as '**our client**') who collectively own roughly 27 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. Toromont Industries Ltd. was actively involved in the policy development stages of the VMC Secondary Plan (VMC SP), as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the proposed Comprehensive Zoning By-law (CZBL). The intent of this letter is to highlight our main concerns and comments on the proposed CZBL.

At the outset, IBI Group believes that the lack of consistency between the proposed CZBL and the VMC SP significantly impedes the achievement of the City's vision for the VMC. The absence of flexibility in the proposed regulations largely deviates from the collaborative efforts which were undertaken during the lengthy VMC SP mediation processes at the Ontario Municipal Board. The overarching theme of the negotiations were to ensure that VMC SP policies did not impose upon the VMC lands with largely prescriptive standards that reflected a suburban context and would ultimately create challenges with urban development and marketability given the long development timeframe. Given that market and design may change over time, the provisions presented within the proposed CZBL revert to many of the fundamental concerns our client had in prescribing the VMC lands with an overly rigid planning and development framework. Specifically, we would like to raise concerns over the built form and landscape requirements, the proposed parking rates, the minimum amenity area requirements as well as the general lack of consistency in considering recently approved development applications which represent an ideal, real-world example of where the market stands in association with VMC related developments. The proposed CZBL largely does not take these amendments into account.

This letter is intended to provide additional feedback to the Zoning update process, adding onto our comments on the First Draft, which were submitted on August 13, 2019, Second Draft, which were submitted on February 19, 2020, and Third Draft, which were submitted on October 28, 2020, attached hereto in Appendices A, B and C, respectively. The comments found in each of these Appendices shall be considered as part of this letter.

Mayor and Members of Committee – June 7, 2021

Vaughan Metropolitan Centre Secondary Plan

The City of Vaughan has an ambitious and commendable vision for the VMC to become a new downtown. The VMC SP was created following the City of Vaughan adoption of a new Official Plan in 2010 which designated our client's lands as being within the VMC Intensification Area. Design and development guidance in the VMC SP is provided in conjunction with the VMC Urban Design Guidelines (VMC UDG) and the VMC Streetscape and Open Space Plan (VMC SOSP). A mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with respect to a number of development-related considerations such as built-form, height, density and land use. IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies, collectively working alongside City Staff throughout this process. As such, we are adamant that the flexibility present in the VMC SP policies is reflected in the provisions in the CZBL.

To date, developments in the VMC demonstrate built-form excellence and a high quality of design. They utilize existing and planned investments in rapid transit and establish a hierarchical, fine-grain grid network of streets and pathways, creating a downtown that is walkable, accessible, vibrant, and beautiful. This success is largely a result of the collective approach to policy development that incorporated flexibility into the VMC SP policies. This flexibility encourages a creative and collaborative approach to design and city-building with the public, agencies, and the property owners/developers, and is beneficial to all parties involved.

As it stands, the provisions in the proposed CZBL do not reflect the collaborative efforts between City Staff and stakeholders including our client, throughout the development of the VMC SP policies, and the current policies in the VMC SP. IBI Group and our client are concerned that the rigidity of the proposed CZBL provisions will constrain the collaborative processes to urbanism that made the VMC successful in the first place. It is essential that the policies and intent of the VMC SP are accurately reflected in the regulations of the proposed CZBL.

In addition, IBI Group would like to note that there are several policies from the VMC SP that are not reflected in the provisions of the proposed CZBL. A complete list of our comments on the proposed CZBL is provided in the Appendix. In particular, IBI Group takes specific issues with the following items, further summarized in the Appendices, attached hereto:

- Density Commitments;
- Lot and building requirements;
- Podium and tower requirements;
- Active use frontage requirements;
- Landscape requirements;
- Minimum amenity requirements;
- Parking provisions, including a reduction in the visitor parking rate; and,
- Certain definitions, including Amenity Area and Gross Floor Area.

Rights to Appeal

It is IBI Group's understanding that the two-year moratorium on amendments to the CZBL does not apply. Given the complexities and site-specific provisions of urban development projects in the VMC, our client is supportive of this inclusion.

Consistency with Development Applications

While the inclusion of *Section 1.6.3 Planning Applications in Process* brings additional clarity to on-going projects and those with site-specific zoning before the enactment of the proposed CZBL,

Mayor and Members of Committee – June 7, 2021

IBI Group would like to ensure our client site-specific policies are accurately integrated and implemented into the proposed CZBL, as well as recently proposed amendments to By-law 1-88.

Density Commitments

The proposed CZBL contains no reference to Policy 8.1.18 of the VMC SP, which states that *“Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation.”* Without this Policy properly reflected in the proposed CZBL, our client loses a significant amount of permitted density on their lands. It is critical that the density commitments that were achieved through the VMC SP negotiations in regard to giving up compensation for sub-surface easements are included into the proposed CZBL.

Parking Rates

The VMC is well served by higher-order transit, with the recently opened Vaughan Metropolitan Centre station on the TTC’s Yonge-University-Spadina Subway Line and the VIVA Orange Bus Rapid Transit (BRT) line. To support these transit investments and encourage their use, it is important that the City of Vaughan implement lower parking rates. By providing less parking, the City, developers and residents alike will be supported and encouraged to use non-automobile forms of transportation, such as transit and active forms of transportation such as cycling or walking.

It was noted in the Public Open House on October 14, 2020 that the parking rates were based off an IBI Group study that was completed in 2010. These rates were then confirmed through a benchmarking exercise that compared the parking rates across municipalities in the Greater Toronto Area. IBI Group is concerned that these rates reflect ten-year-old realities, are outdated and not location specific. If an update was completed to this Study, or alternatively a more current parking study was completed to establish and support the proposed CZBL proposed rates, IBI Group requests that this study be made public.

IBI Group supports removing the minimum parking rates altogether, which is consistent with the provisions of the First Draft of the CZBL. Removing minimum parking rates allows for development applications to reflect the market realities at the time of the applications and support transit initiatives as well as walkability. If not removed all together, IBI Group requests a reduction to the visitor parking rate. For instance, there are specific developments in the VMC that have a visitor parking rate of 0.15 space/residential unit and residential parking at rates as low as 0.3 space/residential unit. In these developments, the City is essentially mandating that the visitor parking rate accounts for at least half of the required parking in these specific developments.

Landmark Locations

IBI Group would also like to highlight that the notable Landmark Location provision from Schedule A2 of Zoning By-law 1-88 is missing from the proposed CZBL. This provision permits unlimited height in key locations along Highway 7 to encourage the development of “landmark buildings”, serving as gateways into the VMC. The exclusion of these historic provisions from the proposed CZBL essentially downzones the parcels which is inconsistent with provincial policy related to urban growth centres and MTSAs. IBI Group requests these provisions be included.

Conclusion

On behalf of our client, we continue to contend that the proposed CZBL accurately reflect the policies within the VMC SP including the flexibility that was arbitrated through a lengthy Ontario

Mayor and Members of Committee – June 7, 2021

Municipal Board Hearing and ultimately successfully and collaboratively settled upon. IBI Group and our client are appreciative and commendatory of the collaborative approach to city-building the City of Vaughan has undertaken thus far in the VMC and hopes that these processes can continue moving forward.

In addition, we request the proposed CZBL be tabled for discussion and that additional refinements be made prior to proceeding to Council for approval. These include revisions to ensure the proposed CZBL is consistent with the density commitments for sub-surface easements, refinements to the minimum parking ratios including visitor parking, refinements to the the minimum amenity area provisions, and inclusion of the missing landmark locations, amongst a variety of other comments provided in the Appendix, attached hereto.

IBI Group kindly requests to be included in all further consultations regarding the proposed CZBL and be notified of any future updates and decisions. Please do not hesitate to contact the undersigned should you have any questions.

Sincerely,

IBI Group

A handwritten signature in black ink, appearing to read "Stephen Albanese". The signature is written in a cursive, flowing style.

Stephen Albanese MCIP RPP

CC: Lynn Korbak, Toromont Industries Ltd.

APPENDIX E

Comments on the Final Draft of the CZBL

IBI Group Comments on Table 10-3: Lot and Building Requirements for the VMC Zones

Table 1: Table 10-3 Lot and Building Requirements for the VMC Zones Comments

Table 10-3: Lot and Building Requirements for the VMC Zones						
	V1	V2	V3	V4	OS1 (Table 12-2)	Comments
Lot and Building Requirements						
Minimum height (m)	As shown on Schedule A					<p>The minimum height provisions do not allow for temporary retail pop-up style spaces. Provisions to allow for pop-up placemaking initiatives that do not meet the minimum height requirements should be included.</p> <p>In addition, please refer to below, as certain policies from the VMC SP are not reflected in the draft CZBL.</p>
Maximum height (m)	As shown on Schedule A (1)					<p>The Landmark Location provision from Schedule A2 of Zoning By-law 1-88 has not been carried forward into this Draft. This provision permits unlimited height in certain locations along Highway 7 to permit the development of "landmark" sites to serve as gateways to the VMC. IBI Group is not supportive of the exclusion of these provisions from the CZBL that essentially downzones the parcels. Please ensure these provisions are included.</p> <p>Exception 635 states that the height limit for places of entertainment and office buildings located on lands labelled C10, shall be 35.0 m and 25.0m. This regulation should be updated to reflect the maximum height permissions consistent with the VMC SP schedules or removed.</p> <p>In addition, please refer to below, as certain policies from the VMC SP are not reflected in the draft CZBL.</p>
Minimum ground floor height (m)	3.5 (7)	3.5 (7)	3.5 (7)	3.5 (7)	-	<p>The Draft CZBL prescribes minimum height requirements to all Zones, whereas the VMC SP only appears to apply a minimum ground-floor height to areas that are required or recommended for retail uses. IBI Group recommends that a range of 3.3m to 5.0m be provided here to allow for flexibility depending on the use.</p>
Minimum street wall (m)	9	9	8	8	-	<p>Policy 8.7.5 of the VMC states that generally, mid-rise and high-rise buildings shall contribute to a consistent street wall that is at least 2 to 3 storeys high at the build-to line.</p> <p>The minimum street wall provisions of the CZBL imply that a minimum street wall shall be at least 3 storeys.</p>

Minimum FSI	As shown on Schedule A					Please refer to Table 3 below, as certain policies from the VMC SP are not reflected in the draft CZBL.
Maximum FSI	As shown on Schedule A					Please refer to Table 3 below, as certain policies from the VMC SP are not reflected in the draft CZBL.
Podium and Tower Requirements	The podium and tower requirements as specified in the applicable zone shall apply to any building with a height greater than 20.0 m in the V1 Zone and 14.0 m in the V2, V3 and V4 Zones.					<p>Please refer to Table 3 below, as certain policies from the VMC SP are not reflected in the draft CZBL.</p> <p>This regulation mandates the requirement for all buildings greater than 20.0 m/14.0 m to have a tower and podium form limiting built form variability across the VMC.</p>
Podium and Tower						
Minimum podium height (m)	10.5	10.5	10.5	10.5	-	<p>The minimum podium height in the Draft CZBL of 10.5m assumes a higher ground floor height than the Minimum ground floor height of 3.5m identified above.</p> <p>At minimum, this provision should be reduced, and a range should be introduced. Prescribing minimum podium heights through Zoning inherently mandates the inclusion of a podium, limiting architectural variability and creativity across the VMC. To facilitate variety in built form, this minimum requirement should be eliminated.</p>
Maximum podium height (m)	20	14	14	14	-	<p>At minimum, a range should be introduced. Like above, prescribing maximum podium heights in a Zoning By-law inherently mandates the inclusion of a podium, limiting architectural variability and creativity across the VMC. To facilitate variety in built form, this requirement should be eliminated.</p>
Maximum residential tower floor plate (m ²)	750	750	750	-	-	<p>This CZBL provision provides strict minimum design parameters to abide by, which limits variety, flexibility and architectural creativity in terms of design.</p> <p>Further, by prescribing podium and tower relationships, as well as mandating minimum setback and separation distance requirements, as well as floor plate maximums, City of Vaughan is inherently requesting uniformity in VMC built form, limiting the ability to creatively and organically develop a downtown which responds to market conditions at any given time.</p> <p>Approvals have been granted for larger tower floor plate sizes in the VMC to date. The provisions in the Draft CZBL should reflect this approved built form.</p>
Active Use Frontage Requirements						

Active Use Frontage (Required) and Active Use Frontage (Convertible)	Applicable where shown on Schedule B-1 and in accordance with Section 4.2.	-	IBI Group recommends that these provisions be removed as they are already implemented through the VMC SP. If they should be kept in the Draft CZBL, a range should be provided to offer some flexibility.
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Other Draft CZBL Provisions

Table 2: Other Draft CZBL Provisions

#	Regulation	Comments
4.2	Active Use Frontages in the Vaughan Metropolitan Centre	
	7. A minimum of 70% of the ground floor frontage that is shown on Schedule B-1 as being subject to the active use frontage (required) shall consist of one or more of the following uses: a. Business service; b. Clinic; c. Community facility; d. Personal service; e. Restaurant and take-out restaurant; and, f. Retail.	CZBL removes flexibility. Elimination of "unless it can be demonstrated that there are functional or operational constraints that warrant relief from this requirement as determined through the development approval process", which is stated in Policy 8.6.1 of the VMC SP. Please ensure this is reflected in the provision, as it lacks the same flexibility afforded by the policy document guiding land use and development in the VMC.
	8. Notwithstanding the minimum ground floor height of the applicable zone, the minimum ground floor height shall be 5.0 m for any portion of a main wall facing a street line that is shown on Schedule B-1 as being subject to the active use frontage (required) or active use frontage (convertible).	This provision does not provide for any flexibility and as above, seeks to prescribe design parameters associated with the ground floor. IBI Group recommends that a range of 3.3m to 5.0m be provided here to allow for flexibility depending on the use. For example, residential uses on the ground floor should be able to provide lower ground floor heights in convertible areas.
5.15.2	Below-grade Parking Structures 1. A below-grade parking structure shall be permitted to encroach into any required yard.	
	2. The minimum setback of a below-grade parking structure shall be subject to the following requirements: a. The minimum setback from a street line shall be 1.8 m; and,	Given the high ground water levels in certain areas of the VMC, it is recommended that the minimum setback be 0.0 m from a street line in order to maximize the buildable areas

	<p>b. The minimum setback from an interior side lot line or rear lot line shall be 0.0 m.</p>	<p>of underground garages, and assist with depth issues.</p>
	<p>3. Notwithstanding any other requirement of this By-law, an accessory building or structure that is incidental to a below-grade parking structure, such as air ventilation or an access staircase, shall be permitted anywhere on the same lot as the parking structure is located, subject to the following requirements:</p> <p>a. The accessory building or structure shall not be located in a minimum required front yard or exterior side yard.</p> <p>b. The accessory building or structure shall have a minimum setback of 3.0 m from any lot line.</p>	<p>Ventilation grates associated with the underground parking garage are derived from mechanical infrastructure locations, and should not be prescribed through the Zoning By-law. These should be able to encroach into the minimum setback up to 0.0 m from the lot line.</p>
<p>5.15.1</p>	<p>Above-grade Parking Structures Any portion of a parking structure located above established grade shall be subject to the minimum lot and building requirements of the zone in which the lot is located.</p>	<p>There is no mention of a deduction of height in this CZBL provision. The VMC SP states that "Where two or more levels of underground parking are provided for a residential, office or mixed-use building, two levels of above-grade parking integrated within the podium of the building may be excluded from the calculation of the total height of the building, and the GFA of the parking area may be excluded from the calculation of the total density of the building".</p> <p>Please ensure this is reflected in the CZBL.</p>
<p>4.9</p>	<p>Intermodal Container</p> <ol style="list-style-type: none"> 1. An intermodal container shall not be permitted in any zone except where it is a specifically permitted use in this By-law. 2. An intermodal container, where permitted by this By-law, shall be subject to the following requirements: <ol style="list-style-type: none"> a. An intermodal container shall be considered an accessory structure and subject to the maximum lot coverage requirements, locational and setback requirements for accessory structures as set out in this By-law. b. An intermodal container shall be setback a minimum distance of 10.0m from any lot line abutting a Residential Zone of any lot used for a residential use. 	<p>This provision is too stringent as it does not reflect the common use of intermodal containers for a variety of placemaking and design initiatives. Intermodal containers should be permitted as building and/or architectural design.</p>

	c. The use of an intermodal container for human habitation shall be prohibited.	
4.3.1	<p>1. A minimum amenity area shall be required for the following dwelling types:</p> <p>a. Apartment dwelling;</p> <p>b. Block townhouse dwelling;</p> <p>c. Multiple-unit townhouse dwelling; and,</p> <p>d. Podium townhouse dwelling.</p> <p>2. Any required amenity area shall be located on the same lot as the dwelling to which the amenity area is required by this section.</p>	
4.3.2	<p>Minimum Required Amenity Area</p> <p>1. For a block townhouse dwelling, the minimum amenity area requirement shall be 10.0 m² per dwelling unit.</p> <p>2. For a multiple-unit townhouse dwelling and podium townhouse dwelling, the minimum amenity area requirement shall be 10.0 m² for the first eight dwelling units, and an additional 8.0 m² of amenity area shall be required for each additional dwelling unit.</p> <p>3. For an apartment dwelling, the minimum amenity area requirement shall be 8.0 m² per dwelling unit for the first eight dwelling units, and an additional 5.0 m² of amenity area per dwelling unit shall be required for each additional dwelling unit.</p> <p>4. Where an amenity area is required in accordance with this section, a minimum of 90% shall be provided as a common space.</p>	<p>This provision is too stringent and too far removed from market conditions, as well as requirements in other proximate municipalities such as Toronto and Mississauga.</p> <p>In the current by-law amenity area can be an exclusive area that is accessible by an individual dwelling unit, such as a rooftop terrace or balcony. The CZBL does not specify that an amenity area shall not include an exclusive area that is only accessible by an individual dwelling unit. If amenity area includes exclusive areas for individual dwelling units, the provision that 90% of the amenity area shall be provided as a common space essentially removes all flexibility provided, thus making these provisions too stringent. The City needs to clarify why 90% of the minimum amenity area shall be provided as common space.</p>
4.3.3	<p>1. Where a minimum amenity area is required in accordance with this section, a portion of the amenity area shall be located outdoors, and not within any enclosed building or structure, in accordance with the following:</p> <p>a. For a block townhouse dwelling or multiple-unit townhouse dwelling, the minimum outdoor amenity area requirement shall be 50% of the total required amenity area.</p> <p>b. For an apartment dwelling, apartment dwelling units or podium townhouse dwelling units, the minimum outdoor amenity area requirement shall be the provision of at least one contiguous outdoor area of 55.0 m² located at grade.</p> <p>c. A maximum of 20% of the required minimum outdoor amenity area shall consist of amenity area located on a rooftop or terrace.</p>	<p>As it stands, the CZBL does not provide any caps for outdoor amenity area for a block townhouse dwelling or multiple-unit townhouse dwelling. The provision states that the minimum outdoor amenity area requirement shall be 50% of the total required amenity area for these uses. The way this provision is written at the moment, large block townhouse or multiple-unit townhouse dwelling developments would need to provide a significant amount of outdoor amenity area. This could be a significant deterrent to building this typology of housing, which is critical for the provision of missing middle housing, as this would significantly limit</p>

	<p>2. Where any outdoor amenity area is required in accordance with this section, at least 50% of the minimum required outdoor amenity area shall be aggregated into contiguous areas of at least 55.0 m².</p> <p>3. Where any required outdoor amenity area is provided at grade, it shall be included in satisfying any applicable minimum landscape requirements of this By-law.</p>	<p>the amount of land area available. It is recommended that the CZBL only provide a minimum amenity area to be provided outside for these uses. As it stands, these provisions create obstacles to providing this form of housing, which ultimately is permitted through the VMC SP, and required to ensure variability and choice in housing stock.</p>
Definition	<p>Amenity Area: Means an indoor or outdoor communal space designed and maintained for active recreational uses or passive recreational uses for residents of a dwelling or building with residential uses.</p>	<p>In By-law 1-88, amenity area can be an exclusive area that is accessible by an individual dwelling unit. It is unclear in the CZBL whether amenity area includes an exclusive area that is only accessible by an individual dwelling unit.</p> <p>This definition is too stringent and too far removed from market conditions, as well as requirements in other proximate municipalities such as Toronto and Mississauga. It is strongly recommended that this definition be revised to allow for amenity areas to include exclusive use areas, that are only accessible to individual dwelling units, such as balconies and rooftop terraces.</p>
Table 10-2: Permitted Uses	<p>Multiple townhouse dwelling units Schools</p>	<p>Multiple townhouse dwelling units should be permitted within all VMC zones. Under the Draft CZBL they are only permitted in the V3 zone.</p> <p>Schools should be permitted within all VMC Zones, including the V4 Zone, in order for the Draft CZBL to be consistent with Schedule E and Policy 3.4 of the VMC SP.</p> <p>Intermodal Containers shall be permitted in the VMC.</p>
Additional requirements to Table 10-2	<p>4. Apartment dwellings shall not be permitted within the ground floor frontage, except that a maximum of 15% of the ground floor frontage may be used for lobby or other common areas associated with the apartment dwelling.</p>	<p>Developments in the VMC have been approved which permit at-grade apartment dwellings. This provision should be removed.</p>
Additional requirements to Table 10-2	<p>5. This use shall only be permitted in the ground floor frontage and the total gross floor area shall not exceed 10% of the gross floor area of all uses on the lot.</p>	<p>This provision is too restrictive and limits the potential tenants who may want to operate businesses on the ground floor of these buildings.</p>

Notable policies within the VMC SP that are missing from the Draft CZBL include but are not limited to:

Table 3: Missing VMC SP Policies in Draft CZBL

VMC SP Policy	Comments
Policy 8.1.1, which states that "... 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot...";	There is no mention of the exclusion of 10,000 square metres of office uses being allowed from the density calculation if the development contains a minimum of 10,000 square metres of office uses in the by-law.
Policy 8.1.17, which states that "The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."	There should be consistency between the CZBL and the VMC SP for how the land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density is calculated.
Policy 8.1.18, which states that "Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."	There should be consistency between the CZBL and the VMC SP for how density is calculated.
Policy 8.1.19, which states that "The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot."	There is no mention of the exclusion of 10,000 square metres of office uses being allowed from the density calculation if the development contains a minimum of 10,000 square metres of office uses in the by-law.
Policy 8.1.21, which states that "Notwithstanding Policy 8.1.15, office developments with a lower density than the minimums set out in Schedule I may be permitted in the South Precinct and portions of the East and West Employment Precincts outside the Urban Growth Centre, as defined in Schedule A, provided it has been demonstrated in a Development Concept Report, to the satisfaction of the City, that the minimum density can be achieved on the block with future phases of development."	There are no provisions in the CZBL that would allow for the office developments with a lower density to be permitted. There should be consistency.
Policy 8.1.24, which states that "Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)..." (subject to certain conditions);	There are no provisions in the CZBL that would allow for the additional height and/or density permitted through this policy.

<p>Policy 8.7.11, which states that “...Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D...”;</p>	<p>There are no provisions in the CZBL which allow for this additional height on properties that front arterial streets. A Zoning By-law Amendment should not be required for developments that meet the criteria for additional height listed in Policy 8.7.11.</p>
<p>Policy 8.7.12, which states that “... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.”</p>	<p>There are no provisions in the CZBL which allow for this additional height on properties that front arterial streets. A Zoning By-law Amendment should not be required for developments that meet the criteria for additional height listed in Policy 8.7.12.</p>

COMMUNICATION C9
ITEM NO. 6
COMMITTEE OF THE WHOLE (2)
October 13, 2021

From: Mackenzie Ridge Rate Payers Association <mackenzieridgerpa@gmail.com>
Sent: Friday, October 08, 2021 11:33 AM
To: Clerks@vaughan.ca; Todd Coles <Todd.Coles@vaughan.ca>; Isabel Leung <Isabel.Leung@vaughan.ca>
Cc: Mackenzie Ridge Rate Payers Association <mackenzieridgerpa@gmail.com>
Subject: [External] COMMITTEE OF THE WHOLE ITEM 6 - ATHABASCA COMMUNITY TRAFFIC STUDY PROGRESS REPORT

Hi Todd and Isabel,

Please see the attachment and the note that I like to include in the meeting minutes.

October 13, 2021

COMMITTEE OF THE WHOLE

ITEM 6 - ATHABASCA COMMUNITY TRAFFIC STUDY PROGRESS REPORT

Letter of Support

The community has been asking for an all-way stop sign at the southeast intersection of Hunterwood Chase and Athabasca for a long time and we would like to see Council support the Ward Councillor Iafrate's motion for the all-way stop. We also support staff recommendation to hire consultants to continue the work on the traffic study. It is also imperative to create a community safety zone along Athabasca and include the request for proper speed cameras.

Finally, we ask that you legalize the Please Slow Down signs.

Robert A. Kenedy, PhD
President of the MacKenzie Ridge Ratepayers Association
mackenzieridgerpa@gmail.com

Robert A. Kenedy, PhD
President of the MacKenzie Ridge Ratepayers Association
Associate Professor
Department of Sociology
238 McLaughlin College
York University
4700 Keele Street
Toronto, Ontario M3J 1P3
CANADA
rkenedy@yorku.ca
416 736-2100 ext. 77458
FAX 416 736-5715

COMMUNICATION C10
ITEM NO. 5
COMMITTEE OF THE WHOLE (2)
October 13, 2021



Vaughan Destination Master Plan Vaughan City Council Presentation

October 13, 2021

DESTINATION MASTER PLAN PROCESS



An aerial photograph of a sports complex in Vaughan, Ontario. The complex features two large green soccer fields with white markings, surrounded by a chain-link fence and several tall stadium lights. A parking lot with several cars is visible between the fields. The facility is situated on a grassy hillside with winding paths and trees. In the background, a city skyline is visible under a hazy sky. The text "TOURISM IN VAUGHAN" is overlaid in white on a green banner at the bottom of the image.

TOURISM IN VAUGHAN

WHAT IS TOURISM?

Tourism comprises the activities of persons traveling to and staying in places outside their usual environment ($>40\text{km}$) for not more than one consecutive year for leisure, business and other purposes.

Source: World Tourism Organization, Statistics Canada



TOURISM OVERVIEW

Trip Origin: Over 90% from York Region & Ontario

Reason of Trip: Visiting Friends and Relatives, Shopping, Attractions, Other Pleasure, and Business

Length of Stay*: Same-day trips 77% vs Overnight Trips 23%

Same-day visitor spend \$38/person

Overnight visitor spend \$132/person



* York Region Visitor Statistics, 2017

TOURISM ASSETS & GAPS

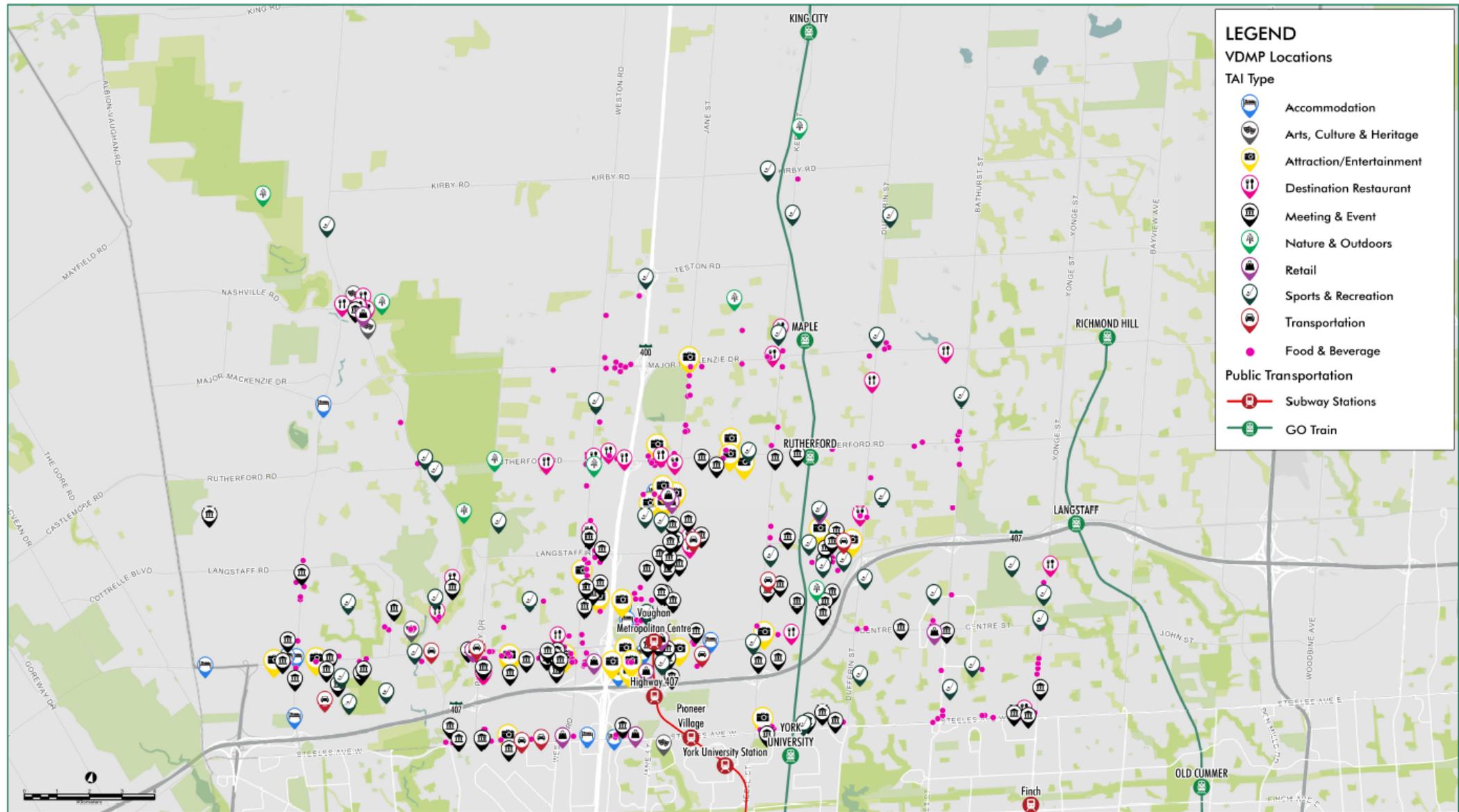
Existing Tourism Assets

- Major attractions
- Restaurants
- Golf & Community Sporting Facilities
- Midscale Accommodations

Tourism Asset Gaps

- Adult-focused entertainment
- Nightlife
- Sporting stadium (regional tournaments)
- Performance Arts Centre
- Convention Centre
- Transportation between assets





LEGEND

VDMP Locations

TAI Type

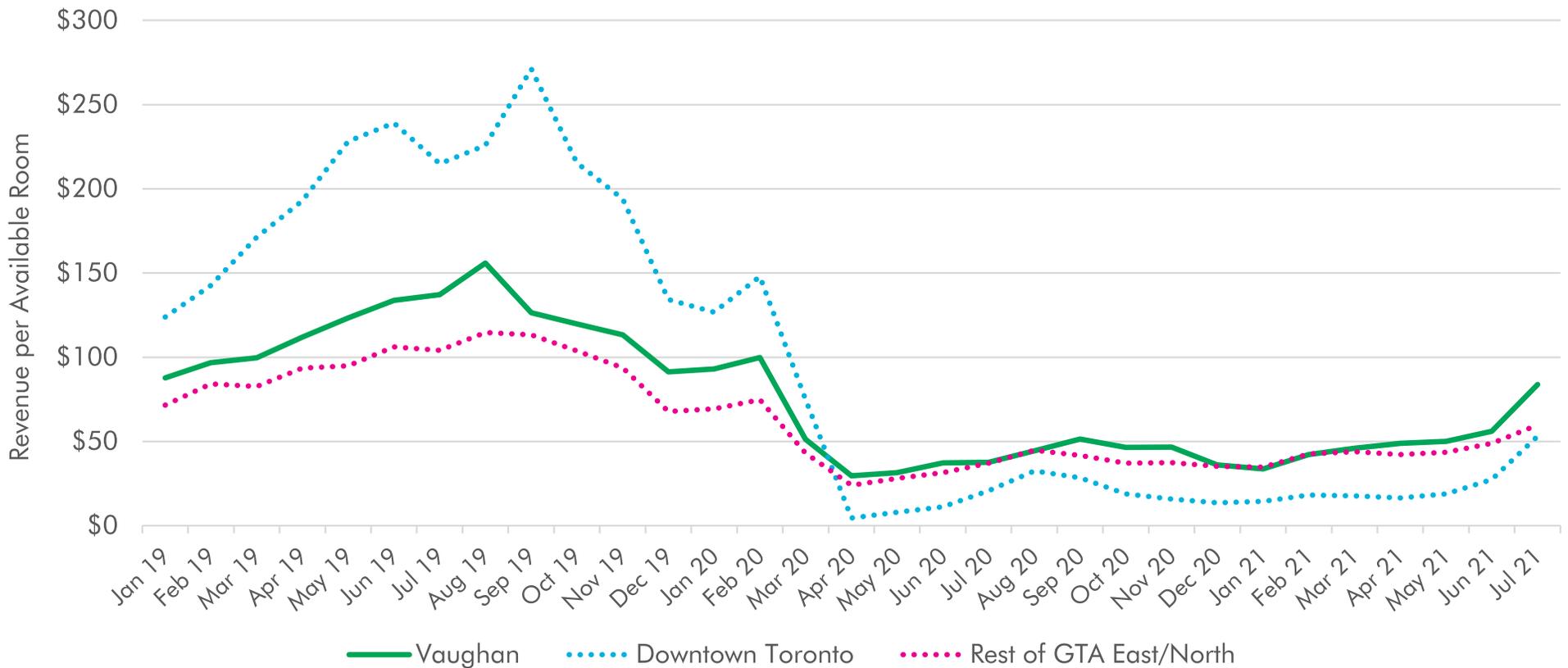
- Accommodation
- Arts, Culture & Heritage
- Attraction/Entertainment
- Destination Restaurant
- Meeting & Event
- Nature & Outdoors
- Retail
- Sports & Recreation
- Transportation
- Food & Beverage

Public Transportation

- Subway Stations
- GO Train



VAUGHAN ACCOMMODATION MARKET OUTPERFORMING DOWNTOWN TORONTO



Source: CBRE Hotels

An aerial photograph of a sports complex. In the foreground, two soccer fields are visible, each with a goal and surrounded by a fence. A parking lot with several cars is situated between the fields. The complex is surrounded by lush green grass and trees. In the background, a city skyline is visible under a hazy sky. A green vertical bar is on the right side of the image, and a green horizontal bar is at the bottom. The text "FUNDAMENTALS OF THE DESTINATION MASTER PLAN" is overlaid in white on the green bar at the bottom.

FUNDAMENTALS OF THE DESTINATION MASTER PLAN



VISION STATEMENT

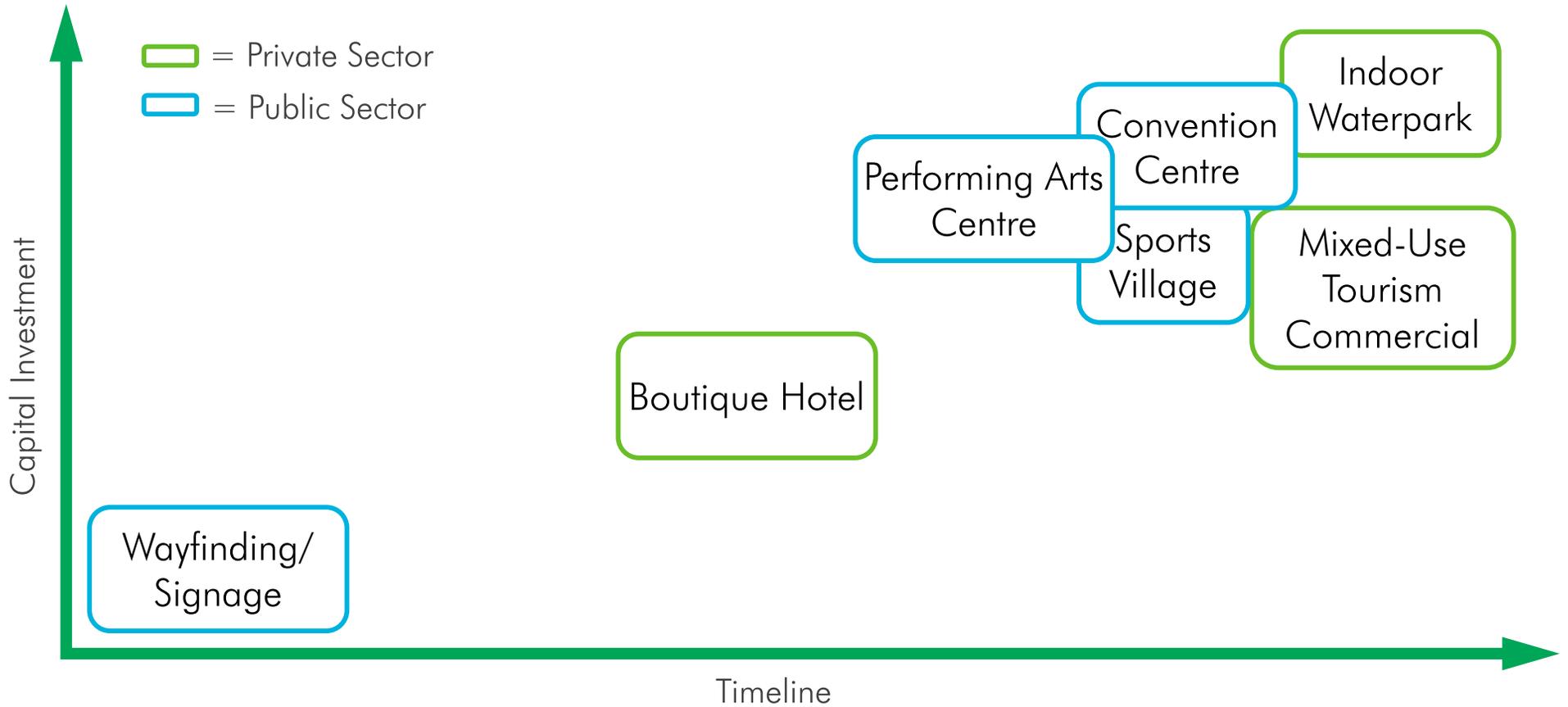
Vaughan is embraced as a premier overnight destination for leisure, sport and business visitors.

MISSION STATEMENT

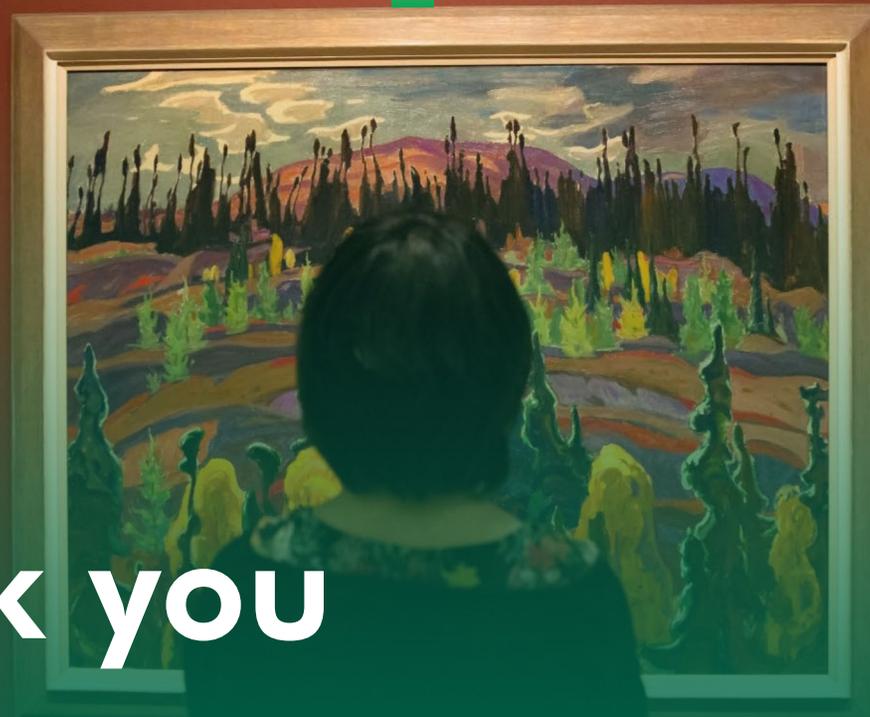
To champion Vaughan as a premier tourism destination through product development, marketing and education, and strong collaboration with and support of operators.



INFRASTRUCTURE INVESTMENT CONSIDERATIONS



Thank you



COMMUNICATION C11
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

From: Alan Heisey <heisey@phmlaw.com>

Sent: Tuesday, October 12, 2021 8:36 AM

To: Clerks@vaughan.ca

Cc: C. Chan [REDACTED]

Subject: [External] City-Wide Comprehensive Zoning By-law - Committee of the Whole Meeting - Wednesday October 13, 2021 - Agenda Item 9

Please be advised we are the solicitors for 1163919 Ontario Limited, 1888836 Ontario Limited and 1211612 Ontario Limited (hereinafter collectively referred to as "Awin") the owners of 212, 220 and 222 Steeles Avenue West and 1973280 Ontario Limited and 1219414 Ontario Limited (hereinafter collectively referred to as "Awin West") the owners of 434 and 480 Steeles Avenue West which lands are all located in the Yonge Steeles Corridor Secondary Plan Amendment Area.

We respectfully request that **prior** to final enactment of the CZBL, that it be amended to address the outstanding matters concerning the YSCSP as they are resolved through the ongoing appeal process before the Ontario Land Tribunal and/or negotiation/mediation.

Please consider this to be our formal request to be notified of all future Public Hearings, Open Houses, Committee of the Whole and Council meetings and decisions relating to this matter.

Please provide the author notice of passing of any bylaw pursuant to this process by City Council.

Please acknowledge receipt of this correspondence in writing.

Alan Heisey



COMMUNICATION C12
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

SENT VIA EMAIL

File: P-3036

October 8, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Hon. Mayor Bevilacqua and Members of Council

**RE: Comments on City-Wide Comprehensive Zoning By-law
In Response to Committee of the Whole Agenda Item 6.9 (Wed. October 13, 2021)
Avenue 7 Developments Inc.
2267 Highway 7 and 7700 Keele Street
City of Vaughan**

Dear Hon. Mayor Bevilacqua and Members of Council:

KLM Planning Partners Inc. ("KLM") is the land use planner for Avenue 7 Developments Inc., ("the client"), owner of 2267 Highway 7 and 7700 Keele Street ("the subject lands") in the City of Vaughan. On behalf of our client, we respectfully request that the City-Wide Comprehensive Zoning By-law ("CZBL") be referred back to staff for further consultation and resolution of outstanding comments for the reasons set out below.

On June 22, 2021, Council recommended that the CZBL be deferred to the Committee of the Whole meeting on October 13, 2021 and directed staff "to address all site-specific concerns raised with a view to having the By-law conform to the VOP 2010 (as amended), legally existing uses and all Provincial plans".

KLM submitted comments to Council dated June 14, 2021 outlining concerns with the proposed CZBL and requesting that in addition to the newly proposed uses under the Employment Mixed Use (EMU) Zone, the proposed CZBL recognize and carry forward all of the existing permissions on the subject lands and continue to permit those uses which are permitted today, and which were legally obtained.

We maintain that this would reduce instances of legal non-conforming use. In addition, transitioning all of the currently approved and in-force permissions will provide more certainty to our client with respect to attracting tenants to the site or allowing existing tenants to expand while the overall development concept for the future re-development of the subject lands goes through the proper channels for approval.

KLM has made numerous attempts to contact staff with regard to the request made on June 14, 2021 however staff did not engage KLM or our client on this matter. Furthermore, our comments have not been included in the Comment-Response Matrix (Attachment 12) prepared by staff and therefore remain entirely unaddressed.

Given the above, we respectfully request that the CZBL be referred back to staff to address these unresolved comments and afford our client an opportunity to discuss them with staff in greater detail.

Respectfully submitted,

KLM PLANNING PARTNERS INC.



Christine Halis, MCIP, RPP
Senior Planner

Copy: Avenue 7 Developments Inc.
Brandon Correia, Project Manager, City of Vaughan

COMMUNICATION C13
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

From: Mackenzie Ridge Rate Payers Association <mackenzieridgerpa@gmail.com>

Sent: Monday, October 11, 2021 9:53 PM

To: Clerks@vaughan.ca

Cc: Mackenzie Ridge Rate Payers Association <mackenzieridgerpa@gmail.com>; Todd Coles <Todd.Coles@vaughan.ca>; Isabel Leung <Isabel.Leung@vaughan.ca>

Subject: [External] Wednesday Oct 13, 2021 - Item 9

Please include this submission as part of the meeting.

See the attached deputation form and submission.

Robert A. Kenedy, PhD
President of the MacKenzie Ridge Ratepayers Association
Associate Professor
Department of Sociology
238 McLaughlin College
York University
4700 Keele Street
Toronto, Ontario M3J 1P3
CANADA
rkenedy@yorku.ca
416 736-2100 ext. 77458
FAX 416 736-5715

Item 9 CITY-WIDE COMPREHENSIVE ZONING BY-LAW THE CORPORATION OF THE CITY OF VAUGHAN (REFERRED)

Vaughan Councillors:

I agree with Irene Ford regarding many of the points made and concur with the following:

- York Region sets the land use boundary and designations. Whatever is approved by York Region Council the City of Vaughan will be committed and married to.
- York Region's Municipal Comprehensive Review/Official Plan [update](#) has been ongoing since 2019 and the Mayor and Regional Councillors have done nothing to promote public consultation opportunities with residents. It is disingenuous to suggest that our feedback on the urban boundary expansion can be meaningfully incorporated this late into the process. It is a failure of regional representation from Vaughan's Mayor and Regional Councillors.
- If York Region's plan is approved as currently recommended then Vaughan Council will have been complacent and complicit in allowing every last inch of Vaughan to be developed with the exception of lands designated as Greenbelt, Oak Ridges Moraine and floodplain or under the jurisdiction of conservation authorities.
- York Region does not have the money to pay for the wastewater infrastructure required to develop these lands. It is fiscally irresponsible for politicians to support such extensive development without knowing how it will be financed. Development charges are not an answer and do not pay for the full life cycle and maintenance costs of infrastructure. Support for East Gwillimbury to approve all of its whitebelt land without a wastewater solution is also irresponsible plus it is unlikely that Lake Simcoe will be able to withstand the impacts that this level development will bring.
- It is premature to make any decisions about the fate of these lands in Vaughan given the uncertainty surrounding the proposed GTA West Corridor.
- Typically, Official Plans have a planning horizon of 20 years, the province has directed 30 years during a pandemic and climate emergency.
- Support for this level of urban growth is not at all consistent with declaring a Climate Emergency. The level of greenhouse gas emissions that will result from the quantum of land use changes proposed will never be able to be negated through tree planting or offsetting.
- Promoting greenfield development is an abandonment of existing communities because it prioritizes infrastructure investment away from your existing residents.
- The problems of traffic congestion will not be solved by building more communities elsewhere. The complaints that Vaughan Council hears when existing developments in built up areas are proposed will remain because these developments continually come without any benefit to the community and create competition in communities that are already underserved for transit, stores and community services.
- Our communities will change, they will grow, and our population will increase approving more greenfield development will do nothing to solve or address the existing complaints you hear from your constituents, the public, residents. You need a plan that addresses the needs of your current residents and potential future residents.

- The mayor promotes and equates the wellbeing of the City with economic growth. This is a great plan to promote economic growth but it's a terrible plan if you are trying to achieve complete communities, deal with traffic congestion, achieve environmental protection and address the climate crisis in any meaningful way.

Our asks:

- That York Region nor the City of Vaughan make any decisions on forecasted land needs or urban boundary expansion until the release of the [Auditor General's Value for Money Audit](#) on the land needs assessment process and direction provided by the province on provincial growth
- That the City of Vaughan consider passing a motion and/or sending a letter in support of the Auditor General's ongoing value you for money audits on the LNA, provincial growth direction. If Council is unwilling to pass a motion that individual Councillors take the initiative to send a letter expressing concern as was done by Councillor Iafrate.
- That the City of Vaughan provide comments back to the Region, cc the Minister of Housing and Municipal Affairs expressing concern about the magnitude of lands proposed for urban expansion, the time horizon and express concern that public consultation opportunities on the proposed urban boundary expansion for Vaughan residents have been inadequate.

Best,

Robert A. Kenedy, PhD
President of the MacKenzie Ridge Ratepayers Association
MackenzieRidgeRPA@gmail.com

COMMUNICATION C14

ITEM NO. 6

COMMITTEE OF THE WHOLE (2)

October 13, 2021

-----Original Message-----

From: Tiziana Goldberg [REDACTED]

Sent: Sunday, October 10, 2021 1:57 PM

To: Clerks@vaughan.ca

Subject: [External] Re Mackenzie Ridge Stop sign

To whom it may concern .

I have lived in this neighbourhood since the very beginning and have watched it grow .

Since the bottom of Hunterwood Chase has opened this street has become the autobahn!

My kids are young drivers and they too struggle with the lack of a 4 way stop at Athabaska and Hunterwood Chase .

For the love of God how many children do we need to lose in this neighborhood to get a stop sign !!!

Have a conscience and please give us the stop signs we need .

Considering the amount of taxes this entire neighbourhood pays this should be a non issue and should have been installed already .

Thank you

Tiziana Goldberg

[REDACTED]

[REDACTED] Hunterwood Chase

Maple , Ontario

[REDACTED]

Sent from my iPhone

COMMUNICATION C15
ITEM NO. 6
COMMITTEE OF THE WHOLE (2)
October 13, 2021

From: Joseph Vukman [REDACTED]
Sent: Sunday, October 10, 2021 3:10 PM
To: Clerks@vaughan.ca
Subject: [External] Traffic calming and safety measures item 6 of councillor lafrate's motion

Hello,

I'm writing to ask council for an all-way stop sign at the southeast intersection of Hunterwood Chase and Athabasca for a long time and I would like to see Council support the Ward Councillor lafrate's motion for the all-way stop. I also support staff recommendation to hire consultants to continue the work on the traffic study. It is also imperative to create a community safety zone along Athabasca and include the request for proper speed cameras.

Regards,
The Vukmans

EMC File: 200170
October 8, 2021

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

Emailed: Clerks@vaughan.ca

Attention: Mr. Todd Coles
City Clerk

COMMUNICATION C16
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

Dear Sir,

Re: Approval of City-Wide Comprehensive Zoning By-Law (CZBL)
Committee of the Whole Meeting (2) October 13, 2021
9867 Highway 27
Communication Item # 19
Kleinburg, City of Vaughan

EMC Group Limited acts as the planning consultant for the property owners of 9867 Highway 27, within the Village of Kleinburg.

On behalf of our client, we have previously expressed our comments throughout the CZBL process and have had an opportunity to discuss with Brandon Correia, Manager of Special Projects. We appreciate that our comments have been considered and that the by-law mapping is proposed to be updated to retain the existing Agricultural (A) zoning on the property.

We note however, that the mapping references exception 459 on the lands which is unrelated to the parcel, and we believe that the reference to the Chapter 14 exception should be removed.

We look forward to reasonable consideration of our comments.

Regards,

EMC GROUP LIMITED



Nadia Zuccaro, MCIP, RPP
Planner

C: Client

EMC File: 214160
October 8, 2021

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

Emailed: Clerks@vaughan.ca

COMMUNICATION C17
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

Attention: Mr. Todd Coles
City Clerk

Dear Sir,

Re: Approval of City-Wide Comprehensive Zoning By-Law (CZBL)
Committee of the Whole Meeting (2) October 13, 2021
69 and 73 Nashville Road
Communication Item #C19
Kleinburg, City of Vaughan

EMC Group Limited acts as the planning consultant for the property owners of 69 & 73 Nashville Road, within the Village of Kleinburg.

On behalf of our client, we have previously expressed our comments throughout the CZBL process and have had an opportunity to discuss with Brandon Correia, Manager of Special Projects. We appreciate that our comments have been considered however we feel that the response provided by staff within the Public Comment Response Matrix – Updated included in the staff report of October 13, 2021 (Item C19) is unclear.

The subject lands fall within the Kleinburg Main Street Area, that is proposed to be pre-zoned as the (KMS) Main Street Mixed-Use – Kleinburg Zone. We support the pre-zoning as it applies to the subject lands, however it is our opinion that the existing exception (525) applying to the lands should no longer apply as it conflicts with the proposed mixed-use KMS Zoning. It is noted that the property is unique in that it is being pre-zoned from Residential to Mixed-Use and the subject exception 525 outlines residential lot and building requirements and should only be applicable to the former parent zone (R1).

Also, we have asked for clarification previously and would appreciate a response to our inquiry below:

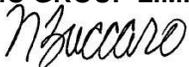
If exception (525) is carried forward, will a Zoning By-law Amendment be required if a future development application is submitted complying to all zone stipulations as outlined in the new KMS Zone?

If the exception is carried forward, and a zoning by-law amendment application will be required to remove the exception, it seems that this would be an ineffective way to handle new development applications within this pre-zoned area. Carrying forward an old exception in a pre-zoned area could trigger unnecessary application processing requirements on all new applications.

We look forward to having the opportunity to meet with Planning staff to further discuss our concerns.

Regards,

EMC GROUP LIMITED



Nadia Zuccaro, MCIP, RPP
Planner
C: Client

EMC File: 97169
October 8, 2021

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, On
L6A 1T1

Emailed: Clerks@vaughan.ca

COMMUNICATION C18
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

Attention: Mr. Todd Coles
City Clerk

Dear Sir,

Re: Approval of City-Wide Comprehensive Zoning By-Law (CZBL)
Committee of the Whole Meeting (2) October 13, 2021
240 Fenyrose Crescent
Communication Item # 19
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for the property owners of 240 Fenyrose Crescent, Vaughan. We note that the property has been improperly identified as 270 Fenyrose Cres. in the Public Comment Response Matrix – Updated, included in the staff report of October 13, 2021.

On behalf of our client, we have previously expressed our comments throughout the CZBL process and have had an opportunity to discuss with Brandon Correia, Manager of Special Projects. We appreciate that our comments have been considered and modifications are contemplated to the by-law mapping to reflect our request.

However, we have remaining concerns with the Open Space Zone proposed at the rear of the property. In Schedule A-Map 107 (Sept 2021) the mapping illustrates the rear portion of the property as “Public Open Space” (OS1-198).

It is our opinion that a more appropriate OS zone for the rear of the property would be “Private Open Space” (OS2) consistent with the current zoning within By-law 1-88, as the portion of the lands being labelled as Public Open Space are in fact under the private ownership of my client, and not publicly owned lands. The proposed zoning in the CZBL, identifies my client’s property to be within the same zone as the abutting Fenyrose Parkette to the west creating confusion with respect to the land use.

We look forward to reasonable consideration of our comments.

Regards,

EMC GROUP LIMITED



Nadia Zuccaro, MCIP, RPP
Planner

C: Client

File: 216138
October 12, 2021

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

Attention: Todd Coles
City Clerk

Email: Clerks@vaughan.ca

COMMUNICATION C19
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

Dear Sir,

Re: Comments on City-Wide Comprehensive Zoning By-law
56 Woodbridge Avenue, 15 Clarence Street and 23 Clarence Street
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for the owners of the lands known as 56 Woodbridge Avenue, 15 Clarence Street and 23 Clarence Street, Vaughan (Figure 1).

The lands fall within the Woodbridge Centre Secondary Plan (WCSP) which provides and supports intensification that would be permitted for 23 Clarence Street. The Subject property is identified in the WCSP as a contributing part of the Distinct Character Area of the Woodbridge Commercial Core as shown on WCSP "Distinct Character Areas- Schedule 5" (Attachment 1). The land use designation for the 23 Clarence Street lot is identified as Low Rise Residential (1) on WCSP "Land Use Plan- Schedule 2" (Attachment 2).

We have previously expressed comments regarding our client's holdings, specifically regarding the zoning of the property at 23 Clarence Street (subject) which was previously proposed as R3-EN within the Comprehensive Zoning By-law Schedule A- Map 46 (June 2021). We appreciate that staff have considered our client's comments and removed the EN suffix from the subject property placing the lot in an R3 Zone.

However, our client has remaining concerns with staff's response as outlined in the City-Wide Comprehensive Zoning By-Law Public Comment Response Matrix- Updated, included in the Committee of the Whole (2) Report for the October 13, 2021 in regards to the statement concerning the "WMS" Zone as outlined below.

Staff have indicated that: The "WMS" Zone is designed to apply for lands designated low-rise mixed use in the Secondary Plan. City staff do not support the "WMS" Zone for lands designated as Low-Rise Mixed Use(1), which do not permit a mix of commercial uses within the policies of the Official Plan. Therefore, the boundary of the WMS zone is not proposed to change.

Our request on behalf of the client was not to add 23 Clarence to the neighbouring WMS Zone, but to provide for a modified WMS Zone with an exception that could prohibit or acknowledge the restricted commercial uses within the Low-Rise Mixed Use (1) Zone applying to 23 Clarence St.

Further, the proposed (R3) Zoning on the subject property does not provide for the permitted uses that would be specifically designed for Low Rise Residential (1) Zone. Namely, the (R3) Zone does not allow for any Townhouses or Multi-Use buildings. Whereas the building types permitted in areas designated as Low-Rise Residential (1) include: i. Detached House; ii. Semi-Detached House; iii. Townhouses; and iv. Multi-unit Residential Buildings which is more permissive than the R3 Zoning. Not one of the new residential CZBL Zones would be as permissive as the Low-Rise Residential (1) Zone of the Secondary Plan.

We continue to ask that Staff consider allowing the zoning of this property to be substituted from R3 to a Main Street Mixed Use Zone (WMS) exception zone acknowledging restricted commercial uses. It is noted that the Lot and Building

Requirements for the WMS Zone are more reasonable for this site and would also be more restrictive than those provided in the WCSP under the Low-Rise Mixed Use(1) Zone.

Should the above-mentioned zoning adjustment to 23 Clarence St. be supportable, this would enable the owner to propose a more comprehensive development to their properties along the northeast corner of Woodbridge Avenue and Clarence St. (56 Woodbridge Ave and 15 Clarence St.) given that the WCSP also restricts the development properties to one single driveway from Clarence Street.

We would also like to draw your attention to the conflicts between the CZBL Schedule A (Map 46) and the corresponding Table (8-5): Lot and Building Requirements for the KMS, WMS and MMS Zones. Map (46) shows 56 Clarence and 15 Woodbridge Avenue as WMS-S(4)-D(1.0), which means the maximum height is 4 storeys and the maximum density is a F.S.I of 1, whereas the table indicates that the lot and building requirements for the WMS zone are a maximum height of 11m and a density of " - ".

For background purposes and by comparison, in the WCSP, "Building Height Maximums- Schedule 4" (Attachment 3) indicates that 56 Woodbridge Avenue and 15 Clarence Street have a maximum height of 13m (4 Storeys). Further, "Density Plan- Schedule 3" (Attachment 4) refers to 56 Woodbridge Ave and 15 Clarence St. as D1.0 having a F.S.I of 1.0. The CZBL is consistent with "Density Plan-Schedule 3", however it is inconsistent with the "Building Height Maximums-Schedule 4".

The inconsistencies cause some confusion as to how height and densities shall be determined. We would ask that Staff clarify this in the wording of the by-law and advise us of same.

We would appreciate having the opportunity to discuss further to come to a resolution.

Yours Truly,

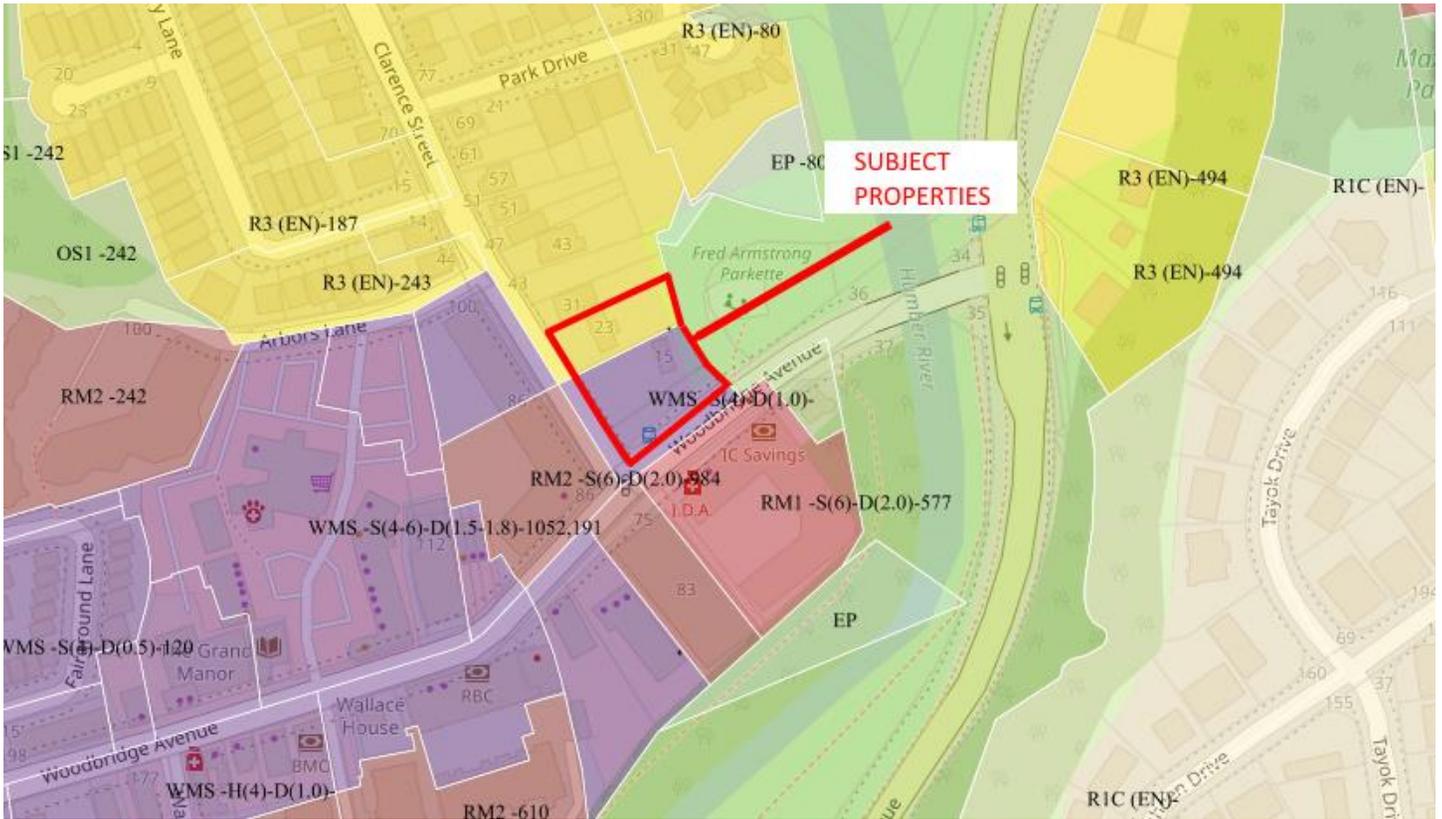
EMC GROUP LIMITED



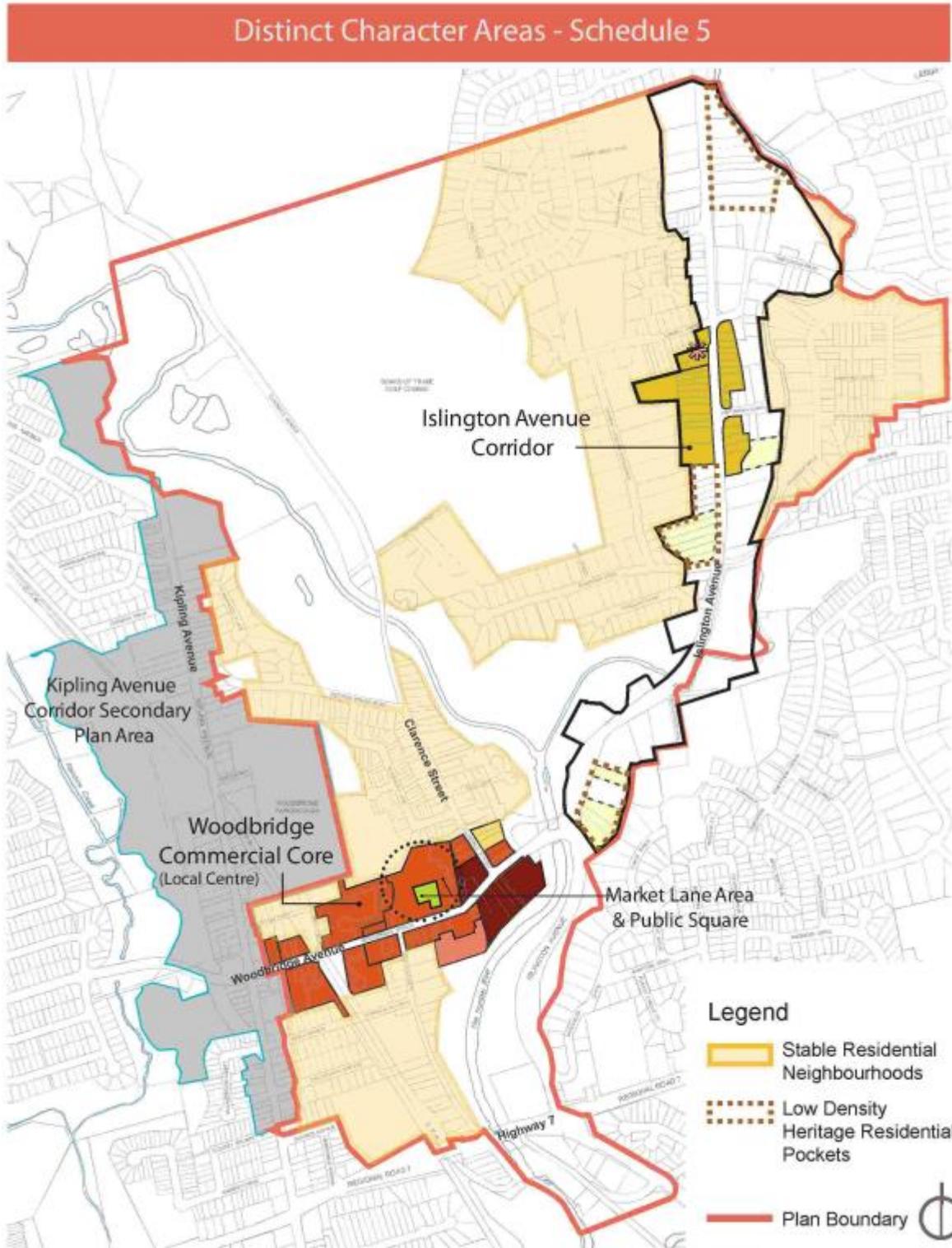
Nadia Zuccaro, MCIP, RPP
Planner

C: Tony Nicoletti

Figure 1: Subject Properties (56 Woodbridge Avenue, 15 and 23 Clarence Street)

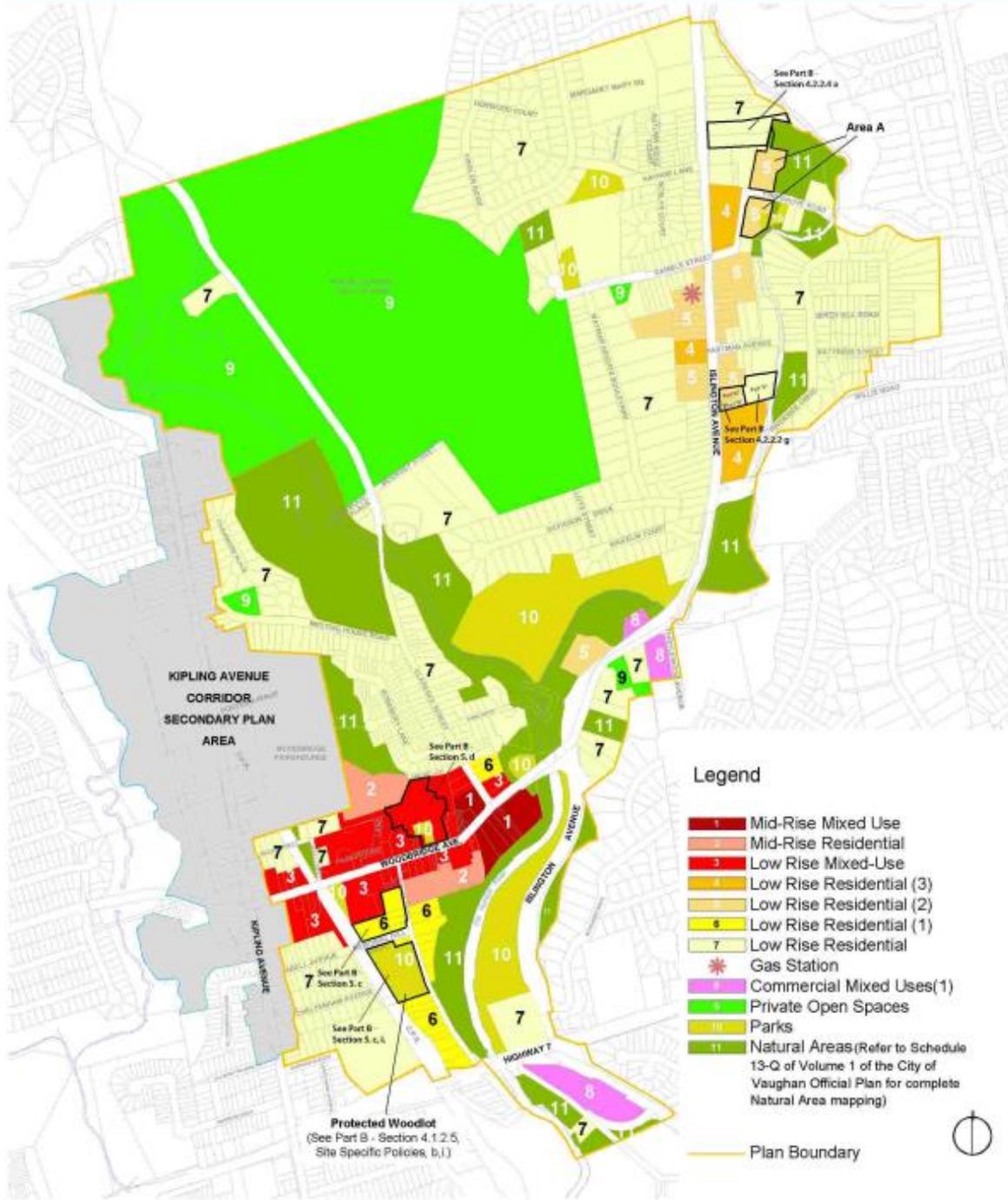


Attachment 1: WCSP – Distinct Character Areas - Schedule 5



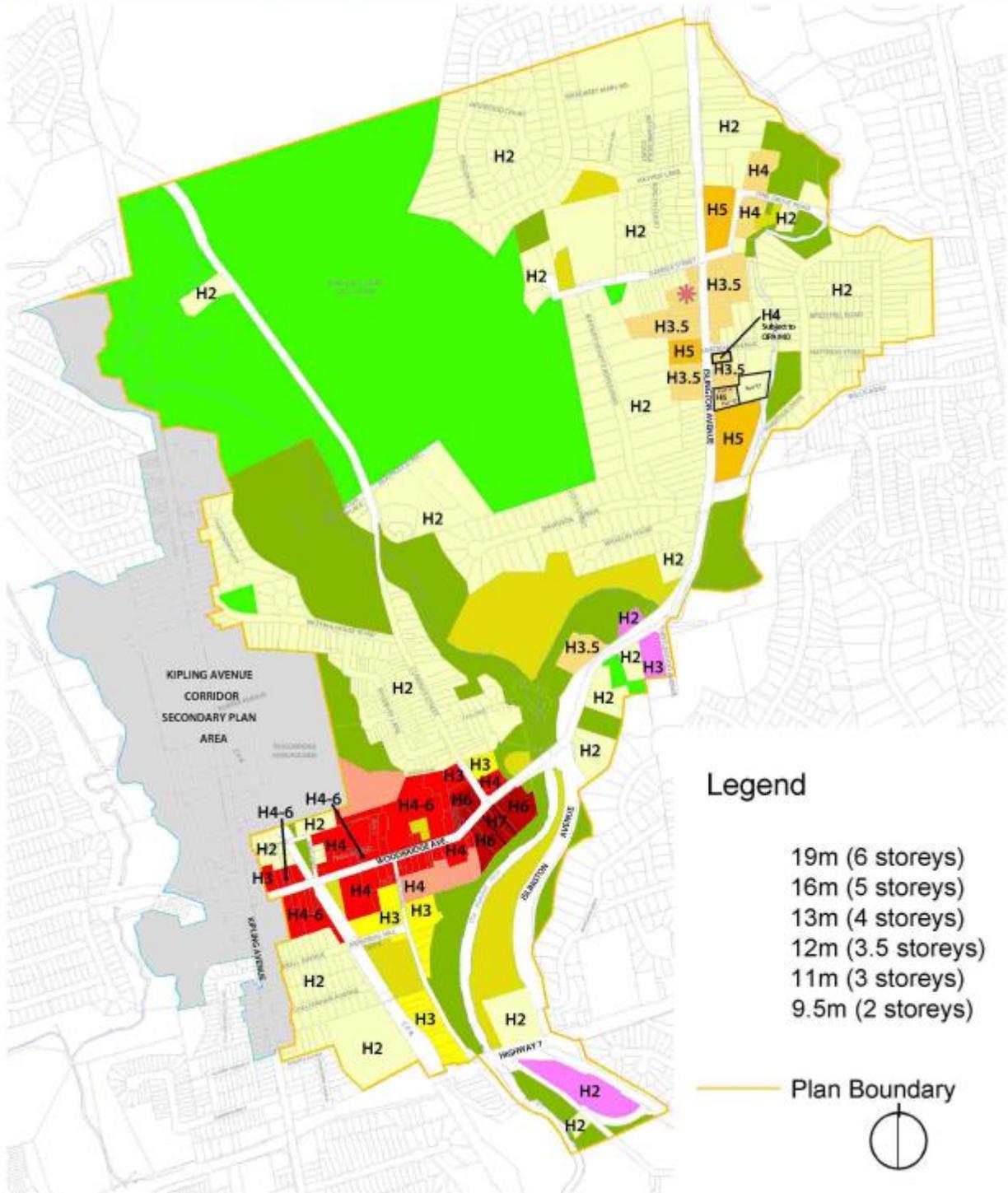
Attachment 2: WCSP– Land Use Plan- Schedule 2

Land Use Plan - Schedule 2



Attachment 3: WCSP- Building Height Maximums- Schedule 4

Building Height Maximums - Schedule 4





COMMUNICATION C20
ITEM NO. 10
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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klmplanning.com

KLM File: P-3092

October 12, 2021

c/o Todd Coles, City Clerk
City Clerk's Department
Vaughan City Hall
Ground Floor, South Wing
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Todd Coles, City Clerk, and Honourable Mayor & Members of Vaughan Council

RE: **COMMUNICATION - Wednesday October 13, 2021, 1:00 PM**
Committee of the Whole Meeting (2) -- ITEM #10
Applicant: Vaughan Baptist Church
Application: Site Development File DA.20.042
Location: Vicinity of Teston Road and Weston Road, Ward 3

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

I am writing this Communication to you on behalf of my client, the Vaughan Baptist Church ("VBC"), who owns lands at the southwest corner of Teston Road and Weston Road, and is proposing a Site Development Application to facilitate a new church with a Christian school and gymnasium uses. The church is to be built in two (2) phases over a 10 – 15 year period with site plan approval to be given to the ultimate development design at this time. The first phase will be one-storey in height with the second phase to include a two-storey addition on the south side of the building.

Our client is very pleased with the Planning Report and thank the City Planner and Deputy City Manager in working diligently with us to place this report on the October 13th agenda, together with the great assistance we received from Regional Councillor Linda Jackson and Local Councillor Rosanna DeFrancesca who also helped the VBC to resolve design issues with the TRCA and Region of York, which have now been rectified with the assistance of their respective staff. We thank all of these individuals for their assistance in making this project happen.

The purpose of this Communication is to correct a few items in the Planning Report as well as an incorrect figure on the applicant's site plan that requires adjustment to a few of the required zoning exceptions on Table 1 of the report, together with a few other items, which we would like the Committee and Council to adopt for the public record, as follows:

1. Zoning Exceptions Listed on Table 1

The applicant's site plan identifies the gross floor area ("GFA") of the church as 1,474.4 m², however, it has come to our attention from the architect that the correct GFA is 1,973.8 m² and was not changed on the latest site plan drawing. The correct ground floor area of the ultimate church building is also 1,484 m². A change is also required to correct the minimum landscape strip width along Teston Road. **This will require changes to Items d, e and f on Table 1 as follows:**

- d. Minimum Required Parking - Church: **5.77 parking spaces/100 m² GFA**
(1,973.8 m² GFA x 5.77 spaces/100 m² = 114 spaces)
- e. Maximum Lot Coverage - **23.4 %**
(1,484 m² Ground Floor Area / 6,335.2 m² Developable Lot Area = 23.4 %)

In addition, the minimum landscape strip width abutting Teston Road is listed in the Planning report as 4.4 m (at the northeast corner of the building and the daylighting triangle), however, it is actually 3 m in width along the north side of the church and should be correctly referenced as follows:

- f. Minimum Landscape Strip abutting a street – **3.0 m (Weston Road and Teston Road)**

KLM will be filing a Minor Variance Application to the Vaughan Committee of Adjustment on October 12, 2021 to seek the variances identified in Table 1 together with the revisions identified above in this Communication.

2. Broader Regional Impacts / Considerations

The Planning Report incorrectly identifies that the Region of York Engineering Department requirements for the driveway access is limited to a "right and left-in / right-out" access. On October 10, 2021, the Region of York provided the applicant with Regional standard drawings to have the access changed to reflect a "right-in / full movement out" access. **That is, "right-in / left and right-out" access, which will be reflected on the final set of site plan drawings.**

3. Conditions of Site Plan Approval on Attachment 1

The VBC purchased the subject property in 2019 from a non-participating landowner in the Block 40/47 Landowners Group. Accordingly, **the following additional condition of site plan approval should be added to Table 1 in the report as 1.j):**

- j) The Owner shall provide the City with a letter from the Trustee of the Block 40/47 Landowners Group to confirm that the Owner has fulfilled all cost sharing and other obligations of the Block 40/47 Landowners Group Cost Sharing Agreement.***

I will be attending the Committee of the Whole Meeting as a Deputant and can respond to any questions that the Committee may have at the meeting.

Respectfully submitted,

KLM PLANNING PARTNERS INC.



Grant Uyeyama, MCIP, RPP
Principal Planner

Copy to: Pastor Bill Adams, Vaughan Baptist Church
 Lionel Normand, Vaughan Baptist Church
 Fred Lorusso, Vaughan Baptist Church
 Anthony Cesario, Northcliffe
 Ryan Mino-Leahan, Partner, KLM Planning Partners Inc.
 Haiquig Xu, Vaughan Deputy City Manager, Planning and Growth Management
 Jennifer Kim, Vaughan Planner
 Catherine Saluri, Vaughan Zoning Examiner



COMMUNICATION C21
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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KLM File: P-3211

October 11, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: Hon. Mayor Bevilacqua & Members of Council

Re: Committee of the Whole – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
211859 Ontario Inc. C/O Canvas Developments.
Municipal Address: East side of Jane Street, east to Kayla Crescent, north of
Springside Road

Hon. Mayor Bevilacqua & Members of Council,

KLM Planning Partners Inc. is the land use planner for 211859 Ontario Inc. C/O Canvas Developments. (the “**Owner**”), the owners of the above noted lands in reviewing the Draft City-wide Comprehensive Zoning By-law (the “**CZBL**”). The lands are located east side of Jane Street, east to Kayla Crescent and immediately north of Springside Road (the “**Subject Lands**”). The CZBL proposes to rezone these two parcels from C2(H0 Neighbourhood Commercial to GMU (H) -755 General Mixed Use and from RV4 to R4A(EN)-755, respectively.

As per our previous submission of October 29, 2020; both parcels should be considered for a higher density residential zone category given location of the parcels on Jane Street directly across from Wonderland, also given the fact that Jane Street is main transit corridor leading directly to the new subway station located in the north east quadrant of Jane Street and Highway 7.

Furthermore, the CZBL should consider permitting the following uses on the Subject Lands and other appropriate locations throughout the City of Vaughan to encourage a range of housing options and the ability for residents to age in place within their communities:

- Retirement residence;
- Long term care facility
- Supportive living facility; and
- Independent living facility

We look forward to the opportunity to engage in a collaborative discussion with Council and City staff to ensure the Subject Lands are appropriately zoned.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Virtanen, MCIP, RPP
PARTNER

cc: Lucio Polsinelli, 211859 Ontario Inc. C/O Canvas Developments
Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brendan Correia, Manager, Special Projects



P-3010, 3011, 3012

October 11, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
Development Planning Department

COMMUNICATION C22
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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Concord, Ontario
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T. 905.669.4055
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klmplanning.com

Sent by Email: clerks@vaughan.ca

Attn: Hon. Mayor Bevilacqua & Members of Council

Re: Committee of the Whole – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
City-Wide Comprehensive Zoning By-law (“CZBL”)
The Corporation of the City of Vaughan
Anatolia Block 59 Developments Limited
Application File No’s: 19T-18V009 & DA.18.065, 19T-18V011 & DA.18.067 and 19T-18V010 & DA.18.066
Related Files No: BL.59.2018, Z.18.025, Z.18.027 & Z.18.026
8811 Huntington Road, 9151 Huntington Road and 6560 & 6880 Langstaff Road and 8555 Huntington Road

Hon. Mayor Bevilacqua & Members of Council,

KLM Planning Partners is pleased to submit the following on behalf of our client, **Anatolia Block 59 Developments Limited** with respect to the above noted lands (the “Subject Lands”). We have reviewed the Committee of the Whole (2) Report and recommendation with respect to the above noted agenda item and we are concerned with how the proposed City-wide Comprehensive Zoning By-law may impact the Subject Lands.

Our client has Council approved Site Development Applications and approved site-specific zoning by-law amendments. However, not all building permits have yet been obtained nor have their draft plans been approved. Furthermore, our client has relied on By-law 1-88, as amended in designing and marketing their proposed buildings. The site-specific zoning by-law amendments for the Subject Lands amend the provisions of By-law 1-88, conforms to the Vaughan Official Plan 2010, represents good planning and were approved by Vaughan Council. We are not satisfied that the new provisions will allow the registration of our clients’ Site Plans, and Plans of Subdivision and issuance of building permits for the Subject Lands as permitted by By-law 1-88, as amended.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the base zone requirements of the CZBL which has different provisions, additional provisions and different definitions than By-law 1-88. Furthermore, based on our review of Schedule A – Maps 82, 100 and 118 and Section 14 – Exceptions of the CZBL – **it appears that the CZBL does not reflect the site-specific Zoning By-law's that were approved by Council on January 26th, 2021.**

With respect to the Transition clauses of the CZBL, we do not believe the provisions will ensure draft approved plans of subdivision that have not been registered, in part or in whole, and where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we continue to request that the Subject Lands be left out of the new CZBL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state “The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval.”

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Sincerely,

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Virtanen, MCIP, RPP
Partner

cc: Bekir Elmaagacli, Anatolia Block 59 Developments Limited
Baran Yilmaz, Anatolia Block 59 Developments Limited
Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brendan Correia, Manager, Special Projects



COMMUNICATION C23
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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klmplanning.com

KLM File: P-3106

October 11, 2021

City of Vaughan
Building Standards Department
2141 Major Mackenzie Dr W
Vaughan, ON L6A 1T1

Attention: Hon. Mayor Bevilacqua & Members of Council

Re: Committee of the Whole – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
Lionston Developments Inc.
City File No's. PAC.21.071
Municipal Address: Cityview Boulevard, City of Vaughan
Legal Description: Part of the West Half of Lot 21, Concession 5, City of Vaughan,
Region of York

Hon. Mayor Bevilacqua & Members of Council,

KLM Planning Partners Inc. is the land use planner for Lionston Developments (the “**Owner**”), the owners of the above noted lands to review the Draft City-wide Comprehensive Zoning By-law (the “**CZBL**”). The lands are located north of Retreat Boulevard on the east side of Cityview Boulevard and west of Highway 400 (the “**Subject Lands**”). The Subject Lands are located within Planning Block 33 West. Several PAC meetings dealing with the Subject Lands have been held with City staff, with developments that contemplate a Hotel use. The Owner is currently readying an application for site plan approval that will include a Hotel use which is currently permitted by By-law 1-88, as amended.

We understand the City of Vaughan (the “**City**”) is undertaking a City-wide comprehensive review of its Zoning By-law to create a progressive By-law with updated, contemporary uses and standards. One of the stated intents of the CZBL is to recognize site-specific approvals that have already gone through a public statutory approval process, and to minimize legal nonconformity to the greatest extent possible.

However, with respect to currently permitted uses, we do not feel it is appropriate that uses that are currently permitted under By-law 1-88, as amended, are not carried over in the CZBL.

My client has gone through significant expense in readying their application for site plan approval that includes a Hotel use as currently permitted by By-law 1-88, however that use is not permitted under the CZBL.

With respect to the Transition clauses of the CZBL, we do not believe the provisions will ensure Site Plan Applications that have not been deemed complete and where building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern.

In light of the above, we request that the currently permitted uses for the Subject Lands be brought forward to CBZL to facilitate the contemplated development which includes Hotel uses or that the transition policies be revised to include lands that are subject to current PAC applications.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

KLM Planning Partners Inc.



Ryan Virtanen, BES, MCIP, RPP

Partner

cc: Ravi Prasher, Lionston Developments Inc.
Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brendan Correia, Manager, Special Projects



COMMUNICATION C24
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

64 Jardin Drive, Unit 1B
Concord, Ontario
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klmplanning.com

KLM File: P-3099

October 12, 2021

c/o Todd Coles, City Clerk
City Clerk's Department
Vaughan City Hall
Ground Floor, South Wing
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Todd Coles, City Clerk, and Honourable Mayor & Members of Vaughan Council

RE: **COMMUNICATION - Wednesday October 13, 2021, 1:00 PM**
Committee of the Whole Meeting (2) -- ITEM #9
Applicant: City of Vaughan
Application: New City-Wide Comprehensive Zoning By-law

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

I am writing this Communication to you on behalf of my client, the **ZZEN Group of Companies Limited ("ZZEN")**, who has several landholdings throughout the City of Vaughan, to which I am writing about, in response to the City-Wide Comprehensive Zoning By-law Review (October 5, 2021 Version) planning report and the draft zoning by-law and site-specific exceptions that were released to the public last week for consideration by the Committee of the Whole on Wednesday October 13, 2021 with the implementing zoning by-law scheduled to be enacted at the Council Meeting of October 20, 2021.

KLM Planning Partners Inc. ("KLM") and **ZZEN** have been communicating with Brandon Correia - the Manager of Special Projects overseeing the City-Wide Comprehensive Zoning By-law Review, over the past two years to review, discuss and resolve many of ZZEN's zoning concerns, which we appreciate. **However, a few zoning items remain unresolved including some items that have not been properly incorporated into the site-specific exceptions section of the zoning by-law (Section 14) as was earlier confirmed in writing by Brandon back on May 20, 2021.** These negotiated site-specific exceptions were inadvertently omitted from the June 2021 version, and partially omitted in the October version, which also include schedules and text that have not been corrected or have been incorrectly inputted into the recent by-law document.

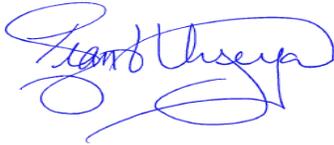
Our client requests that the implementation of the new zoning by-law BE DEFERRED to allow additional time to discuss the outstanding zoning matters with Brandon Correia to ensure the text and schedules are properly included within the zoning by-law prior to its enactment.

Our client reserves their right to appeal the zoning by-law should the City-Wide Comprehensive Zoning By-law proceed to be enacted in its current state.

We look forward to further discussions with Brandon Correia to successfully resolve ZZEN's concerns.

Respectfully submitted,

KLM PLANNING PARTNERS INC.



Grant Uyeyama, MCIP, RPP
Principal Planner

Copy to: Joseph Sgro, General Manager, Director, ZZEN Group of Companies Limited
Sam Speranza, Director of Development, ZZEN Group of Companies Limited
Mark Yarranton, Partner, KLM Planning Partners Inc.
Haiquig Xu, Vaughan Deputy City Manager, Planning and Growth Management
Brandon Correia, Manager, Special Projects

AIRD BERLIS

Leo F. Longo
Direct: 416.865.7778
E-mail: llongo@airdberlis.com

COMMUNICATION C25

ITEM NO. 9

COMMITTEE OF THE WHOLE (2)

October 13, 2021

October 12, 2021

File No. 168182

By E-Mail

Mayor & Council Members
City of Vaughan
Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Attention: Todd Coles, City Clerk

Dear Sirs/Mesdames:

**Re: New Comprehensive Zoning By-Law 1-2021 ("CZBL")
Exception 14.376
270 Stegman's Mill Road, Kleinberg**

We have recently been retained by the owner of the above-captioned property in regard to the proposed CZBL, especially exception section 14.376.

The subject property is a lawful conveyable lot which is currently vacant; see attached sketch. Our client intends to construct a single detached dwelling on this lot.

At a recent Pre-Application Consultation Meeting (PAC.21.098) with our client's architect, referencing the current site-specific exemption in By-Law 1-88, City staff advised:

"The Subject Lands are zoned "OS1 Open Space Conservation Zone" and "RR Rural Residential Zone", subject to site-specific exception 9(628) by Zoning By-law 1-88. Lands zoned "RR Rural Residential Zone" permit a single-family detached dwelling on the subject lands. The proposed development conforms to Zoning By-law 1-88."

We understand it is the intent of the CZBL to carry forward this site-specific permission.

Our client wishes to construct a single detached dwelling on its property within the building envelope as generally depicted on the attached sketch [which uses s. 14.376.3 as its base]. We request that the CZBL explicitly acknowledge and permit this construction and use.

We do not want the CZBL to negatively affect or prejudice our client's existing development rights.

October 12, 2021
Page 2

We would be pleased to discuss this with City staff. Should you require any further information or clarification respecting this submission, please advise.

Yours truly,

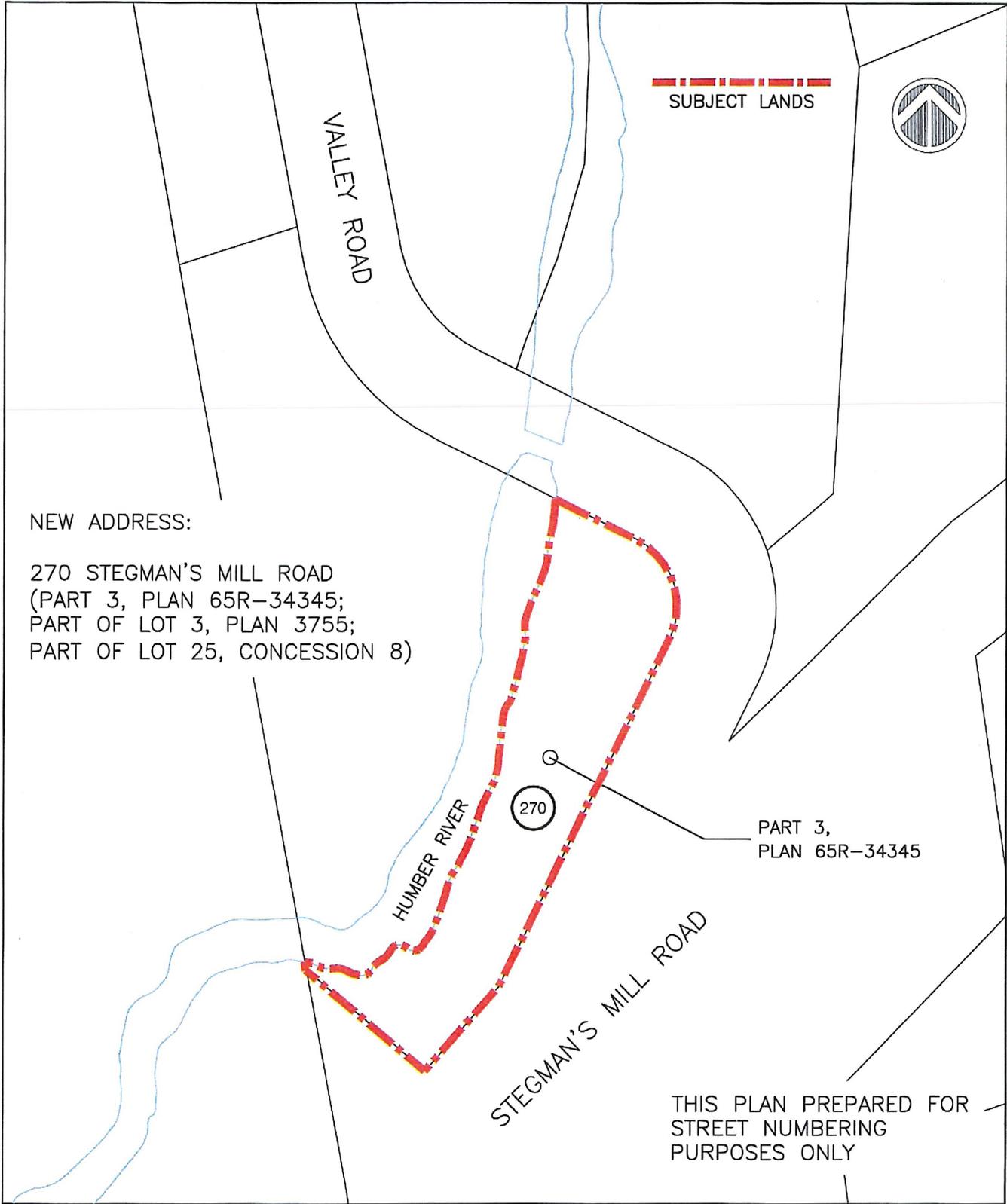
AIRD & BERLIS LLP



Leo F. Longo
Partner

LFL/ek

cc. City's Official Plan Manager
Crisina Bruce, Director of Policy, Planning & Special Programs
Client
David Medhurst
46173785.1



PART 3
plan 65r - 34345

PLAN 03367 - 0072
Subject To All Easements
As to Particulars See 15/00000

HUMBER RIVER
(Unpatented Crown Land)
(No PLAN Assigned)

BRIDGE

2 STOREY
SINGLE FAMILY
DETACHED DWELLING
F.F.E = 193.75

STEGMAN'S MILL ROAD
(Formerly Kleinburg Sideroad By Registered Plan 3755)
P.L.N. 03367 - 0104

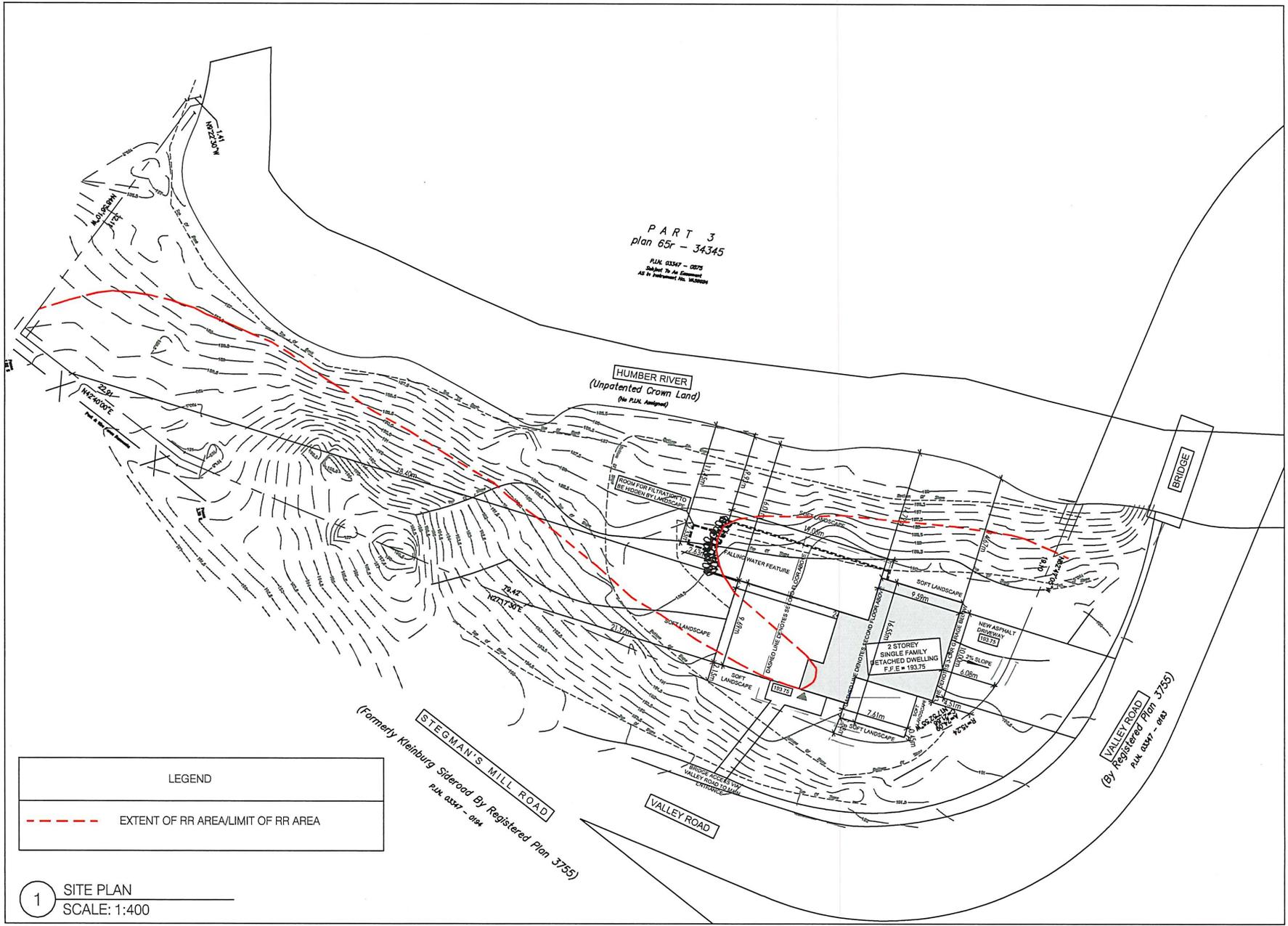
VALLEY ROAD
(By Registered Plan 3755)
P.L.N. 03367 - 0103

VALLEY ROAD

LEGEND

--- EXTENT OF RR AREA/LIMIT OF RR AREA

1 SITE PLAN
SCALE: 1:400



COMMUNICATION C26
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

October 12, 2021

File No.: 127446-628

Mr. Todd Coles
City Clerk
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. Coles:

Re: **City of Vaughan Comprehensive Zoning By-law Review**
Canadian National Railway Company (“CN”)

We are counsel for CN. I am writing further to our correspondence and call with Brandon Correia, Manager of Special Projects, Planning and Growth. Please ensure that this letter, is provided to the Committee of the Whole members, in advance of their Wednesday, October 13th, 2021 meeting at 1:00 P.M.

CN owns and operates the MacMillan Rail Yard (the “MacMillan Yard”) in the City of Vaughan, as well as a network of rail lines throughout the City. CN reviewed the updated draft Comprehensive Zoning By-law dated September 2021. We thank Mr. Correia for his time and consideration of the concerns raised by CN. However, CN continues to have outstanding concerns regarding the range of land uses permitted in proximity to the MacMillan Yard. In particular, CN is concerned with the Employment Commercial Mixed-Use Zone (“EMU”), and other sensitive use type zoning designations near the MacMillan Yard along Highway 7. The EMU designation, among others, will permit the development of certain sensitive uses within close proximity to the MacMillan Yard.

As you may know, the MacMillan Yard is an industrial rail yard, operating 24 hours per day, seven days per week. It is a Class 3 Industrial Facility, as defined in the Ministry of the Environment, Conservation and Parks’ D-Series Guidelines. Operations at the MacMillan Yard include, but are not limited to:

- Operation and idling of diesel locomotives and trucks;
- 24 hour per day artificial lighting;
- Loading, unloading, and switching of rail cars;
- Bulk transfer of cargo, including dangerous goods; and
- Various activities related to the maintenance and repair of rail and other equipment.

The nature of the operations at the MacMillan Yard, and their associated noise and other emissions, are wholly incompatible with sensitive uses. No sensitive uses should be permitted within 300 metres of the

MacMillan Yard. Further, the coordination of land uses along railway corridors poses a unique set of challenges. The Federation of Canadian Municipalities and the Railways Association of Canada (FCM-RAC) Guidelines recommend that municipalities take a proactive approach to identifying potential land use conflicts. By addressing these issues in the zoning by-law stage, the City of Vaughan can mitigate conflict.

CN appreciates the work City staff have completed to date, to address concerns. The current version of the September 2021 draft Comprehensive Zoning By-Law incorporates some of CN's comments. Whereas CN recommended, based on a number of guidelines, that sensitive land uses be set back over 300m from the MacMillan Yard, the draft Zoning By-law only ensures that certain uses are not permitted to abut (i.e. be directly adjacent to) a freight rail facility (section 8.2.1). In some instances, this could lead to a setback of a sensitive use by as little as one lot, which can vary greatly in size. These provision could be meaningfully strengthened and standardized by establishing the setback at 300m or more.

In addition, the range of uses addressed by the draft Zoning By-law is not as comprehensive as CN's recommendations, which are informed by the D-6 Guidelines, and the FCM-RAC Guidelines. While section 8.2.1 of the draft by-law no longer permits a Funeral Service, Hotel, Place of Assembly, Apartment Dwelling, Independent Living Facility, Retirement Residence, Community Facility, Day Care Centre, Long-term Care Facility, Place of Worship or School to abut a freight rail facility in the LMU, MMU, HMU, GMU, CMU or EMU Zones, it does not address the following sensitive uses: A Clinic, Commercial School, Place of Entertainment, Cemetery, Outdoor Display Area, Seasonal Outdoor Display Area, Urban Square or Outdoor Patio. Notably, section 1.2.1 of the D-6 Guidelines identifies recreational uses and amenity spaces as potentially-sensitive uses. Finally, as noted above, section 8.2.1 only applies to the City of Vaughan's Mixed-Use (LMU, MMU, HMU, GMU, CMU and EMU) Zones. The restrictions should apply to Open Space (OS1 and OS2) Zones as well, as these Zones permit outdoor recreation, leisure and environmentally-sensitive uses, and pose a potential risk for land use conflict.

A strong regulatory framework within the Comprehensive Zoning By-law is necessary to ensure that the introduction of sensitive uses in proximity to the MacMillan Yard is not be permitted. The existing and future operations at the MacMillan Yard must be protected, and future land use conflicts must be avoided.

The following section summarizes CN's proposed revisions to the City of Vaughan draft Comprehensive Zoning By-Law. The comments highlighted in yellow are addressed in the most recent version of the draft by-law. The comments that are not highlighted have not yet been addressed.

Proposed Revisions

Part 1 – Uses Prohibited

4.27 Freight Rail Facilities

4.27.1. The following uses are strictly prohibited in the General Mixed Use (GMU), Community Commercial Mixed Use (CMU), Open Space (OS) and Employment Commercial Mixed Use (EMU) zones when within 300 meters of a freight rail facility property line unless otherwise expressly permitted by the By-law:

1. Clinic
2. Commercial School

3. Funeral Services
4. Hotel
5. Hotel (small scale)
6. Day Care Centre
7. Community Facility
8. Place of Worship
9. Place of Assembly
10. Places of Entertainment
11. Cemetery
12. Outdoor Display Area
13. Seasonal Outdoor Display Area
14. Urban Square
15. Outdoor Patio

4.27.2. The following uses are strictly prohibited in the Prestige Employment (EM1) and General Employment (EM2) zones when within 300 meters of a freight rail facility property line unless otherwise expressly permitted by the By-law:

1. Day care centre
2. Commercial School

Suggested Information Box similar to other information boxes: 300 metre Freight Rail Facility setback from the property line is identified on Schedule A for information purposes.

Note: A standalone section was not added for Freight Rail Facilities, but rather the restrictions were incorporated into the table of permitted uses for Mixed-Use Zones.

Part 2 – Definition

Freight Rail Facility: Means a premises where operations of a railway take place, which may include switching and sorting of railcars; repair, fueling and maintenance of railway equipment; and an intermodal facility.

Part 3 – Mapping

300 m around the freight rail yard from Jane Street (pullback track) to south of Highway 407. See shaded area on enclosed figures. Note proposed legend: “Freight Rail Facility 300 m Setback Overlay”.

Part 4 (Solmar) – CMU 888

Section 14.888.1.2 - Add “e. Prohibitions listed in Section 4.27”

Section 14.888.2.9.a – Change to 50 m

Section 14.888.2.11 – Remove Hotel reference

As mentioned, the Comprehensive Zoning By-law review (Agenda Item 6.9) is returning to the Committee of the Whole on Wednesday, October 13th, 2021, after being referred from the June 22nd, 2021 Council Meeting. We look forward to working with staff and the Committee Members to further address CN's concerns regarding land use compatibility and the Comprehensive Zoning By-law review.

If you have any questions regarding the above, please do not hesitate to contact the undersigned.

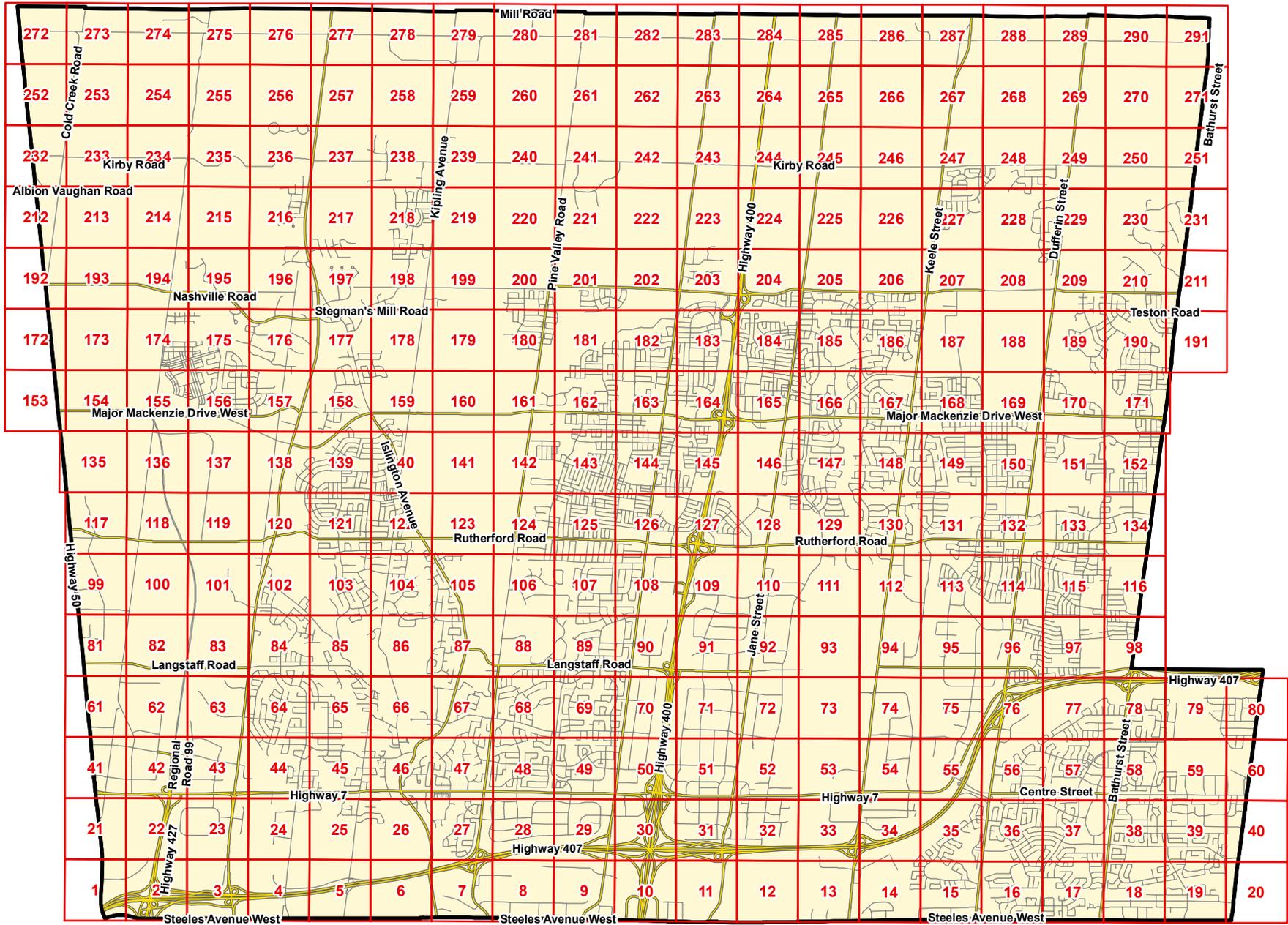
Yours truly,

Dentons Canada LLP

DocuSigned by:

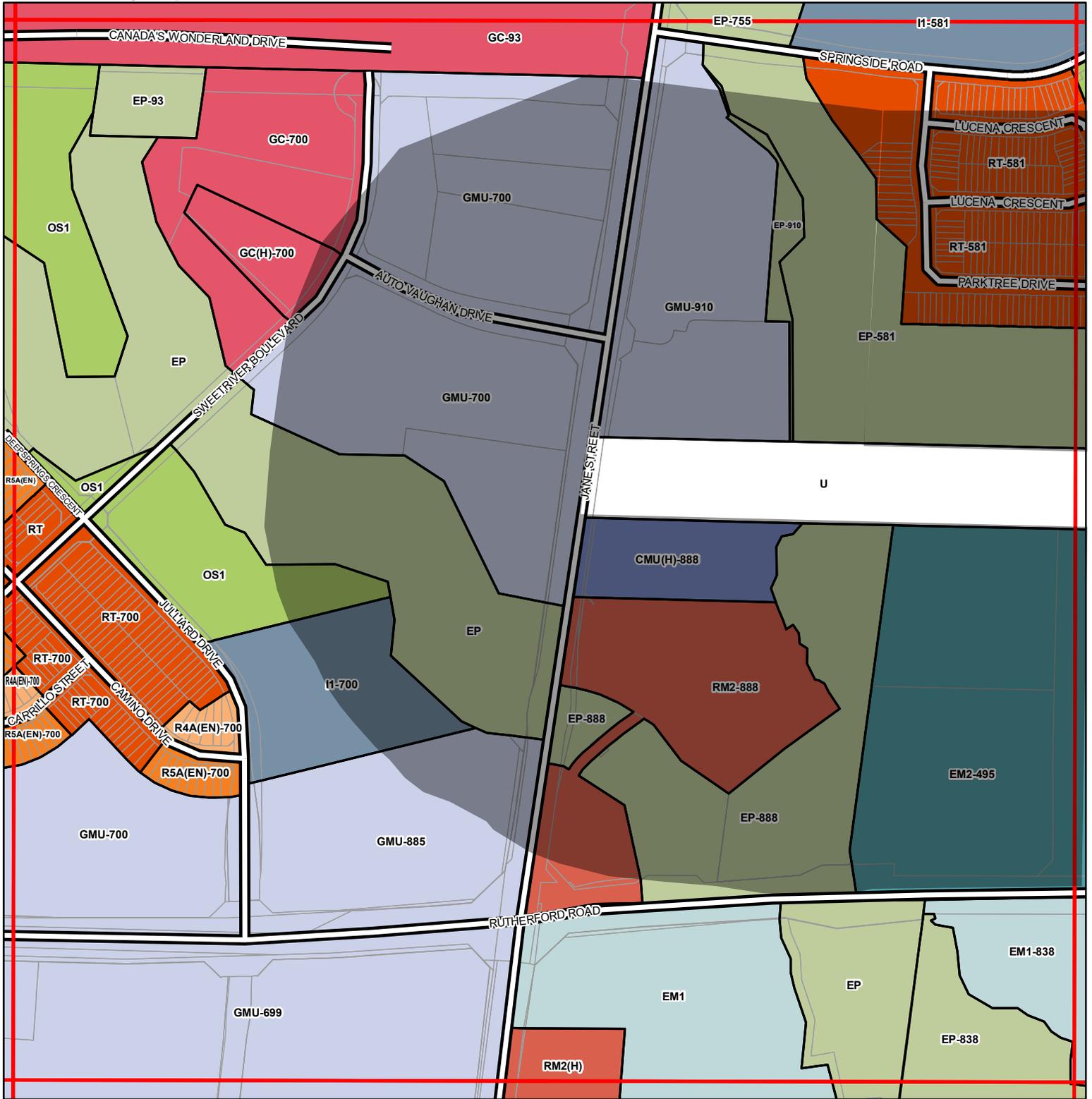
50FD4EBF1970402...
Mary Ellen Bench
Counsel

Encl: Schedule A: Mapping - CN Proposed Revisions to address Freight Rail (300 metre mark up)



Zoning By-law 01- 2021

Schedule A | Map 128



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
- EP (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
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Residential Zones

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- LMU (Low-Rise Mixed-Use Zone)
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- EM1 (Prestige Employment Zone)
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Other Zones

- I1 (General Institutional Zone)
- I2 (Major Institutional Zone)
- U (Utility Zone)
- FD (Future Development Zone)
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- PB2 (Parkway Belt Complementary Use Zone)
- PB3 (Parkway Belt West Recreational Zone)
- Freight Rail Facility 300m Setback Overlay

These lands shall not be subject to Zoning By-law 2021-01

163	164	165	166	167
144	145	146	147	148
126	127	128	129	130
108	109	110	111	112
90	91	92	93	94

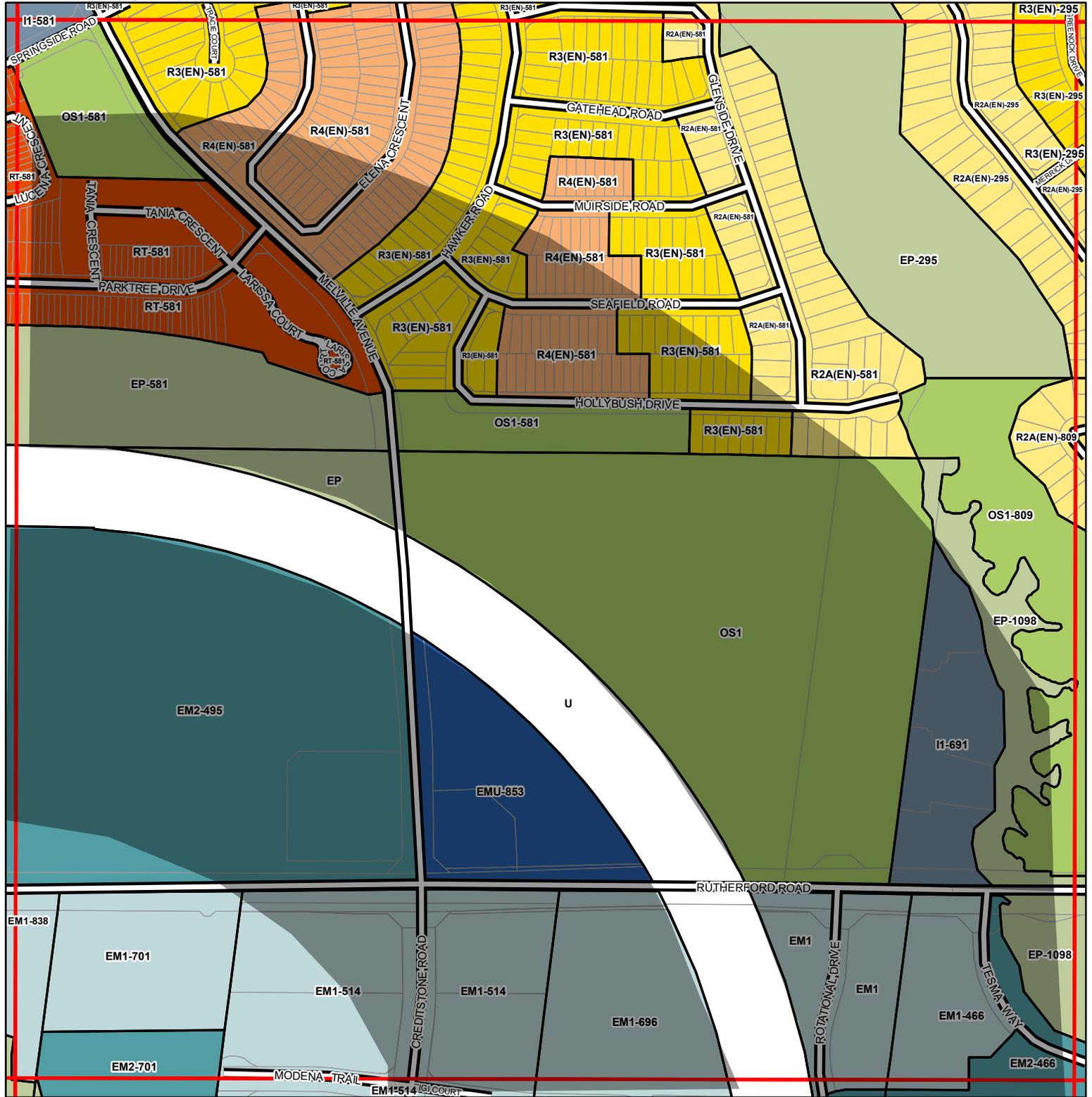


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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 129



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
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		164	165	166	167	168
		145	146	147	148	149
127	128	129	130	131		
109	110	111	112	113		
91	92	93	94	95		

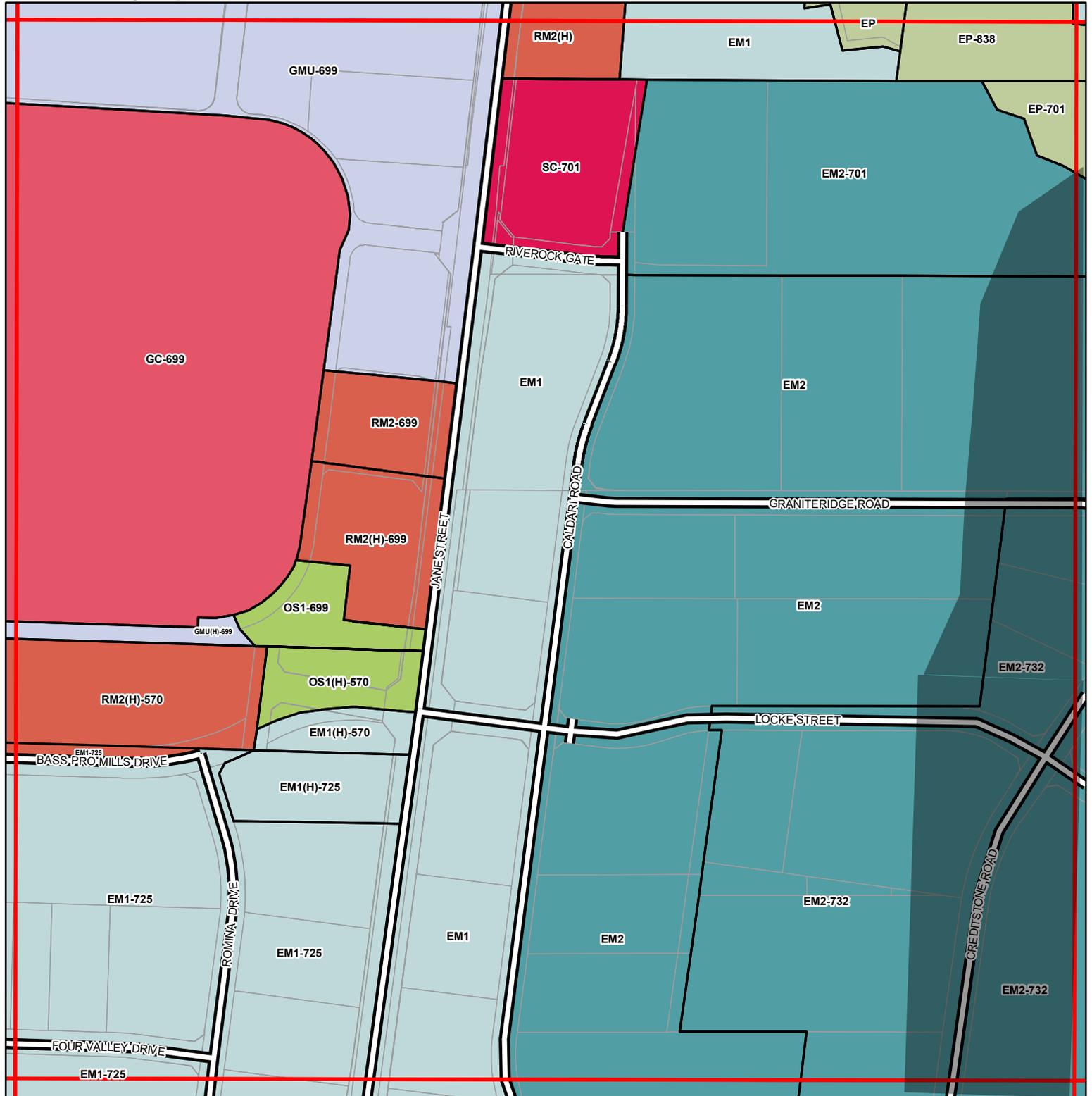


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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 110



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
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Vaughan Metropolitan Centre Zones

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Other Zones

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- PB2 (Parkway Belt Complementary Use Zone)
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- Freight Rail Facility 300m Setback Overlay

These lands shall not be subject to Zoning By-law 2021-01

144	145	146	147	148
126	127	128	129	130
108	109	110	111	112
90	91	92	93	94
70	71	72	73	74

Final: May, 2021



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Zoning By-law 01- 2021

Schedule A | Map 111



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
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145	146	147	148	149
127	128	129	130	131
109	110	111	112	113
91	92	93	94	95
71	72	73	74	75

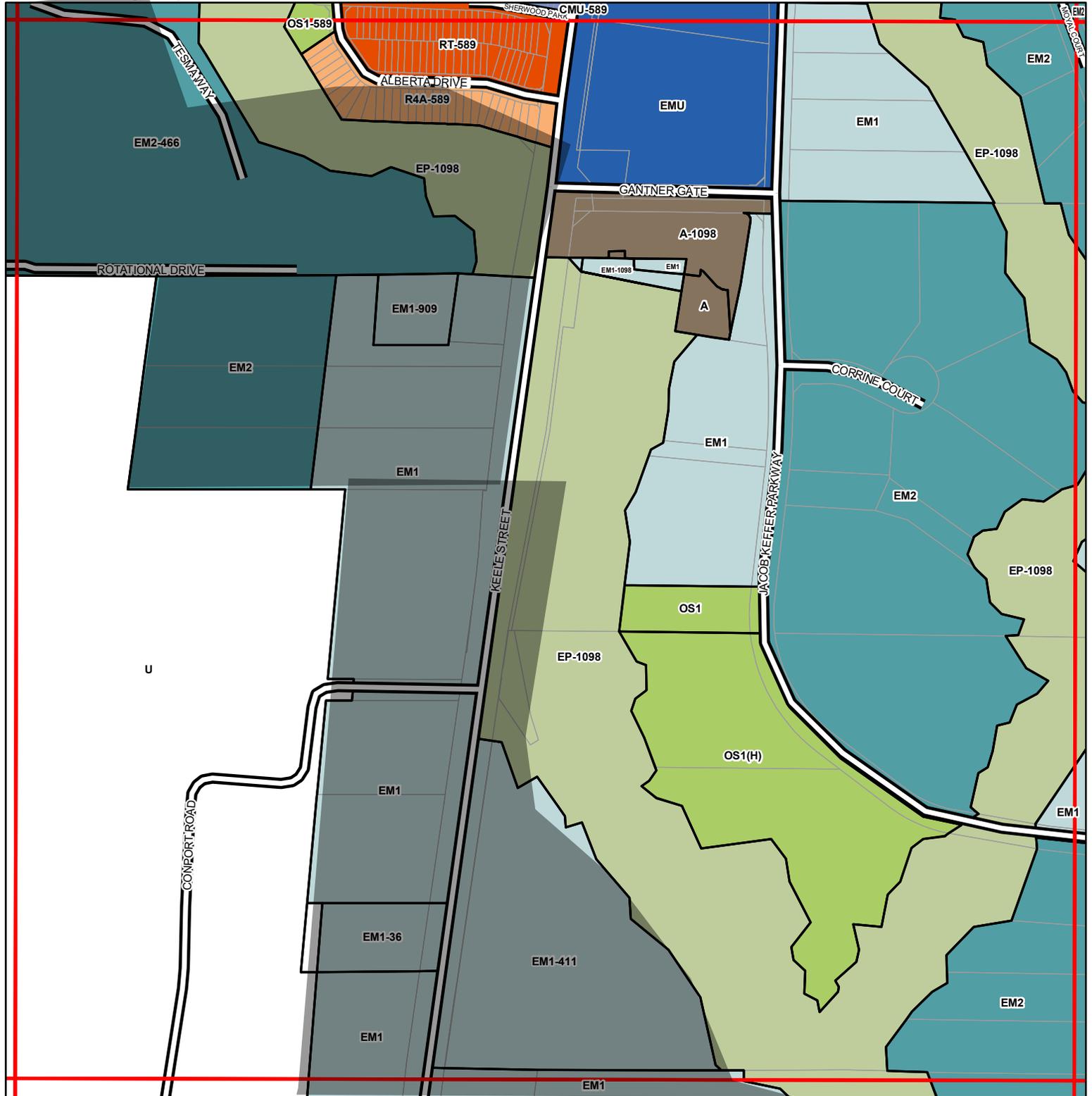
Final: May, 2021



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Zoning By-law 01- 2021

Schedule A | Map 112



Conservation, Open Space and Agricultural Zones

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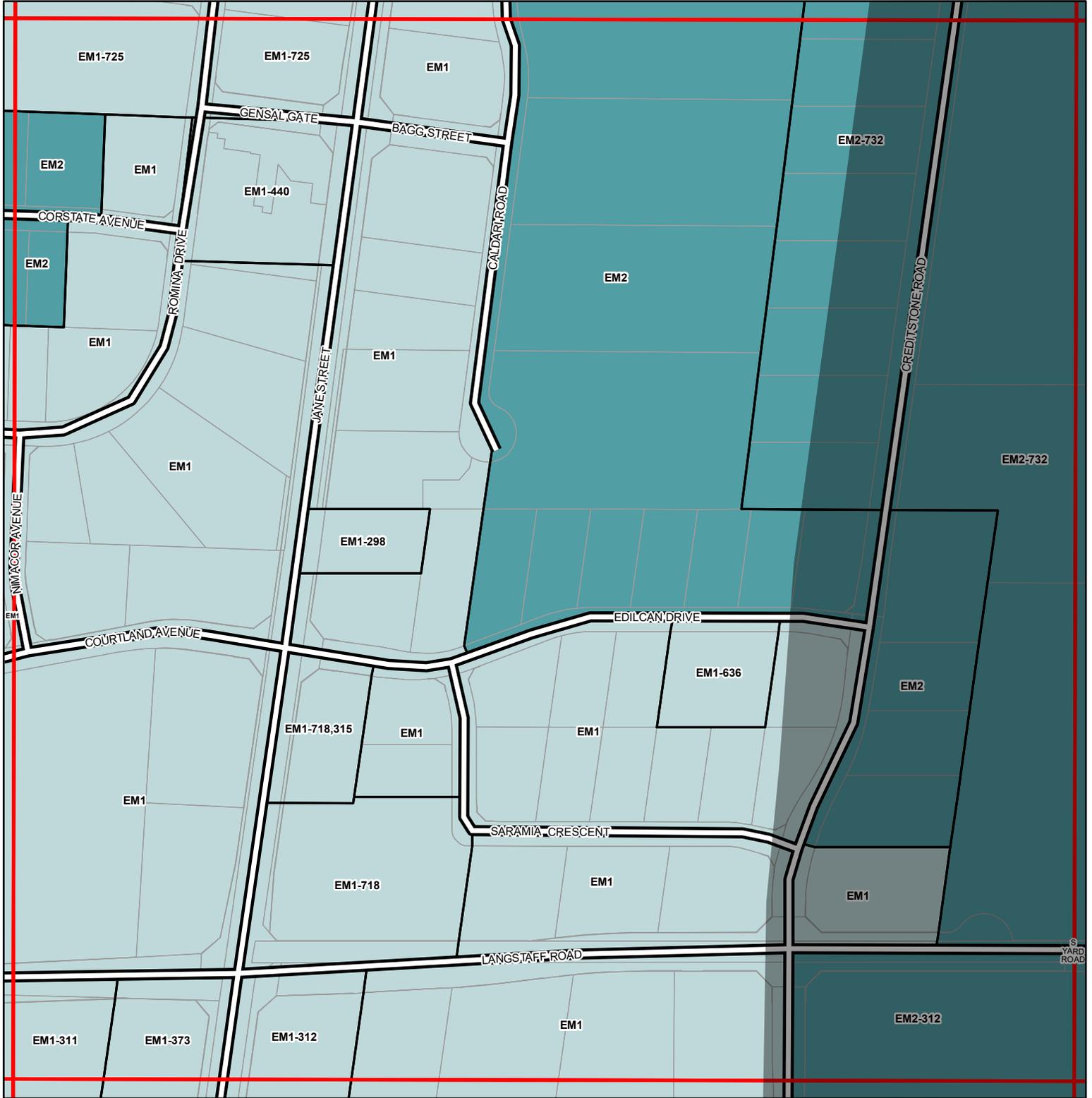
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110	111	112	113	114
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72	73	74	75	76

Final: May, 2021



Zoning By-law 01- 2021

Schedule A | Map 92



Conservation, Open Space and Agricultural Zones

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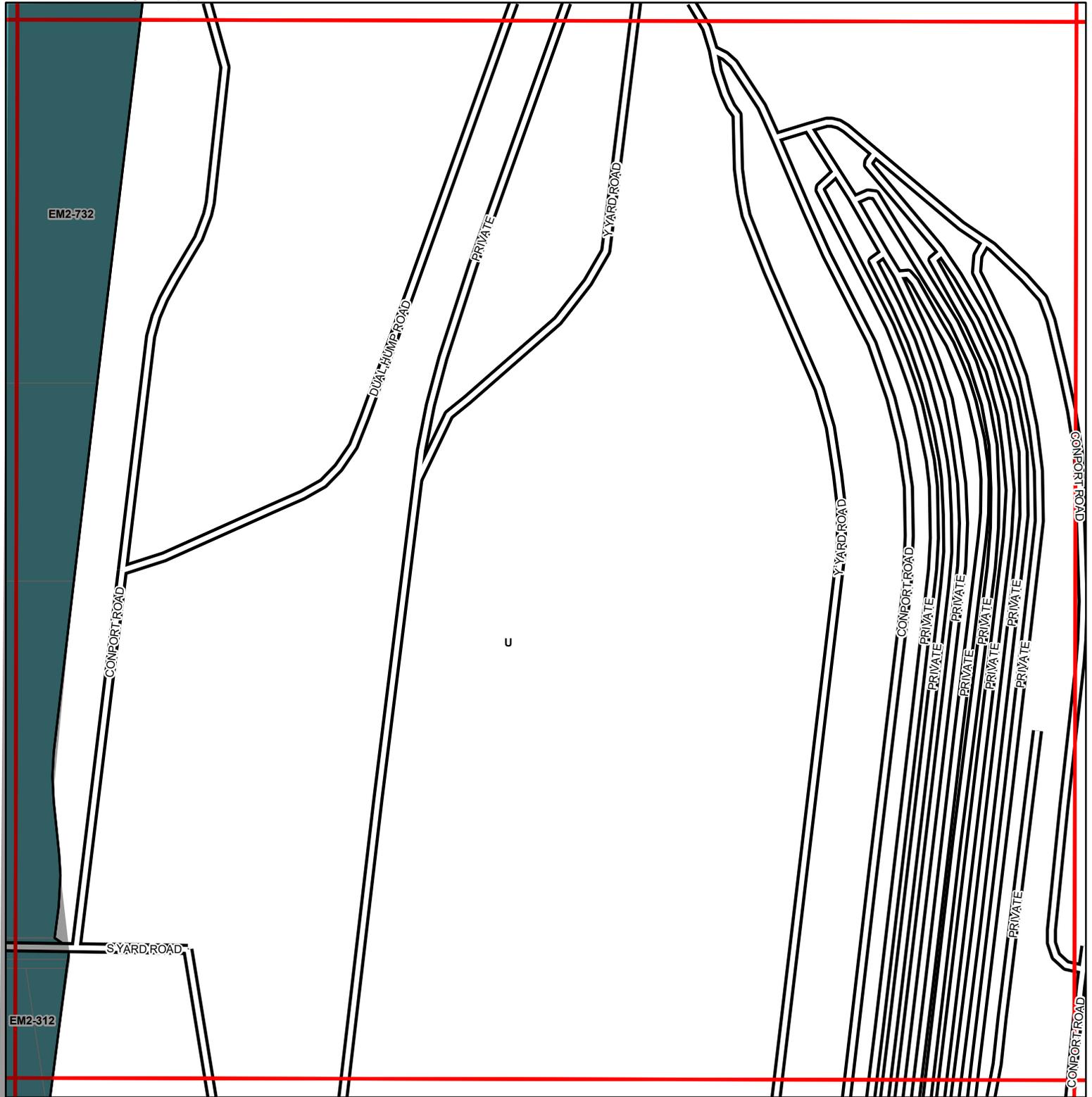
These lands shall not be subject to Zoning By-law 2021-01

126	127	128	129	130
108	109	110	111	112
90	91	92	93	94
70	71	72	73	74
50	51	52	53	54

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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 93



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127	128	129	130	131
109	110	111	112	113
91	92	93	94	95
71	72	73	74	75
51	52	53	54	55

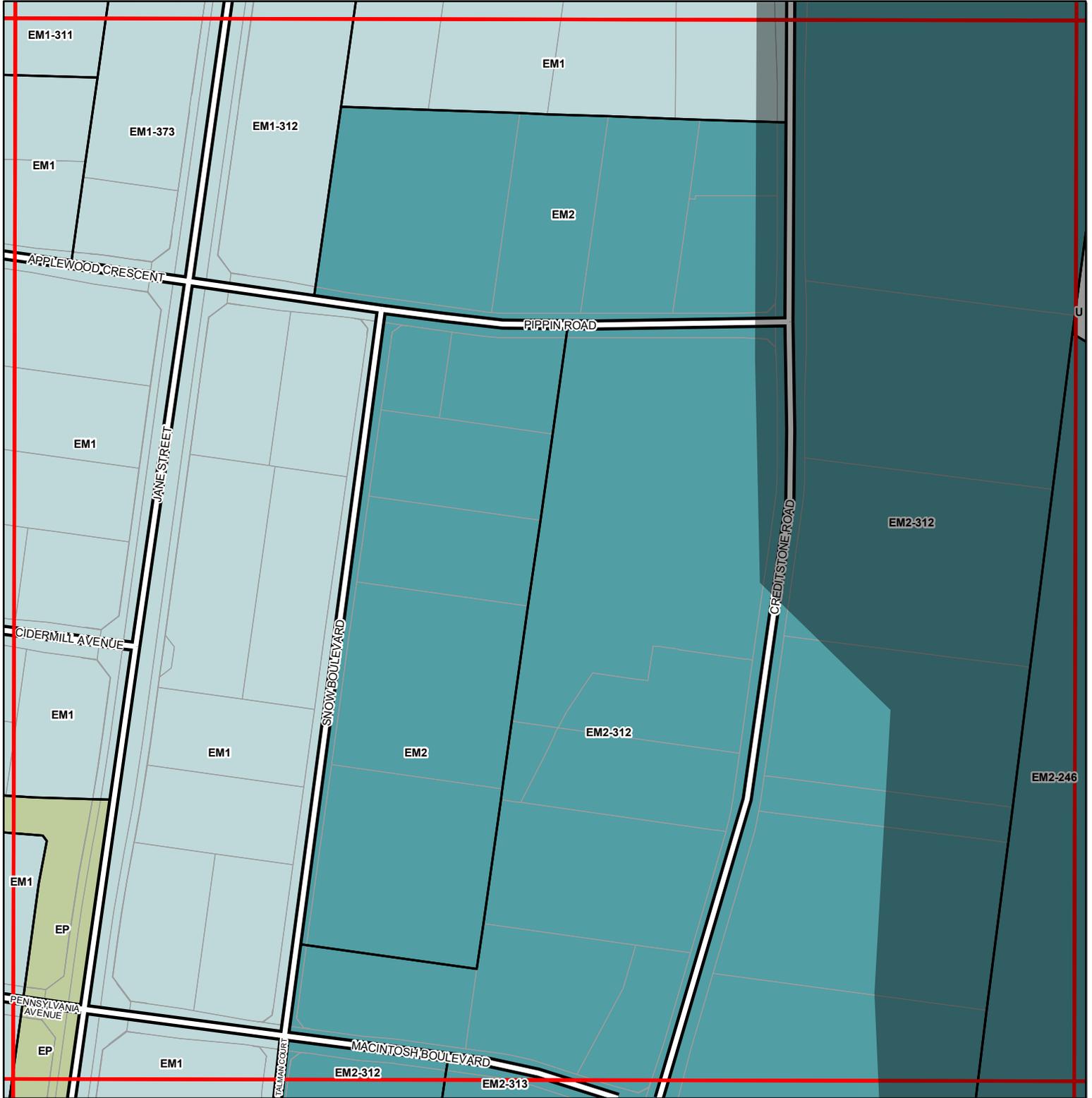
Final: May, 2021



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Zoning By-law 01- 2021

Schedule A | Map 72



Conservation, Open Space and Agricultural Zones

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108	109	110	111	112
90	91	92	93	94
70	71	72	73	74
50	51	52	53	54
30	31	32	33	34

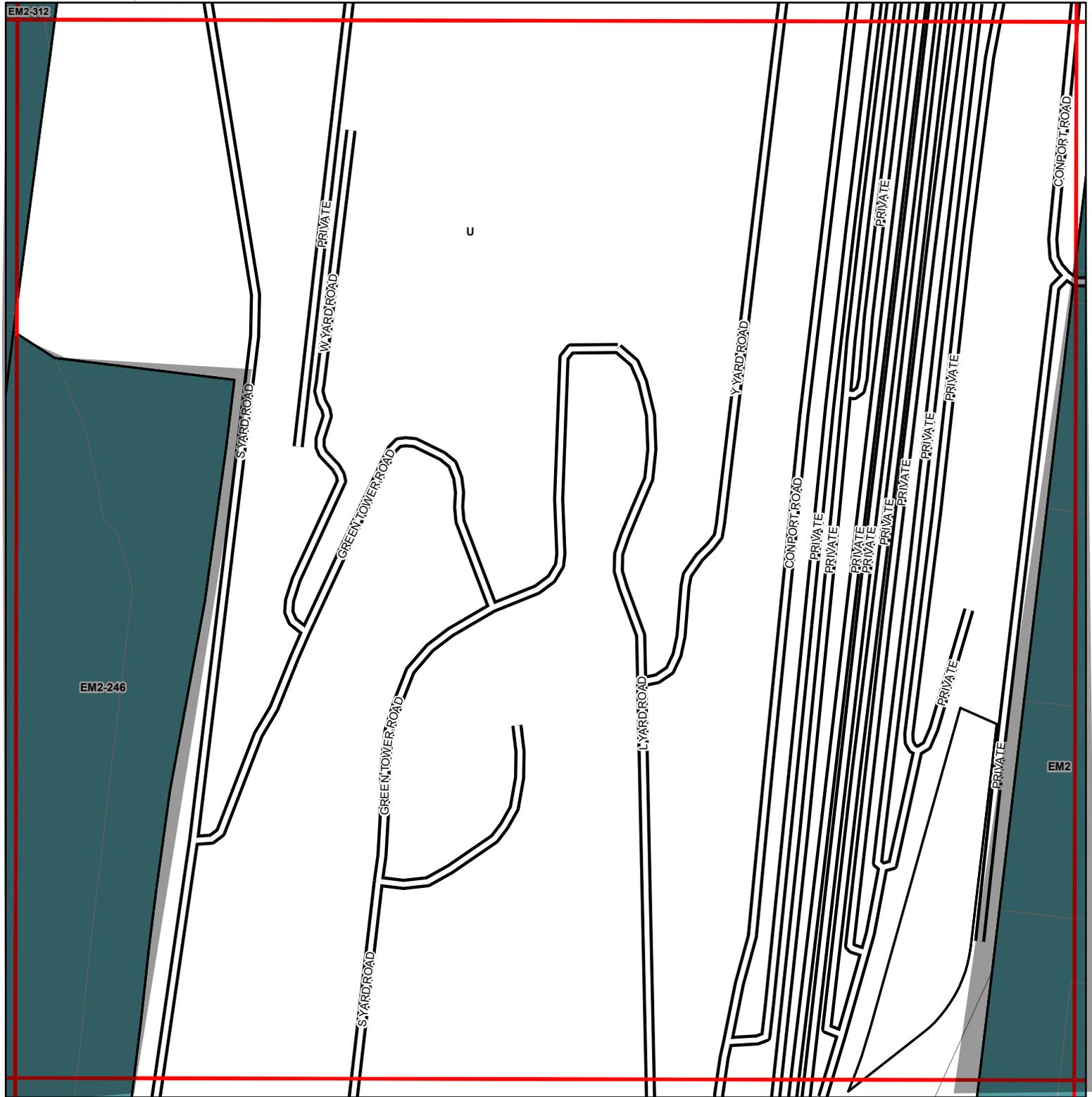


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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 73



Conservation, Open Space and Agricultural Zones

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- V1 (Station Precinct Zone)
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- V3 (Neighbourhood Precinct Zone)
- V4 (Employment Precinct Zone)

Residential Zones

- R1 (First Residential Zone)
- R2 (Second Residential Zone)
- R3 (Third Residential Zone)
- R4 (Fourth Residential Zone)
- R5 (Fifth Residential Zone)
- RT (Townhouse Zone)
- RM1 (Multiple Residential Zone 1)
- RM2 (Multiple Residential Zone 2)
- RE (Estate Residential Zone)

Commercial Zones

- GC (General Commercial Zone)
- NC (Neighbourhood Commercial Zone)
- CC (Convenience Commercial Zone)
- SC (Service Commercial Zone)

Mixed-Use Zones

- LMU (Low-Rise Mixed-Use Zone)
- MMU (Mid-Rise Mixed-Use Zone)
- HMU (High-Rise Mixed-Use Zone)
- GMU (General Mixed-Use Zone)
- CMU (Community Commercial Mixed-Use Zone)

- EMU (Employment Commercial Mixed-Use Zone)
- KMS (Main Street Mixed-Use - Kleinburg Zone)
- MMS (Main Street Mixed-Use - Maple Zone)
- WMS (Main Street Mixed-Use - Woodbridge Zone)

Employment Zones

- EM1 (Prestige Employment Zone)
- EM2 (General Employment Zone)
- EM3 (Mineral Aggregate Operation Zone)

Other Zones

- I1 (General Institutional Zone)
- I2 (Major Institutional Zone)
- U (Utility Zone)
- FD (Future Development Zone)
- PB1 (Parkway Belt Public Use Zone)
- PB2 (Parkway Belt Complementary Use Zone)
- PB3 (Parkway Belt West Recreational Zone)
- Freight Rail Facility 300m Setback Overlay

These lands shall not be subject to Zoning By-law 2021-01

109	110	111	112	113
91	92	93	94	95
71	72	73	74	75
51	52	53	54	55
31	32	33	34	35

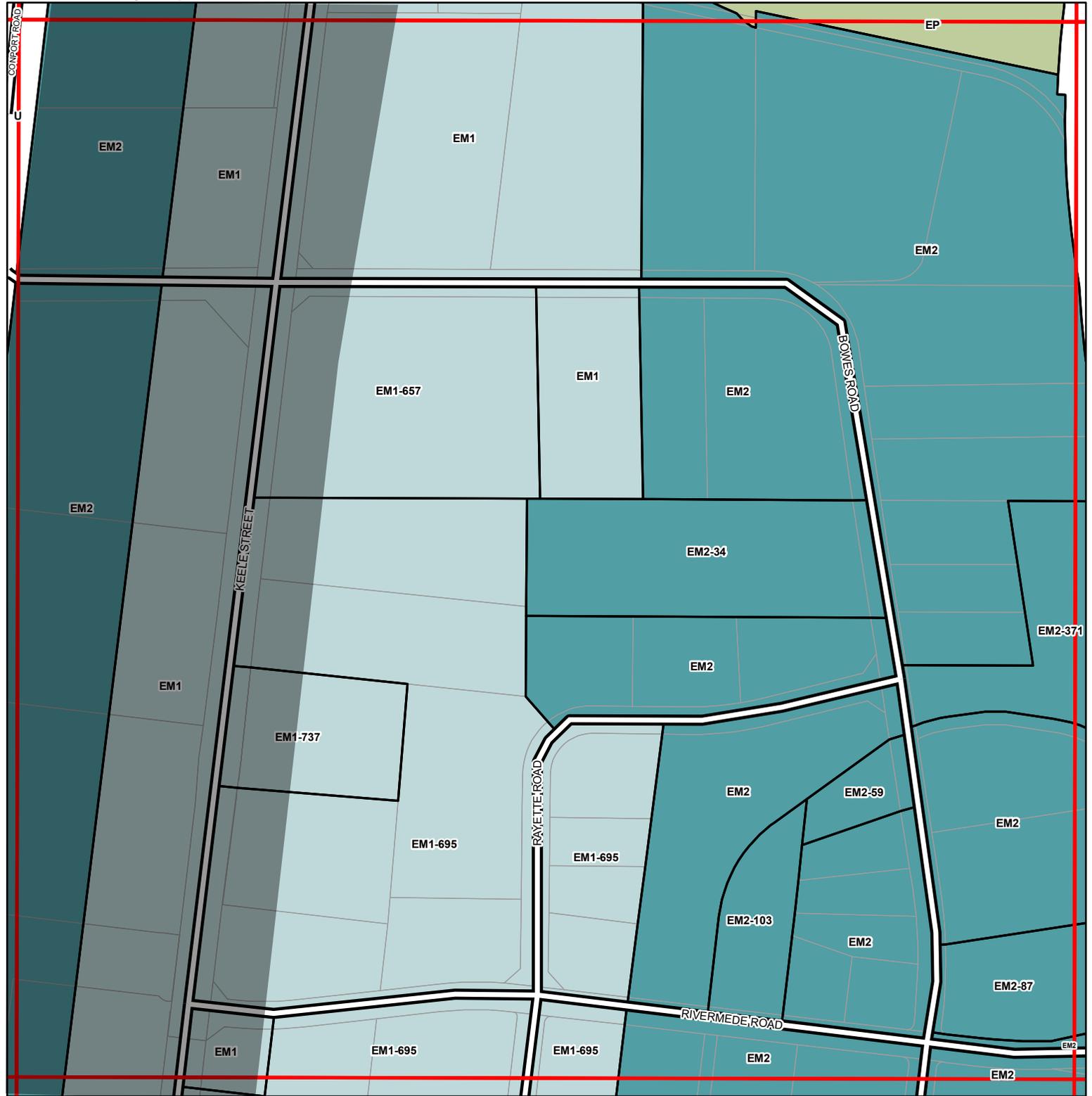
Final: May, 2021



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Zoning By-law 01- 2021

Schedule A | Map 74



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
- EP (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
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Residential Zones

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- PB2 (Parkway Belt Complementary Use Zone)
- PB3 (Parkway Belt West Recreational Zone)
- Freight Rail Facility 300m Setback Overlay

110	111	112	113	114
92	93	94	95	96
72	73	74	75	76
52	53	54	55	56
32	33	34	35	36

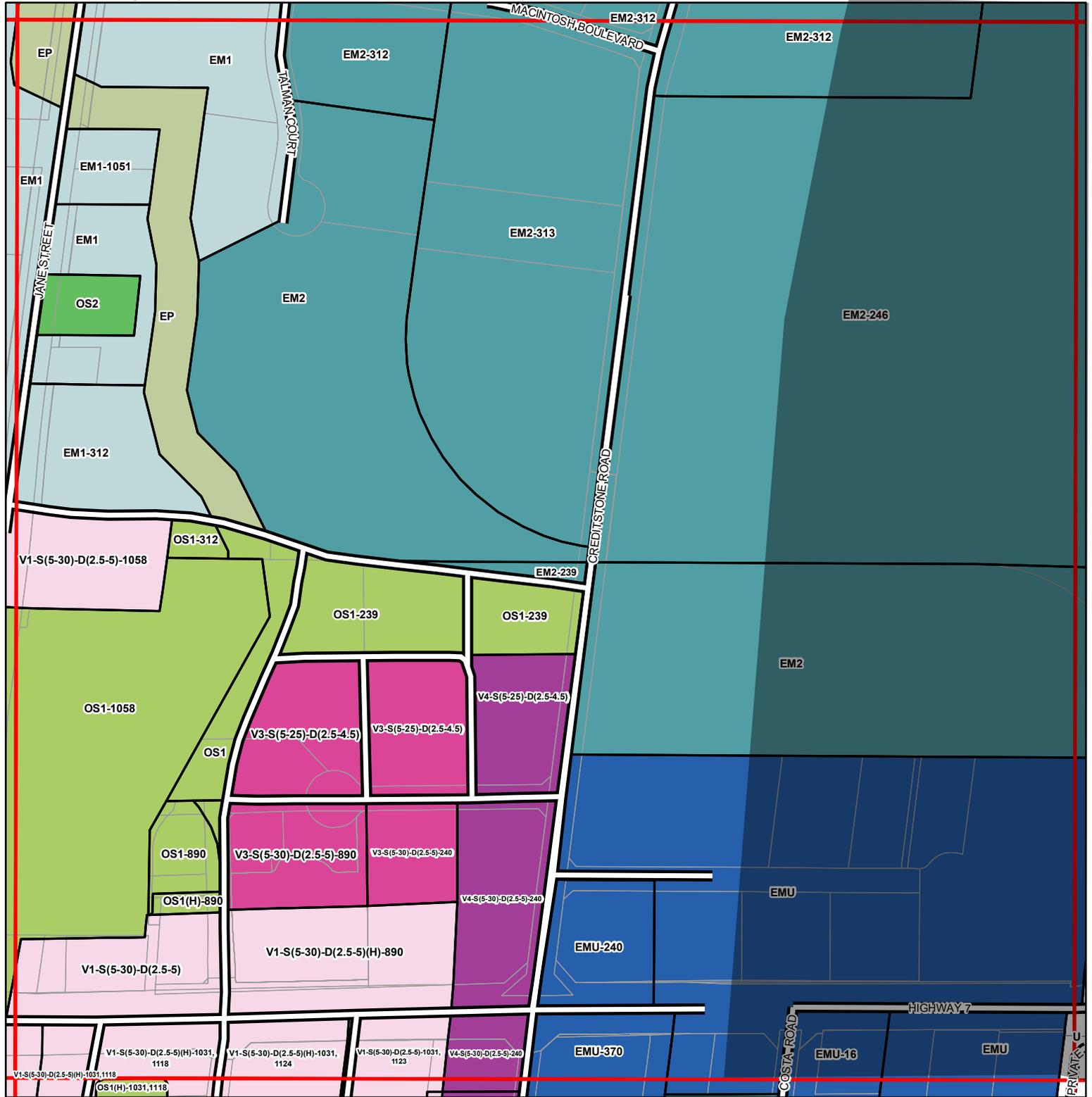
Final: May, 2021



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Zoning By-law 01- 2021

Schedule A | Map 52



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
- EP (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
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Residential Zones

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Employment Zones

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- Freight Rail Facility 300m Setback Overlay

These lands shall not be subject to Zoning By-law 2021-01



90	91	92	93	94
70	71	72	73	74
50	51	52	53	54
30	31	32	33	34
10	11	12	13	14

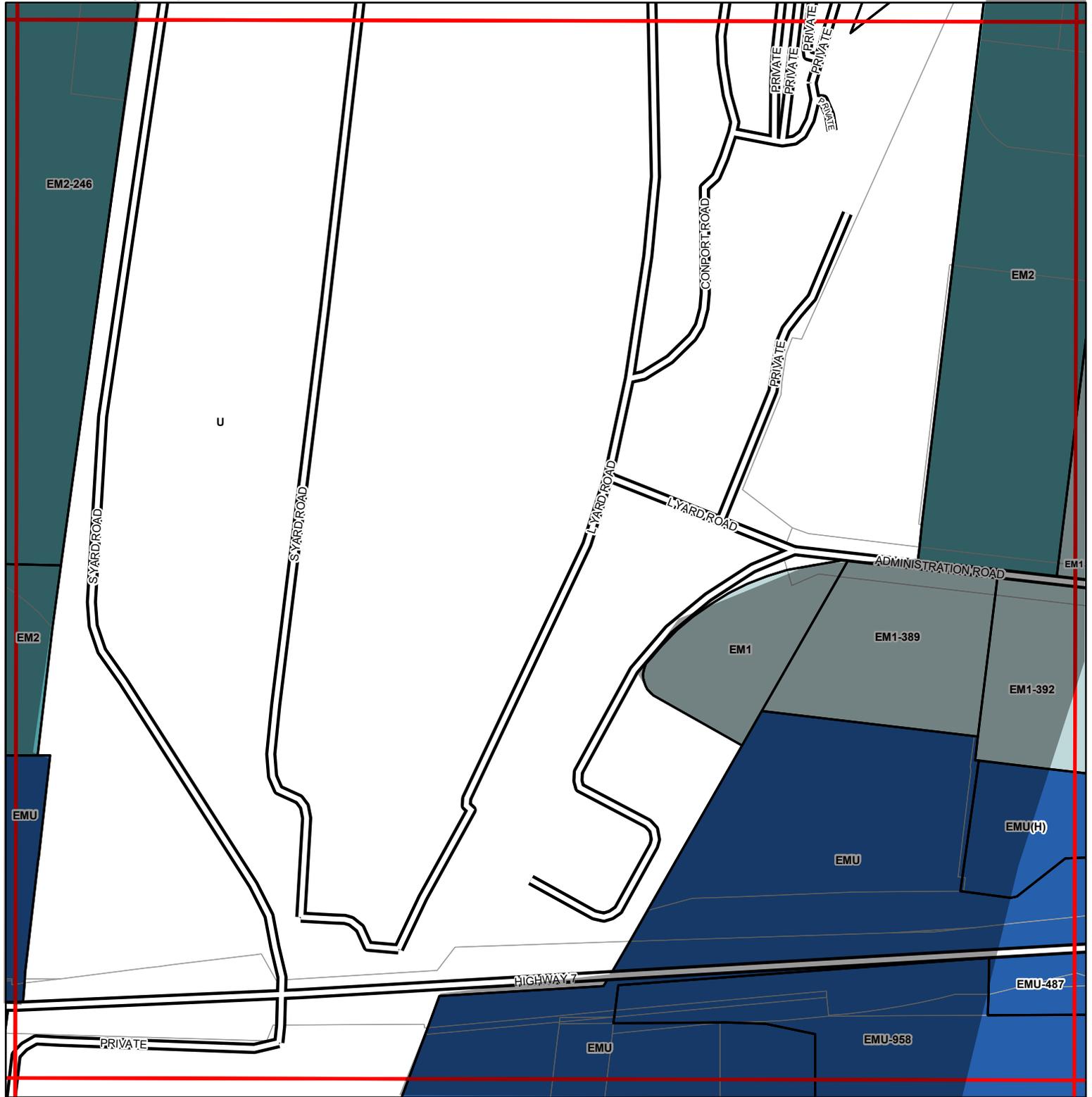


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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 53



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
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- EP (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
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Residential Zones

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Other Zones

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- Freight Rail Facility 300m Setback Overlay

These lands shall not be subject to Zoning By-law 2021-01

91	92	93	94	95
71	72	73	74	75
51	52	53	54	55
31	32	33	34	35
11	12	13	14	15

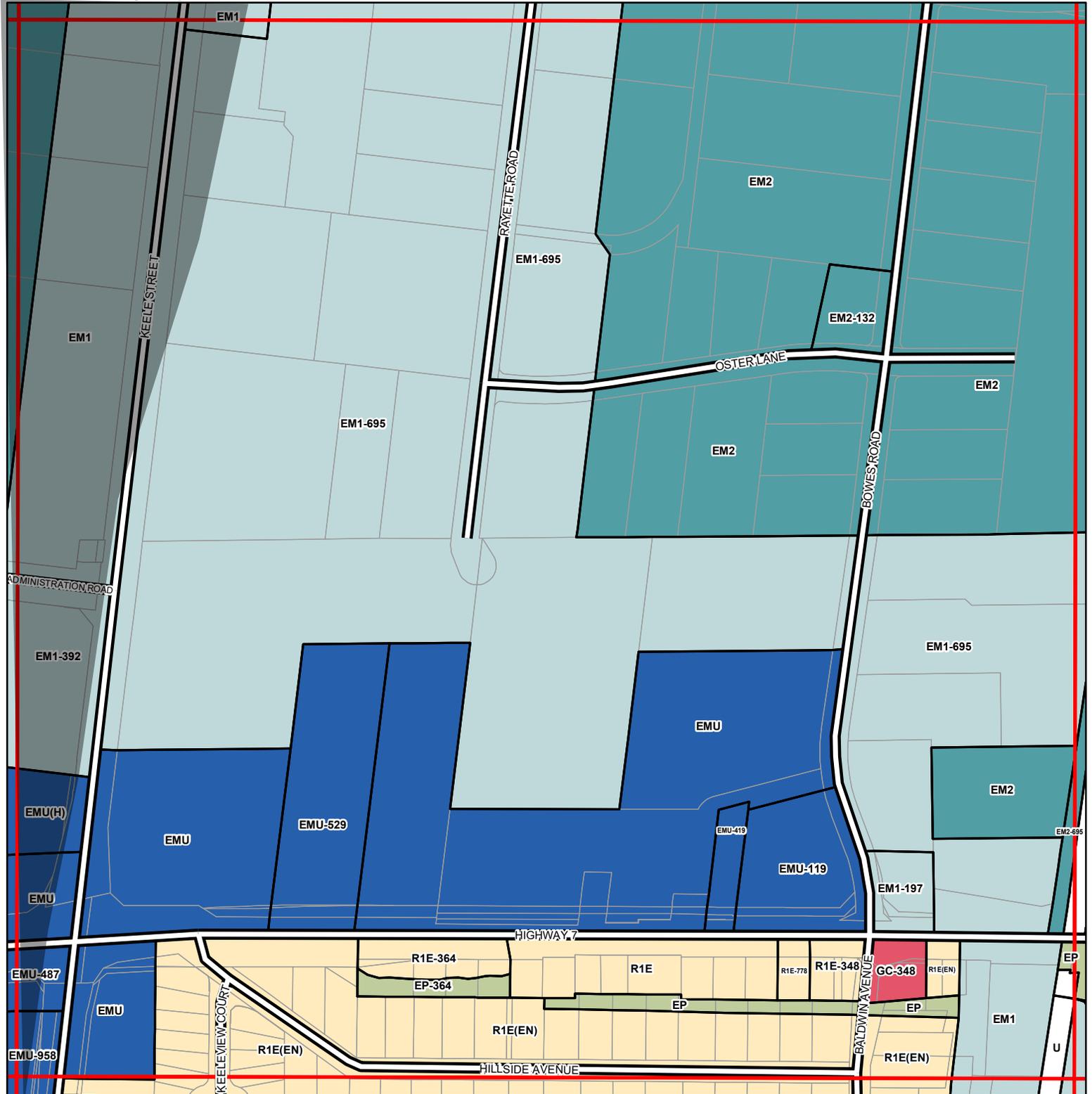
Final: May, 2021



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Zoning By-law 01- 2021

Schedule A | Map 54



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
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Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
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Residential Zones

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Commercial Zones

- GC (General Commercial Zone)
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Other Zones

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- Freight Rail Facility 300m Setback Overlay

These lands shall not be subject to Zoning By-law 2021-01

92	93	94	95	96
72	73	74	75	76
52	53	54	55	56
32	33	34	35	36
12	13	14	15	16



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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 32



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
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- EP (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
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Commercial Zones

- GC (General Commercial Zone)
 - NC (Neighbourhood Commercial Zone)
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- LMU (Low-Rise Mixed-Use Zone)
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Other Zones

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- Freight Rail Facility 300m Setback Overlay

These lands shall not be subject to Zoning By-law 2021-01

70	71	72	73	74
50	51	52	53	54
30	31	32	33	34
10	11	12	13	14

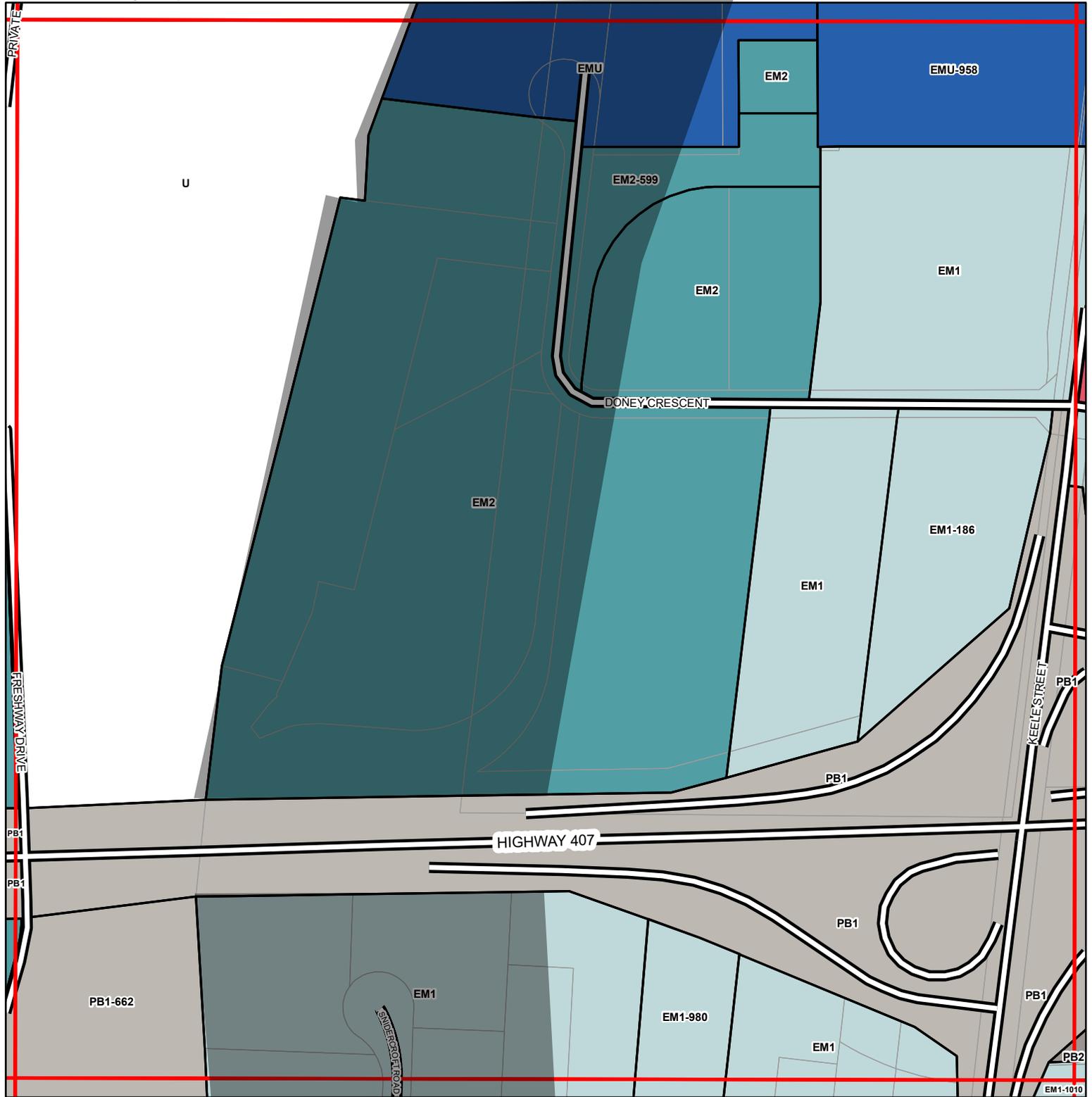


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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 33



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
- EP (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
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- V4 (Employment Precinct Zone)

Residential Zones

- R1 (First Residential Zone)
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Mixed-Use Zones

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Employment Zones

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Other Zones

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These lands shall not be subject to Zoning By-law 2021-01

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71	72	73	74	75
51	52	53	54	55
31	32	33	34	35
11	12	13	14	15

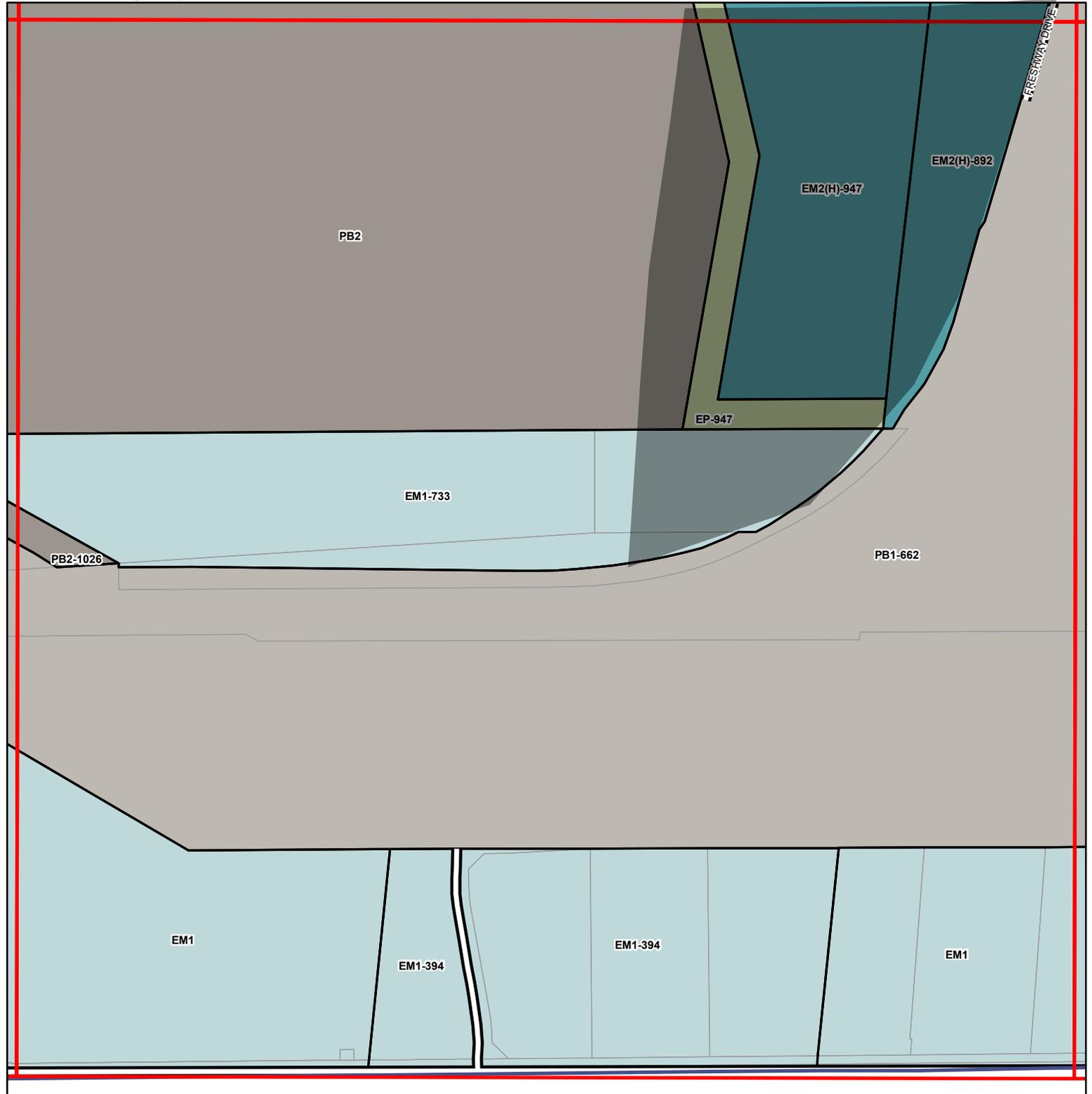


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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 12



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
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Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
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Residential Zones

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Commercial Zones

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These lands shall not be subject to Zoning By-law 2021-01

50	51	52	53	54
30	31	32	33	34
10	11	12	13	14

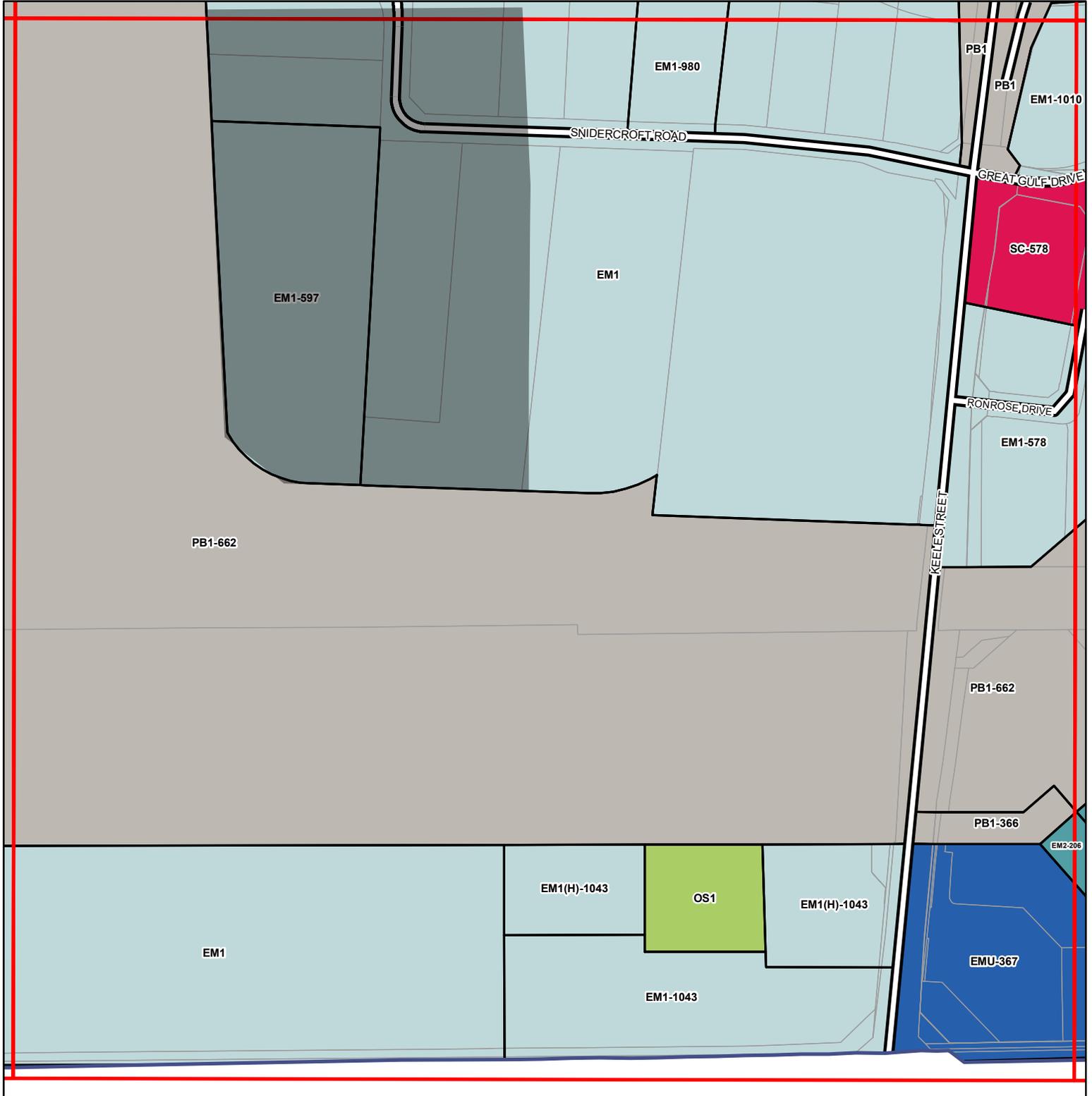


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Final: May, 2021

Zoning By-law 01- 2021

Schedule A | Map 13



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
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Vaughan Metropolitan Centre Zones

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51	52	53	54	55
31	32	33	34	35
11	12	13	14	15

Final: May, 2021



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KLM File: P-2813

COMMUNICATION C27
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

October 12, 2021

c/o Todd Coles, City Clerk
City of Vaughan
City Clerk's Department
Vaughan City Hall
2141 Major Mackenzie Dr W
Vaughan, ON
L6A 1T1

Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

Re: Committee of the Whole – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
Betovan Construction Limited
City File No's. DA.19.052 & Z.19.009
Municipal Address: 520 Worth Boulevard, City of Vaughan,
Legal Description: Block 114 Plan 65M-2884, City of Vaughan, Regional Municipality of York

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

KLM Planning Partners Inc. is the land use planner for Betovan Construction Limited. (the "Owner"), the owners of the above noted lands in reviewing the Draft City-wide Comprehensive Zoning By-law (the "CZBL"). The lands are located west of Bathurst Street and south of Highway 407 on lands municipally known as 520 Worth Boulevard (the "Subject Lands"). The above noted applications for Zoning By-law Amendment and Site Plan Approval were approved by the City of Vaughan Council on May 18, 2021. The lands are currently vacant.

We understand the City of Vaughan (the "City") is undertaking a City-wide comprehensive review of its Zoning By-law to create a progressive By-law with updated, contemporary uses and standards. One of the stated intents of the CZBL is to recognize site-specific approvals that have already gone through a public statutory approval process, and to minimize legal nonconformity to the greatest extent possible. Based on our review of Schedule A – Map 78, the zoning designation for the Subject Lands indicates the subject lands are proposed to be zoned as the R2A(EN) without an exception.

We submitted our concerns in our letter to Committee of the Whole dated June 7, 2021 and at its meeting on June 8, 2021, Committee provided direction to staff to address all site specific concerns raised. Despite this and City staff's comment response matrix indicating the issues raised have been resolved, we have had no communication with staff in this regard.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the new

zone requirements of the CZBL which has different Zones, General Provisions, Zone requirements and Definitions than By-law 1-88.

Further, with respect to the transition clauses of the CZBL, it is not clear that the provisions will ensure that building permits can be issued to implement the submitted Site Plan under the provisions of By-law 1-88, as intended by the Council approved site specific zoning by-law amendment.

In light of the above, we continue to request that the Subject Lands be left out of the new CBZL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval."

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Rob Lavecchia, B.U.R.Pl.
SENIOR PLANNER II

cc: Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brendan Correia, Manager, Special Projects
Betovan Construction Limited



COMMUNICATION C28
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

October 12, 2021

c/o Todd Coles, City Clerk
City of Vaughan
City Clerk's Department
Vaughan City Hall
2141 Major Mackenzie Dr W
Vaughan, ON
L6A 1T1

Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

Re: Committee of the Whole (2) – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
2097500 Ontario Limited
City Files: 19T-07V01 & Z.07.002
Legal Description: Part of Lot 25, Concession 6, City of Vaughan, Regional Municipality of York

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

KLM Planning Partners submits the following on behalf of our client, 2097500 Ontario Limited c/o Lormel Homes with respect to the above noted lands (the “**Subject Lands**”). We have reviewed the Committee of the Whole Report and recommendation with respect to the above noted agenda item and are concerned that the proposed City-wide Comprehensive Zoning By-law (the “**CZBL**”) does not address the concerns that we have consistently raised on behalf of our client.

Our concerns were originally provided to staff in a letter dated August 14, 2019, an email dated October 22, 2020 and in a subsequent meeting on February 8, 2021. We further submitted these concerns in our letter to Council dated June 7, 2021, followed by a deputation to Committee of the Whole at its meeting on June 8, 2021. Subsequent to the Council direction to address all site specific concerns raised, we then had a further meeting with staff on August 11, 2021 where we were encouraged that our concerns would be addressed, subject to further internal discussion. We were therefore disappointed to then be provided with a staff response on October 5, 2021 and the staff report a day later for the October 13, 2021 Committee of the Whole that indicated our issues have been resolved when from our perspective they have not been addressed.

The concerns we have expressed are driven by our client’s position of having an approved implementing zoning by-law amendment and approved draft plan of subdivision which is not registered in its entirety and where all building permits have not been obtained. Our client has relied on By-law 1-88, as amended in designing, marketing and the sale of dwellings. The zoning by-law amendment application for the Subject Lands which amends the provisions of By-law 1-88, conforms to the Vaughan Official Plan 2010, represent good planning and was approved by LPAT. We are not satisfied that the new provisions will

allow the registration and issuance of building permits for these lots as permitted by By-law 1-88, as amended.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the new zone requirements of the CZBL which has different Zones, General Provisions, Zone requirements and Definitions than By-law 1-88.

With respect to the transition clauses of the CZBL, we do not believe the provisions will ensure draft approved plans of subdivision that have not been registered, in part or in whole, and where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we continue to request that the Subject Lands be left out of the new CBZL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval."

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,
KLM PLANNING PARTNERS INC.



Mark Yarranton, BES, MCIP, RPP
PRESIDENT

Cc: Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brandon Correia, City of Vaughan
Julian De Meneghi, Lormel Homes



COMMUNICATION C29
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

64 Jardin Drive, Unit 1B
Concord, Ontario
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T. 905.669.4055
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klmplanning.com

October 12, 2021

c/o Todd Coles, City Clerk
City of Vaughan
City Clerk's Department
Vaughan City Hall
2141 Major Mackenzie Dr W
Vaughan, ON
L6A 1T1

Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

Re: Committee of the Whole (2) – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
2097500 Ontario Limited
City Files: 19T-03V05, Z.03.024, DA.18.029 & DA.19.001
Legal Description: Part of Lots 24 and 25, Concession 6, City of Vaughan, Regional Municipality of York

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

KLM Planning Partners submits the following on behalf of our client, 840999 Ontario Limited and Prima Vista Estates Inc. c/o Gold Park Group with respect to the above noted lands (the “**Subject Lands**”). We have reviewed the Committee of the Whole Report and recommendation with respect to the above noted agenda item and are concerned that the proposed City-wide Comprehensive Zoning By-law (the “**CZBL**”) does not address the concerns that we have consistently raised on behalf of our client.

Our concerns were originally provided to staff in a letter dated August 14, 2019, an email dated October 22, 2020 and in a subsequent meeting on February 8, 2021. We further submitted these concerns in our letter to Council dated June 7, 2021, followed by a deputation to Committee of the Whole at its meeting on June 8, 2021. Subsequent to the Council direction to address all site specific concerns raised, we then had a further meeting with staff on August 11, 2021 where we were encouraged that our concerns would be addressed, subject to further internal discussion. We were therefore disappointed to then be provided with a staff response on October 5, 2021 and the staff report a day later for the October 13, 2021 Committee of the Whole that indicated our issues have been resolved when from our perspective they have not been addressed.

The concerns we have expressed are driven by our client’s position of having an approved implementing zoning by-law amendment and approved draft plan of subdivision which is not registered in its entirety and where all building permits have not been obtained. Our client has relied on By-law 1-88, as amended in designing, marketing and the sale of dwellings. The zoning by-law amendment application for the Subject Lands which amends the provisions of By-law 1-88, conforms to the Vaughan Official Plan 2010, represent good planning and was approved by LPAT. We are not satisfied that the new provisions will

allow the registration and issuance of building permits for these lots as permitted by By-law 1-88, as amended.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the new zone requirements of the CZBL which has different Zones, General Provisions, Zone requirements and Definitions than By-law 1-88.

With respect to the Transition clauses of the CZBL, we do not believe the provisions will ensure draft approved plans of subdivision that have not been registered, in part or in whole, and where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we continue to request that the Subject Lands be left out of the new CBZL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval."

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,
KLM PLANNING PARTNERS INC.



Mark Yarranton, BES, MCIP, RPP
PRESIDENT

Cc: Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brandon Correia, City of Vaughan
Graziano Stefani, Gold Park Group



COMMUNICATION C30
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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October 12, 2021

c/o Todd Coles, City Clerk
City of Vaughan
City Clerk's Department
Vaughan City Hall
2141 Major Mackenzie Dr W
Vaughan, ON
L6A 1T1

Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

Re: Committee of the Whole (2) – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
Countrywide Homes

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

KLM Planning Partners submits the following on behalf of our client, Countrywide Homes with respect to the below noted lands (the “**Subject Lands**”).

Country Wide Homes (Pine Valley Estates) Inc.

City Files: 19T-06V12 & Z06.064

Legal Description: Part of Lots 23 and 24, Concession 7, City of Vaughan, Regional Municipality of York

Country Wide Homes (Teston Road) Inc.

City Files: 19T-14V004 & Z.14.010

Legal Description: Part of Lot 25, Concession 7, City of Vaughan, Regional Municipality of York

Country Wide Homes Woodend Place Inc.

City Files: 19T-15V011, OP.16.003 & Z.15.032

Legal Description: Part of Lot 8, All of Lots 9 and 10, Registered Plan 65M-1191, and Block 42 Registered Plan 65M-4149, City of Vaughan, Regional Municipality of York

Fenmarcon Developments Inc.

City Files: 19T-19V002, Z.19.007 & DA.19.072

Legal Description: Part of the East Half of Lot 28, Concession 5, City of Vaughan, Regional Municipality of York

Kleindor Developments Inc.

City Files: 19T-18V003 & Z.18.033

Legal Description: All of Block 200, Plan 65M-4383, City of Vaughan, Regional Municipality of York

Silverpoint (Peninsula) Inc., Silverpoint Peninsula Inc.

City Files: 19T-15V001 & Z.14.009

Legal Description: Blocks 90, 91 and 92, Plan 65M-4266, City of Vaughan, Regional Municipality of York

We have reviewed the Committee of the Whole Report and recommendation with respect to the above noted agenda item and are concerned that the proposed City-wide Comprehensive Zoning By-law (the "CZBL") does not address the concerns that we have consistently raised on behalf of our client.

Our concerns were originally provided to staff in a letter dated August 14, 2019, an email dated October 22, 2020 and in a subsequent meeting on February 8, 2021. We further submitted these concerns in our letter to Council dated June 7, 2021, followed by a deputation to Committee of the Whole at its meeting on June 8, 2021. Subsequent to the Council direction to address all site specific concerns raised, we then had a further meeting with staff on August 11, 2021 where we were encouraged that our concerns would be addressed, subject to further internal discussion. We were therefore disappointed to then be provided with a staff response on October 5, 2021 and the staff report a day later for the October 13, 2021 Committee of the Whole that indicated our issues have been resolved when from our perspective they have not been addressed.

The concerns we have expressed are driven by our client's position of having an approved implementing zoning by-law amendment and approved draft plan of subdivision which is not registered in its entirety and where all building permits have not been obtained. Our client has relied on By-law 1-88, as amended in designing, marketing and the sale of dwellings. The zoning by-law amendment application for the Subject Lands which amends the provisions of By-law 1-88, conforms to the Vaughan Official Plan 2010, represent good planning and was approved by LPAT. We are not satisfied that the new provisions will allow the registration and issuance of building permits for these lots as permitted by By-law 1-88, as amended.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the new zone requirements of the CZBL which has different Zones, General Provisions, Zone requirements and Definitions than By-law 1-88.

With respect to the Transition clauses of the CZBL, we do not believe the provisions will ensure draft approved plans of subdivision that have not been registered, in part or in whole, and where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we continue to request that the Subject Lands be left out of the new CBZL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval."

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Mark Yarranton, BES, MCIP, RPP
PRESIDENT

Cc: Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brandon Correia, City of Vaughan
Sam Balsamo, Countrywide Homes
Giuseppe Russo, Countrywide Homes



COMMUNICATION C31
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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Concord, Ontario
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klmplanning.com

File: P-1736

October 12, 2021

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

Attention: Hon. Mayor Bevilacqua and Members of Council

Re: Comments on City-Wide Comprehensive Zoning By-law (Final Draft)
Committee of the Whole Meeting - Wednesday October 13, 2021
Agenda Item 9
9773 Keele Street (Site Specific By-law 047-2021)
City of Vaughan,
Regional Municipality of York

Dear Hon. Mayor Bevilacqua and Members of Council:

KLM Planning Partners Inc. is the planning consultant for 9773 Keele Development Inc., pertaining to the lands legally described as Part of Lot 19, Concession 3, and municipally known as 9773 Keele Street, in the City of Vaughan (the "Subject Lands").

An application affecting the Subject Lands for Zoning By-law Amendment was approved by City Council on April 20, 2021, however upon review of the final draft of the City-Wide Comprehensive Zoning By-law (the "CZBL") it appears the site-specific zoning provisions of resultant By-law 047-2021 (Attachment 1) have not been incorporated. More specifically, Schedule A Map 148 to the final draft CZBL (Attachment 2) indicates the lands are zoned "RT", although the CZBL text does not include such a category and rather includes provisions for only "RT1" and "RT2" zones. As neither the "RT1" or "RT2" parent zone categories of the CZBL capture provisions necessary to facilitate development of the Subject Lands as planned, we respectfully request that prior to final enactment of the CZBL, that it be amended to include an exception zone for the site reflective of approved By-law 047-2021.

Please consider this to be our formal request to be notified of all future Public Hearings, Open Houses, Committee of the Whole and Council meetings and decisions relating to this matter. As

always, we would be pleased to meet with City staff to discuss our concerns. If you would like to arrange a meeting to discuss the above, please do not hesitate to contact us.

Yours truly,

KLM PLANNING PARTNERS INC.



Marshall Smith, BES, PMP, MCIP, RPP

Senior Planner

MSmith@KLMPPlanning.com

905-669-4055 x 222

cc: Matthew Baldassarra, 9773 Keele Development Inc.
Brandon Correia, Manager of Special Projects, City of Vaughan

ATTACHMENT 1

9773 Keele Developments Inc.

THE CORPORATION OF THE CITY OF VAUGHAN

**IN THE MATTER OF Section 34,
Subsections (18) and (19) of
the Planning Act, R.S.O. 1990, c.P.13**

I, **TODD COLES**, of the Township of King City, make oath and say:

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
2. **THAT** By-law Number 047-2021 was passed by the Council of the Corporation of the City of Vaughan on the 20th day of April, 2021, and written notice was given on the 23rd of April, 2021 in the manner and form and to the persons prescribed in Regulation 199/96.
3. **THAT** no notice of appeal setting out an objection to By-law 047-2021 was filed with me within twenty (20) days from the date of written notice of the passing of the by-law.
4. **THAT** By-law Number 047-2021 is deemed to have come into effect on the 13th of May, 2021.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this)
14 day of May, 2021)



TODD COLES

A Commissioner, etc.

Christine Marie Monique Vigneault
a Commissioner, etc.,
Province of Ontario, for
The Corporation of the City of Vaughan.
Expires July 5, 2023.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 047-2021

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are in conformity;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from R1 Residential Zone to RT1 Residential Townhouse Zone, in the manner shown on the said Schedule "1".
 - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1515) Notwithstanding the provisions of:

 - a) Section 2.0 Definitions respecting Lot, Street, Street Line, Street Townhouse;
 - b) Subsection 3.14 respecting Permitted Yard Encroachments;
 - c) Subsection 3.21 respecting Frontage on a Public Street;
 - d) Subsection 4.1.4 respecting Driveway Width;
 - e) Subsection 4.1.7 and 4.29 respecting uses permitted in the RT1 Residential Townhouse Zone;
 - f) Subsection 4.22.2 respecting minimum no encroachment zone;
 - g) Schedule "A3" respecting the zone standards in the RT1 Residential Townhouse Zone;

The following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1646":

- ai) Lot – means a parcel of land fronting on a public street or private road;
- a ii) Street – means a street or private road owned and maintained by a future Condominium Corporation;
- a iii) Street Line – means the dividing line between a lot and a street or a private road, or the dividing line between a lot and a reserve abutting a street or a private road;
- a iv) Street Townhouse – means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public or private street;
- bi) The maximum encroachment for deck and stairs shall be 2.8m in the rear yard for Unit B5, Building B;
- ci) Permit a lot to front onto a private road;
- di) The maximum driveway width shall be 3.6 m for a lot with a frontage of 5.7 m and 6 m (Buildings B and C);
- ei) In addition to Street Townhouse Dwellings, the development of 11, 3-storey townhouse units accessed by a private common element condominium road and the existing relocated George Keffer House House heritage dwelling is permitted;
- fi) The minimum no encroachment zone shall be:
 - 1.4 m to the main wall (Building A)
 - 0.5 m for Unit B5;
- gi) The minimum lot frontage for Building B shall be 5.7 m/ unit;
- gii) The minimum lot area for Buildings B and C shall be 135 m²;
- giii) The minimum lot depth shall be:
 - 20 m for Unit B5
 - 22 m for Building C;
- g iv) The minimum front yard setback for Unit B5 shall be 2 m:

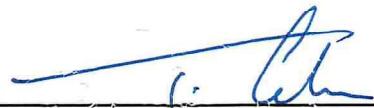
- gv) The minimum rear yard setback shall be:
 - 7.4 m for Building A
 - 7 m for Building B;
 - gvi) The minimum exterior yard setback shall be:
 - 1.4 m for Building A
 - 0.7 m for Unit B5;
 - gvii) The minimum interior yard setback for Building A and Unit B1 shall be 0.7 m;”
- c) Adding Schedule “E-1646” attached hereto as Schedule “1”.
 - d) Deleting Key Map 3D and substituting therefor the Key Map 3D attached hereto as Schedule “2”.

2. Schedules “1” and “2” shall be and hereby form part of this By-law.

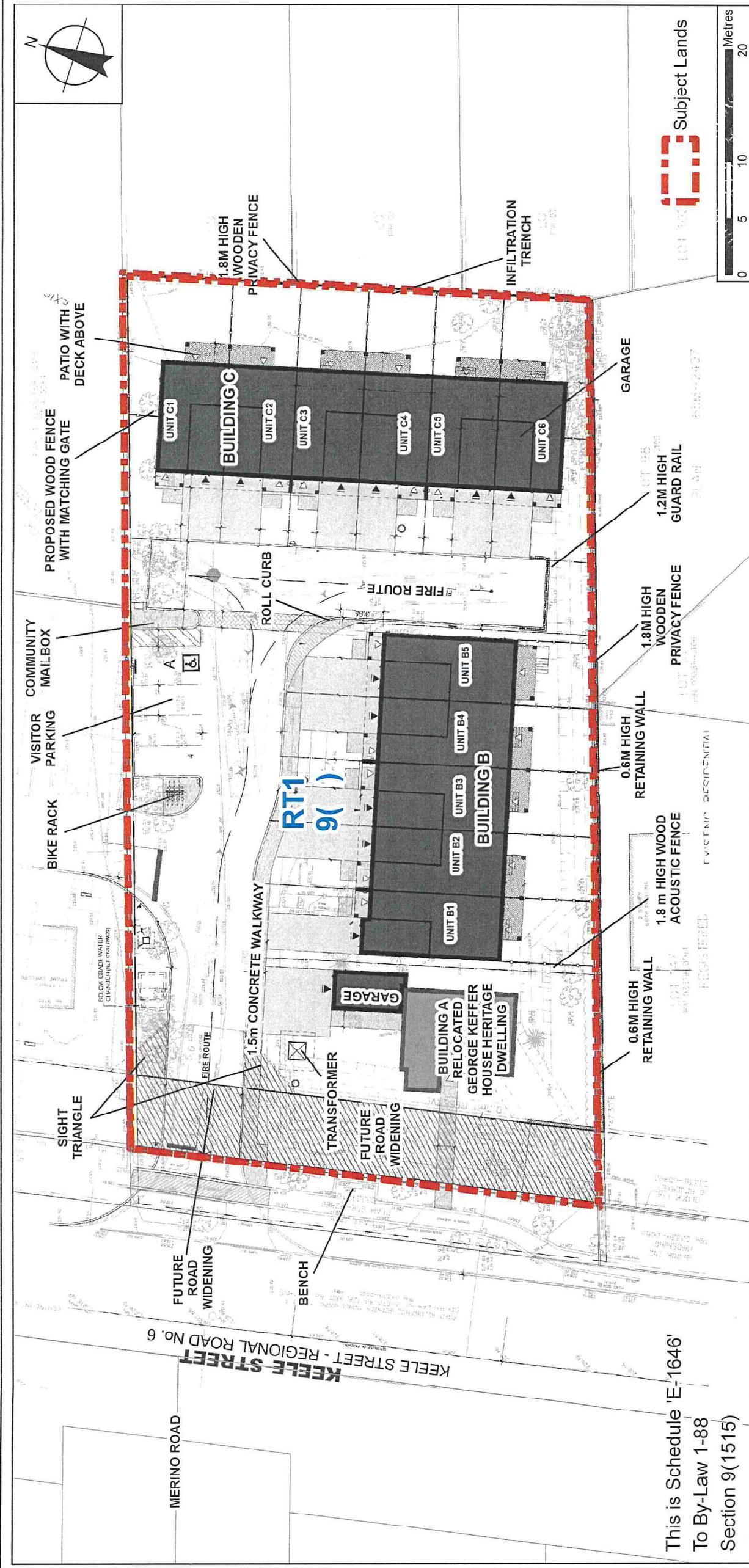
Enacted by City of Vaughan Council this 20th day of April, 2021.



Hon. Maurizio Bevilacqua, Mayor



Todd Coles, City Clerk

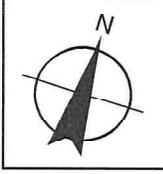


This is Schedule 'E-1646'
 To By-Law 1-88
 Section 9(1515)

File: Z.17.002
 Related File: OP.17.001, 19T-17V001 and DA.18.073
 Location: Part of Lot 19, Concession 3
 Applicant: 9773 Keele Developments Inc.
 City of Vaughan

This is Schedule '1'
 To By-Law 047-2021
 Passed the 20th Day of April, 2021

Signing Officers
 _____ Mayor
 _____ Clerk

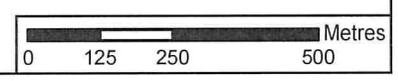


MAJOR MACKENZIE DRIVE



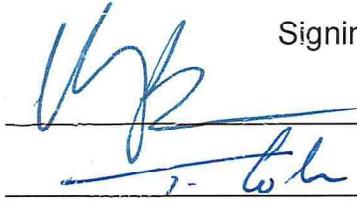
RUTHERFORD ROAD

Key Map 3D
By-Law No. 1-88



This is Schedule '2'
To By-Law 047-2021
Passed the 20th Day of April, 2021

File: Z.17.002
Related File: OP.17.001, 19T-17V001 and DA.18.073
Location: Part of Lot 19, Concession 3
Applicant: 9773 Keele Developments Inc.
City of Vaughan

Signing Officers

Mayor

Clerk

SUMMARY TO BY-LAW 047-2021

The lands subject to this By-law are located on the east side of Keele Street, south of Barrhill Road, and are municipally known as 9773 Keele Street, being Part of Lot 19, Concession 3, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from "R1 Residential Zone" to "RT1 Residential Townhouse Zone" to permit the development on a private road of 11, 3-storey townhouse units and the relocation of the George Keffer heritage dwelling abutting Keele Street. The by-law also permits site-specific zoning exceptions for use, setbacks, definitions, frontage on a public street, lot area, lot frontage, lot depth, maximum encroachment, minimum no encroachment zone and maximum driveway width.



Location Map To By-Law 047-2021

File: Z.17.002

Related File: OP.17.001, 19T-17V001 and DA.18.073

Location: Part of Lot 19, Concession 3

Applicant: 9773 Keele Developments Inc.

City of Vaughan



Subject Lands



COMMUNICATION C32
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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October 12, 2021

c/o Todd Coles, City Clerk
City of Vaughan
City Clerk's Department
Vaughan City Hall
2141 Major Mackenzie Dr W
Vaughan, ON
L6A 1T1

Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

Re: Committee of the Whole (2) – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
Lindvest Properties (Pine Valley) Limited, Lindvest Properties (Pine Valley RB) Limited,
1387700 Ontario Limited, and Roybridge Holdings Limited
City Files: 19T-03V25 & Z.03.107
Legal Description: Part of Lots 24 and 25, Concession 6, City of Vaughan, Regional Municipality of York

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

KLM Planning Partners submits the following on behalf of our client, Lindvest Properties (Pine Valley) Limited, Lindvest Properties (Pine Valley RB) Limited, 1387700 Ontario Limited, and Roybridge Holdings Limited c/o Zzen Group with respect to the above noted lands (the "**Subject Lands**"). We have reviewed the Committee of the Whole Report and recommendation with respect to the above noted agenda item and are concerned that the proposed City-wide Comprehensive Zoning By-law (the "**CZBL**") does not address the concerns that we have consistently raised on behalf of our client.

Our concerns were originally provided to staff in a letter dated August 14, 2019, an email dated October 22, 2020 and in a subsequent meeting on February 8, 2021. We further submitted these concerns in our letter to Council dated June 7, 2021, followed by a deputation to Committee of the Whole at its meeting on June 8, 2021. Subsequent to the Council direction to address all site specific concerns raised, we then had a further meeting with staff on August 11, 2021 where we were encouraged that our concerns would be addressed, subject to further internal discussion. We were therefore disappointed to then be provided with a staff response on October 5, 2021 and the staff report a day later for the October 13, 2021 Committee of the Whole that indicated our issues have been resolved when from our perspective they have not been addressed.

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Subject Lands which amends the provisions of By-law 1-88, conforms to the Vaughan Official Plan 2010, represent good planning and was approved by LPAT. We are not satisfied that the new provisions will allow the registration and issuance of building permits for these lots as permitted by By-law 1-88, as amended.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the new zone requirements of the CZBL which has different Zones, General Provisions, Zone requirements and Definitions than By-law 1-88.

With respect to the transition clauses of the CZBL, we do not believe the provisions will ensure draft approved plans of subdivision that have not been registered, in part or in whole, and where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we continue to request that the Subject Lands be left out of the new CBZL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval."

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Our client reserves their right to appeal the zoning by-law should the City-Wide Comprehensive Zoning By-law proceed to be enacted in its current state.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,
KLM PLANNING PARTNERS INC.



Mark Yarranton, BES, MCIP, RPP
PRESIDENT

Cc: Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brandon Correia, City of Vaughan
Sam Speranza, Zzen Group
Joseph Sgro, Zzen Group



COMMUNICATION C33
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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klmplanning.com

October 12, 2021

City of Vaughan
Development Planning Department
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Members of Council

**Re: Vaughan Comprehensive Zoning By-law
Richview Manor Retirement Building
c/o York Major Holdings Inc.
10,500 Dufferin Street
City of Vaughan
Region of York**

Dear Members of Council,

KLM Planning Partners Inc. ("KLM") is the land use planner on behalf of York Major Holdings Inc. with respect to Richview Manor, a retirement building located at 10,500 Dufferin Street, Maple, in the City of Vaughan (the "City"), Region of York (the "Subject Lands"). We understand that a Comprehensive Zoning By-law (the "Comprehensive By-law") has been prepared and is scheduled to be brought forward to Committee of the Whole for approval on Wednesday, October 13, 2021. We have reviewed the Comprehensive By-law with respect to the are pleased to provide the below minor comments on the proposed By-law.

The Subject Lands are currently zoned RA3 9(1324) – Apartment Residential Zone Three with site-specific exception 1324 (By-law 172-2009) in Zoning By-law 1-88, as amended. Based on our review, the majority of the site-specific exceptions have been carried forward in the Comprehensive By-law; however, the following items have been omitted:

- ai) for the purpose of this Paragraph, a "Residence Suite" shall be defined as follows:
RESIDENCE SUITE - Means a suite, in which sanitary conveniences are provided and in which cooking facilities and the installation of cooking equipment, other than a microwave oven, shall not be permitted;
- aii) for the purpose of this Paragraph, a "Dwelling, Apartment" shall be defined as follows:
DWELLING, APARTMENT - Means a building consisting of four (4) or more dwelling units or residence suites, the occupants of which have a right to use common halls, stairs, elevators, and yards, and may have accessory uses exclusively for the use of the occupants of the apartment dwelling, such as a designated eating area and the associated kitchen facility, communal laundry areas, nursing care services for personal and/or health care (but not including a nursing home), and amenity areas;

We believe that it is imperative that the above also be carried forward into the Comprehensive By-law as there is a clear distinction in the dwelling units/residence suites not having cooking facilities.

We appreciate your attention to this matter. Should you have any questions, please do not hesitate to contact the undersigned.

Best regards,
KLM Planning Partners Inc.

A handwritten signature in black ink that reads "A Shields". The signature is written in a cursive, slightly slanted style.

Alistair Shields
Senior Planner

cc: Ryan Mino-Leahan, Partner, KLM Planning Partners Inc.
Duane E. Aubie, York Major Holdings Inc.



P-1732

COMMUNICATION C34
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

64 Jardin Drive, Unit 1B
Concord, Ontario
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T. 905.669.4055
F. 905.669.0097
klmplanning.com

October 12, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
Development Planning Department

Sent by Email: clerks@vaughan.ca

Attn: Hon. Mayor Bevilacqua & Members of Council

Re: Committee of the Whole – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
City-Wide Comprehensive Zoning By-law (“CZBL”)
The Corporation of the City of Vaughan
Z.20.003 and DA.20.009
Zoning By-law Amendment and Site Plan Approval Applications
Belmont Properties (Weston) Inc.
Block 188, Registered Plan 65M-4145

Hon. Mayor Bevilacqua & Members of Council,

KLM Planning Partners is pleased to submit the following on behalf of our client, **Belmont Properties (Weston) Inc.** with respect to the above noted lands (the “Subject Lands”). We have reviewed the Committee of the Whole (2) Report and recommendation with respect to the above noted agenda item and we are concerned with how the proposed City-wide Comprehensive Zoning By-law may impact the Subject Lands.

Our client is anticipating imminent approvals of their site plan and site-specific zoning by-law amendments within the coming months. Furthermore, our client has relied on By-law 1-88, as amended in designing and marketing their proposed buildings. The site-specific zoning by-law amendments for the Subject Lands amend the provisions of By-law 1-88, conforms to the Vaughan Official Plan 2010, represents good planning. We are not satisfied that the new provisions will allow the registration of our clients’ Site Plans and issuance of building permits for the Subject Lands as permitted by By-law 1-88, as amended.

With respect to the Transition clauses of the CZBL, we do not believe the provisions will ensure in-process site plans where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building

permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we request that the Subject Lands be left out of the new CBZL so that the zoning permissions currently under consideration by the City for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of Complete Application has been issued for a zoning by-law amendment application or site plan approval application'.

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Sincerely,

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Virtanen, MCIP, RPP
Partner

cc: Sal Crimi, Belmont Properties (Weston) Inc.
Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brendan Correia, Manager, Special Projects



PLANNING PARTNERS INC.

KLM File: P-2953

COMMUNICATION C35

ITEM NO. 9

COMMITTEE OF THE WHOLE (2)

October 13, 2021

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October 12, 2021

c/o Todd Coles, City Clerk
City of Vaughan
City Clerk's Department
Vaughan City Hall
2141 Major Mackenzie Dr W
Vaughan, ON
L6A 1T1

Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

**Re: Committee of the Whole (2) – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
Cal-Crown Homes (Three) Inc.
City Files: 19T-18V007 & Z.18.016
Legal Description: Block 203, Plan 65M-4361, City of Vaughan, Regional Municipality of York**

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

KLM Planning Partners is pleased to submit the following on behalf of our client, Cal-Crown Homes (Three) Inc. c/o Caliber Homes with respect to the above noted lands (the "**Subject Lands**"). We have reviewed the Committee of the Whole Report and recommendation with respect to the above noted agenda item and we are concerned with how the proposed City-wide Comprehensive Zoning By-law (the "**CZBL**") may impact the Subject Lands.

We submitted our concerns in our letter to Committee of the Whole dated June 7, 2021 and at its meeting on June 8, 2021, Committee provided direction to staff to address all site specific concerns raised. Despite this and City staff's comment response matrix indicating the issues raised have been resolved, we have had no communication with staff in this regard.

Our client has an approved implementing zoning by-law amendment and approved draft plan of subdivision which is not fully registered and not all building permits have been obtained. Our client has relied on By-law 1-88, as amended in designing, marketing and the sale of dwellings. The zoning By-law amendment application for the Subject Lands which amends the provisions of By-law 1-88 conforms to the Vaughan Official Plan 2010, represent good planning and was approved by Vaughan Council. We are not satisfied that the new provisions will allow the registration and issuance of building permits for these lots as permitted by By-law 1-88, as amended.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the new

zone requirements of the CZBL which has different Zones, General Provisions, Zone requirements and Definitions than By-law 1-88.

With respect to the Transition clauses of the CZBL, we do not believe the provisions will ensure draft approved plans of subdivision that have not been registered, in part or in whole, and where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we continue to request that the Subject Lands be left out of the new CBZL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval."

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Rob Lavecchia, B.U.R.Pl.
SENIOR PLANNER II

Cc: Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brandon Correia, City of Vaughan
Danny DiMeo, Caliber Homes
Andrew Wong, Caliber Homes



COMMUNICATION C36
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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October 12, 2021

c/o Todd Coles, City Clerk
City of Vaughan
City Clerk's Department
Vaughan City Hall
2141 Major Mackenzie Dr W
Vaughan, ON
L6A 1T1

Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

Re: Committee of the Whole (2) – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
Vaughan NW Residences Inc.
City File No's. 19T-19V005 & Z.19.029
Municipal Address: 10083 & 10101 Weston Road, City of Vaughan
Legal Description: Part of the West Half of Lot 21, Concession 5, City of Vaughan,
Regional Municipality of York

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

KLM Planning Partners Inc. is the land use planner by Vaughan NW Residences Inc. (the “**Owner**”), the owners of the above noted lands to review the Draft City-wide Comprehensive Zoning By-law (the “**CZBL**”). The lands are located north of Major Mackenzie Drive West and east of Weston Road and are known municipally as 10083 & 10101 Weston Road (the “**Subject Lands**”). The Subject Lands are located within Planning Block 33 West and the community known as Vellore Centre. Applications for draft of plan of subdivision and Zoning By-law Amendment received approval by the City of Vaughan Council on February 17, 2021. The lands are currently vacant.

We understand the City of Vaughan (the “**City**”) is undertaking a City-wide comprehensive review of its Zoning By-law to create a progressive By-law with updated, contemporary uses and standards. One of the stated intents of the CZBL is to recognize site-specific approvals that have already gone through a public statutory approval process, and to minimize legal nonconformity to the greatest extent possible. Based on our review of Schedule A – Map 163 and Map 164, the zoning designation for the Subject Lands indicates the subject lands are proposed to be zoned as the RT(H)-963 Zone. However, Section 14 – Exceptions, Exception 963 of the CZBL does not reflect the site-specific Zoning By-law No. 034-2021 that was approved by Council on February 17, 2021 and should be rectified.

We submitted our concerns in our letter to Committee of the Whole dated June 7, 2021 and at its meeting on June 8, 2021, Committee provided direction to staff to address all site specific concerns raised. Despite this and City staff's comment response matrix indicating the issues raised have been resolved, we have had no communication with staff in this regard.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the new zone requirements of the CZBL which has different Zones, General Provisions, Zone requirements and Definitions than By-law 1-88.

With respect to the transition clauses of the CZBL, we do not believe the provisions will ensure draft approved plans of subdivision that have not been registered, in part or in whole, and where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we continue to request that the Subject Lands be left out of the new CBZL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval."

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Rob Lavecchia, B.U.R.Pl.
SENIOR PLANNER II

cc: Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brendan Correia, Manager, Special Projects
Vaughan NW Residences Inc.

COMMUNICATION C37
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

Joan MacIntyre
905 513 0170 x115
JMacIntyre@mgp.ca

October 12, 2021

*MGP File: 15-2436,
16-2465*

Mayor and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

via email: clerks@vaughan.ca

Dear Mayor Bevilacqua and Members of Council:

**RE: City-Wide Comprehensive Zoning By-law– October 13th, 2021 Committee of the Whole
Comments from Nashville Developments (South) Inc. & Nashville Major Developments Inc.
Nashville Southwest Block and Southeast Block
City File No. Z.18.028, 19T-19V001, Z.20.024 & 19T-20V004**

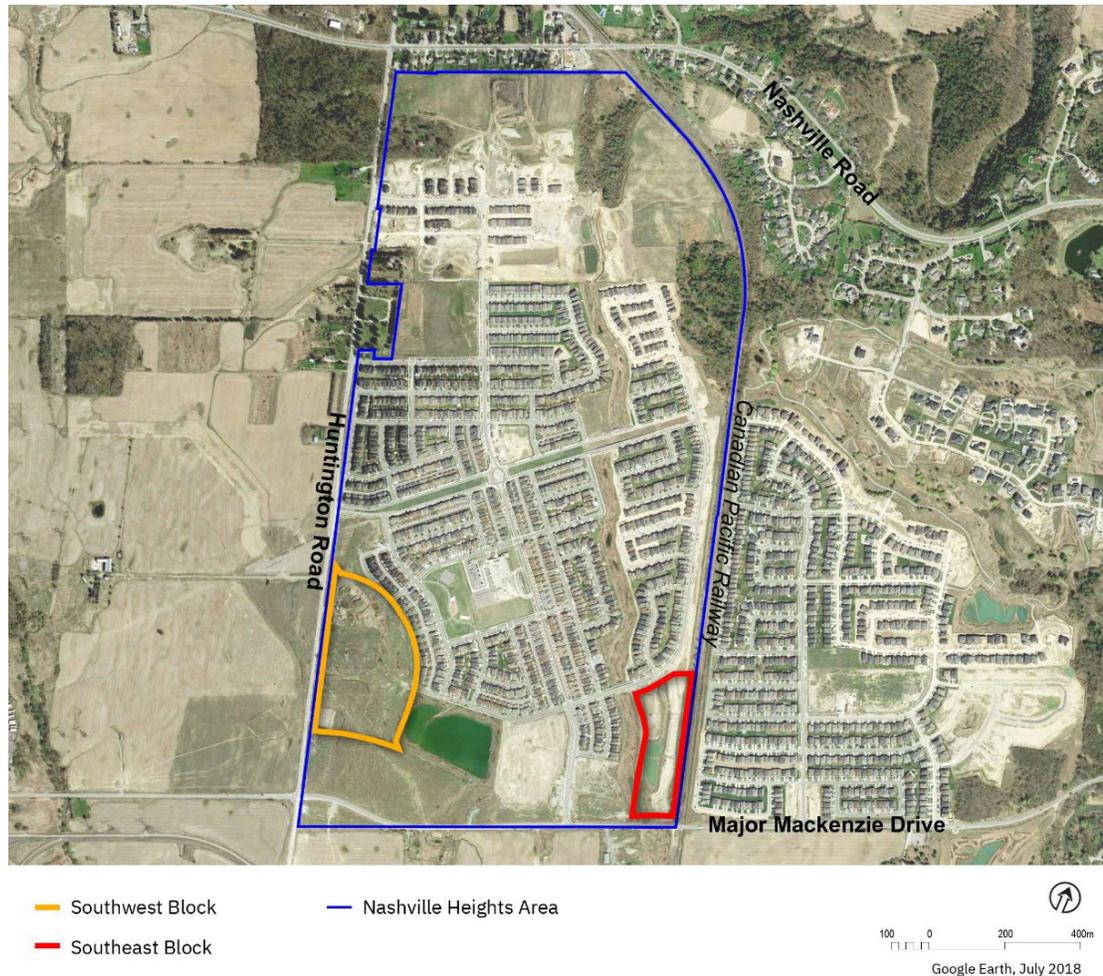
Malone Given Parsons Ltd. (“MGP”) are the Planning Consultants for Nashville Developments (South) Inc. & Nashville Major Developments Inc. (“Nashville Developments”), owners of two blocks within the southwest and southeast corners of the Nashville Heights community, located east of Huntington Road, west of the CP Rail, and north of Major MacKenzie Drive in the City of Vaughan.

On behalf of Nashville Developments, MGP has reviewed the October 13th, 2021 City-Wide Comprehensive Zoning By-law Report and the Draft Final Comprehensive Zoning By-law. Based upon our review, we note that the concerns outlined in our letter, dated August 25th, 2021, have not been addressed or acknowledged in the Comment Matrix. To this end, we ask that Council not approve the Comprehensive Zoning By-law prior to Staff addressing the following:

- That the site-specific zoning standards (Zoning By-law 005-2021) approved under By-law 1-88 for the Southwest Block in Nashville be incorporated into the Final Comprehensive Zoning By-law (see further detail below); and,
- That the Final Comprehensive Zoning By-law include transition policies for complete and in-progress zoning by-law amendments applications such as the Southeast Block (see further details below).

Attached for your reference is the above noted letter (Attachment A). The following letter reiterates Nashville Developments’ concerns. Figure 1 on the following page shows the location of the two subject blocks.

Figure 1 Location of Nashville Developments' Blocks



Source: Google Earth (2018), Malone Given Parsons Ltd (2021)

1. The Southwest Block

Applications for Zoning By-law Amendment and Draft Plan of Subdivision for the Southwest Block were approved by City of Vaughan Committee of the Whole on October 6, 2020, with the Zoning By-law Amendment (Zoning By-law 005-2021) coming into effect on January 6, 2021. The applications included 178 freehold townhouse units and a neighbourhood park. The Conditions of Draft Plan of Subdivision Approval were issued on March 12, 2021, which are currently in process of being cleared so that the Draft Plan of Subdivision may be registered.

Both the registration of the Draft Plan of Subdivision and future Site Plan and Building Permit applications will require a consistent zoning by-law framework transition between Zoning By-law 1-88 to the City-Wide Comprehensive Zoning By-law. Based on our review of the Draft Final Comprehensive Zoning By-law, we note that the Southwest Block is zoned as RT-1006. However, exception 1006 does not include half of the site-specific standards within Zoning

By-law 005-2021, which the Draft Plan of Subdivision was approved in tandem with. These outstanding exceptions are also not addressed under general standards.

Through our review of the Draft Final Comprehensive Zoning By-law, we note the following standards of Zoning By-law 005-2021 remain outstanding:

- Provision ‘bv’ pertaining to the minimum Rear Yard ;
- Provision ‘bvi’ pertaining to the minimum Interior Side Yard;
- Provision ‘bviii’ pertaining to Building Height;
- Provisions ‘bix’ and ‘bx’ pertaining to an Attachment between the dwelling unit and garage; and,
- Provision ‘ci’ pertaining to the maximum height of an Accessory Building.

As these provisions have not been contemplated, we ask that Final Comprehensive Zoning By-law include site-specific policies that would permit the above noted approved standards for the Southwest Block. A copy of Zoning By-law 005-2021 is attached to this letter for your reference.

In addition, in our August 25 letter, we noted new provisions under the Draft Comprehensive Zoning By-law that would affect the design of the Southwest Block. This included:

- Table 7-7 under Section 7.3.2 contains a new minimum lot coverage provision of 50m, which assume is meant as 50%. This is not included under Zoning By-law 1-88; and,
- Section 4.1.5.b. requires a 5.7m setback for detached private garages where access is provided from a driveway, crossing the exterior side lot line. Under Zoning By-law 1-88, a 4.5m setback would be required.

We ask that the site-specific exception for the Southwest Block under the Final Comprehensive Zoning By-law include exemption from these provisions, as they were not contemplated at the time of Draft Plan of Subdivision approval.

2. The Southeast Block

Applications for Zoning By-law Amendment and Draft Plan of Subdivision for the Southeast Block were submitted on September 9, 2020 to develop 85 residential units with a mix of single detached, semi-detached and townhouse units. The applications were deemed complete on September 25, 2020 and a Statutory Public Meeting was held on January 19, 2021. Subsequently, a revised application package was submitted on July 6, 2021.

The applications have been extensively reviewed under the existing Zoning By-law 1-88 framework. If the current Draft Final Comprehensive Zoning By-law comes into effect prior to the approval of the Southeast Block development applications, City staff and the consultant team for the Southeast Block would be required to wholly review the applications again under the new City-Wide Comprehensive Zoning By-law, effectively nullifying the work completed to date.

Presently, the Draft Final Comprehensive Zoning By-law does not include transition for zoning by-law amendment applications that are currently in progress. Although Section 1.6.3.3 now states that the requirements of the Comprehensive Zoning By-law do not apply to prevent the

approval of a zoning by-law amendment application that has been filed on or before the effective date of the Comprehensive Zoning By-law, one of the two clauses requires the application to be in compliance with Zoning By-law 1-88, as amended. It is unclear how an application to amend Zoning By-law 1-88 can be deemed in compliance with Zoning By-law 1-88.

Therefore, we ask that the transition policies (Section 1.6 of the Comprehensive Zoning By-law) be clarified to acknowledge in-progress and complete zoning by-law amendment applications, such as the Southeast Block. Further, we request that this transition continue to allow for a consistent zoning framework at the time of Draft Plan of Subdivision registration as well as future Site Plan and Building Permit applications for the Southeast Block.

We would welcome a meeting with staff to discuss our request in greater detail, if needed.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at (905) 513-0170.

Yours very truly,

Malone Given Parsons Ltd.



Joan MacIntyre, MCIP, RPP

Principal

Att Attachment A – Correspondence RE: June 8, 2021 Committee of the Whole, dated August 25, 2021
Attachment B – Zoning By-law 005-2021 for Nashville Southwest Block

cc Nashville Developments (South) Inc. & Nashville Major Developments Inc.
Haiqing Xu, City of Vaughan
Brandon Correia, City of Vaughan
Jennifer Kim, City of Vaughan
Judy Jeffers, City of Vaughan

Attachment A



Joan MacIntyre
905 513 0170 x115
JMacIntyre@mgp.ca

August 25, 2021

*MGP File: 15-2436,
16-2465*

Mayor and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

via email: clerks@vaughan.ca

Dear Mayor Bevilacqua and Members of Council:

**RE: City-Wide Comprehensive Zoning By-law – June 8, 2021 Committee of the Whole Report
Comments from Nashville Developments (South) Inc. & Nashville Major Developments Inc.
Nashville Southwest Block and Southeast Block
City File No. Z.18.028, 19T-19V001, Z.20.024 & 19T-20V004**

Malone Given Parsons Ltd. are the Planning Consultants for Nashville Developments (South) Inc. & Nashville Major Developments Inc. (“Nashville Developments”), owners of two blocks within the southwest and southeast corners of the Nashville Heights community, located east of Huntington Road, west of the CP Rail, and north of Major MacKenzie Drive in the City of Vaughan.

On behalf of Nashville Developments, we have reviewed the City-Wide Comprehensive Zoning By-law Report dated June 8, 2021 and the attached Draft City-Wide Comprehensive Zoning By-law. Based on our review, we note that there are new zoning regulations that would apply to the Southwest Block, not contemplated as part of the development review and approvals under Zoning By-law 1-88. Further, the Draft City-Wide Comprehensive Zoning By-law does not provide transition for current zoning by-law amendment applications that are in-process, such as the Southeast Block. Therefore, we ask that the City-Wide Comprehensive Zoning By-law address the following:

- That site-specific Zoning By-law 005-2021 for the Southwest Block be incorporated into the City-Wide Comprehensive Zoning By-law;
- That the new site-specific zoning exception for the Southwest Block also include provisions to address additional zoning regulations in the City-Wide Comprehensive Zoning By-law that were not contemplated as part of the application review and approval under Zoning By-law 1-88; and,
- That the City-Wide Comprehensive Zoning By-law provide transition policies for current zoning by-law amendment applications, such as the Southeast Block.

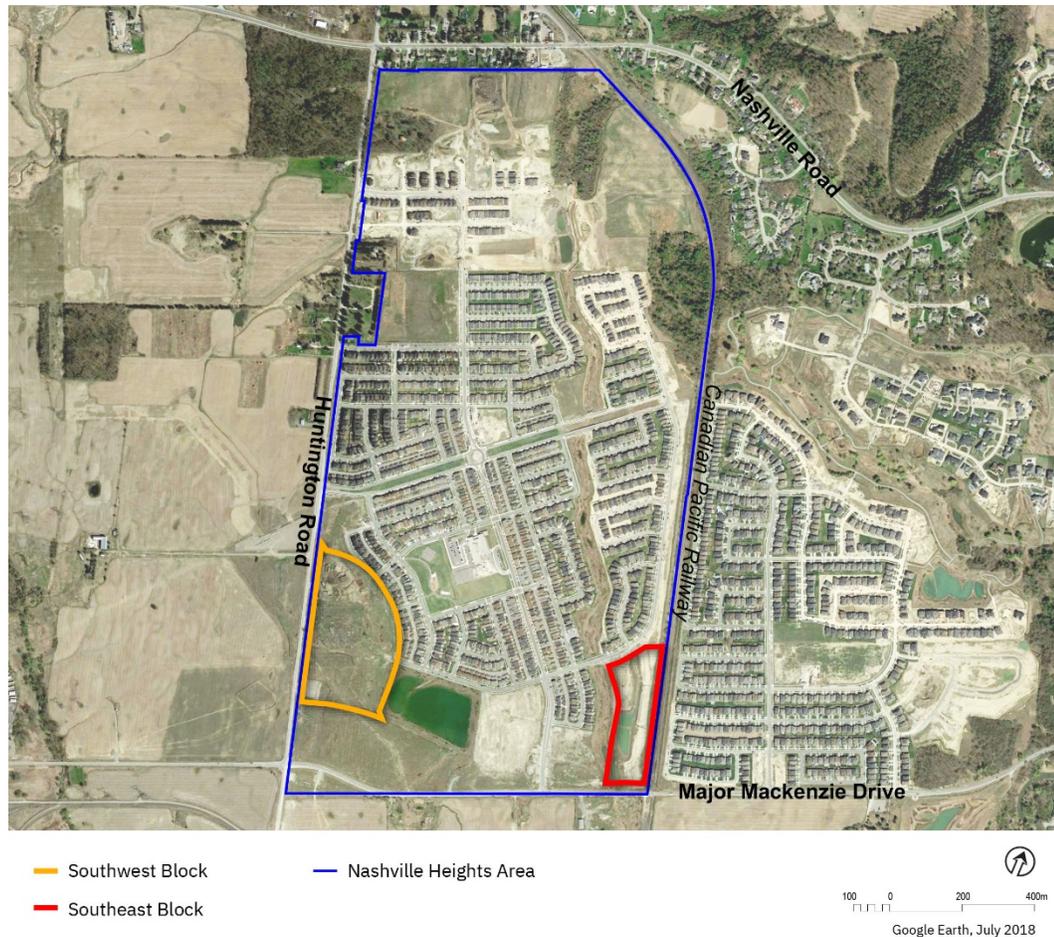
The Southwest Block

Nashville Developments owns an 8.37 hectares (20.68 acres) block, located east of Huntington Road and north of Major Mackenzie Drive, within the southwest corner of Nashville Heights.

Applications for Zoning By-law Amendment and Draft Plan of Subdivision for the Southwest Block were approved by City of Vaughan Committee of the Whole on October 6, 2020, with the Zoning By-law Amendment coming into effect on January 6, 2021. The Conditions of Draft Plan of Subdivision Approval were issued on March 12, 2021, which are currently in process of being cleared so that the Draft Plan of Subdivision may be registered.

The location of the Southwest Block is shown in Figure 1.

Figure 1 Southwest and Southeast Block Locations



The Draft Plan of Subdivision includes 178 freehold townhouse units and a neighbourhood park. As part of the future Site Plan applications for the freehold townhouses, detailed design of each block is being undertaken under the Zoning By-law 1-88 standards, as amended by site-specific Zoning By-law 005-2021.

Both the registration of the Draft Plan of Subdivision and future Site Plan applications will require a consistent zoning by-law framework from Zoning By-law 1-88 to the City-Wide Comprehensive Zoning By-law. As site-specific Zoning By-law 005-2021 came into effect during the Comprehensive Zoning By-law Review process, we understand it has not yet been included in the Draft City-Wide Comprehensive Zoning By-law. We ask that the final draft brought forward to Council for consideration incorporate site-specific Zoning By-law 005-2021 through a site-specific exception for the Southwest Block.

In addition, through our review of the Draft City-Wide Comprehensive Zoning By-law, we note the following standards are inconsistent with the zoning by-law framework for the Southwest Block under Zoning By-law 1-88:

- Table 7-7 under Section 7.3.2 contains a new minimum lot coverage provision of 50m, which assume is meant as 50%. This is not included under Zoning By-law 1-88; and,
- Section 4.1.5.b. requires a 5.7m setback for detached private garages where access is provided from a driveway, crossing the exterior side lot line. Under Zoning By-law 1-88, a 4.5m setback would be required.

As these provisions were not contemplated, we ask that the site-specific exception for the Southwest Block under the City-Wide Comprehensive Zoning By-law include exemption from the above noted standards.

The Southeast Block

Nashville Developments also owns a 4.23 hectares (10.45 acres) block, located west of the CP Rail and north of Major Mackenzie Drive, within the southeast corner of Nashville Heights. Applications for Zoning By-law Amendment and Draft Plan of Subdivision for the Southeast Block were submitted on September 9, 2020 to develop 85 residential units with a mix of single detached, semi-detached and townhouse units. The applications were deemed complete on September 25, 2020 and a Statutory Public Meeting was held on January 19, 2021. Subsequently, a revised application package was submitted on July 6, 2021.

The location of the Southeast Block is also shown in the above Figure 1 for reference.

The applications have been extensively reviewed under the existing Zoning By-law 1-88. However, the Draft City-Wide Comprehensive Zoning By-law does not include transition for in-progress zoning by-law amendment applications. If the City-Wide Comprehensive Zoning By-law comes into effect, shortly before the approval of the Southeast Block development applications, City staff and the consultant team for the Southeast Block would be required to wholly review the applications again under the new City-Wide Comprehensive Zoning By-law, resulting in a delay in the development process.

Therefore, we ask that transition be provided for in-progress and complete zoning by-law amendment applications, such as the Southeast Block. And further that this transition continue to allow for a consistent zoning framework at the time of Draft Plan of Subdivision registration as well as future Site Plan applications for the proposed freehold townhouses. Alternatively, we would ask that staff exclude the Southeast Block entirely from the City-Wide Comprehensive Zoning By-law.

We would welcome a meeting with staff to discuss our request in greater detail.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at (905) 513-0170.

Yours very truly,

Malone Given Parsons Ltd.



Joan MacIntyre, MCIP, RPP
Principal

cc Nashville Developments (South) Inc. & Nashville Major Developments Inc.
Haiqing Xu, City of Vaughan
Brandon Correia, City of Vaughan
Jennifer Kim, City of Vaughan
Judy Jeffers, City of Vaughan

Attachment B

Nashville Developments (South) Inc. and Nashville Major Developments Inc.

THE CORPORATION OF THE CITY OF VAUGHAN

**IN THE MATTER OF Section 34,
Subsections (18) and (19) of
the Planning Act, R.S.O. 1990, c.P.13**

I, **TODD COLES**, of the Township of King City, make oath and say:

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
2. **THAT** By-law Number 005-2021 was passed by the Council of the Corporation of the City of Vaughan on the 26th day of January, 2021, and written notice was given on the 9th of February, 2021 in the manner and form and to the persons prescribed in Regulation 199/96.
3. **THAT** no notice of appeal setting out an objection to By-law 005-2021 was filed with me within twenty (20) days from the date of written notice of the passing of the by-law.
4. **THAT** By-law Number 005-2021 is deemed to have come into effect on the 26th of January, 2021.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this)
2nd day of March, 2021)
)



TODD COLES



A Commissioner, etc.

Isabel Leung
Deputy City Clerk, City of Vaughan
A Commissioner, etc.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 005-2021

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from A Agricultural Zone to RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone, and OS2 Open Space Park Zone, in the manner shown on the said Schedule "1".
 - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1510) A. Notwithstanding the provisions of:

 - a) Subsection 2.0 respecting Definitions
 - b) Subsection 4.22.3 respecting the Residential Zone Requirements and Schedule "A3" respecting the Zone requirements in the RT1 Residential Townhouse Zone;
 - c) Subsection 4.1.1 respecting Accessory Buildings and Structures

The following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1641":

- ai) For the purposes of this By-law, the following definition shall apply:

An Attachment – Means a covered passage that is open and unenclosed or enclosed connecting a dwelling unit and a garage that is located in the rear yard of the lot that is accessed by a lane;

- bi) The Minimum Lot Area shall be 162m² per unit for Blocks 1 to 10;
- bii) The Minimum Lot Depth shall be 26m per unit for Blocks 1 to 10;
- biii) The Minimum Front Yard for a lot accessed by a lane shall be 3m per unit for Blocks 1 to 10;
- biv) The Minimum Rear Yard to the dwelling for a lot accessed by a lane shall be 12.5m per unit for Blocks 1 to 10;
- bv) The Minimum Rear Yard for a lot shall be 7 m per unit for Blocks 11 to 35;
- bvi) The Minimum Interior Side Yard for a lot accessed by a lane shall be 1.0m (End Unit) for Blocks 1 to 10;
- bvii) The Minimum Exterior Side Yard shall be 3.9m for Blocks 20 and 21;
- bviii) The Maximum Building Height for the Townhouse Dwellings shall not exceed 11.5m;
- bix) The minimum distance between the garage and nearest wall of the dwelling shall be 5.0m for Blocks 1 to 10 and the garage and dwelling unit may be connected by an Attachment;
- bx) The portion of the Attachment between a dwelling unit and a garage accessed by a lane shall not exceed a maximum width of 2.5m and shall not be included in any lot coverage requirement;
- ci) The maximum height of an Accessory Building located in the rear yard with or without an Attachment shall not

exceed 6.5m, and the said Accessory Building shall be measured from the average finished grade level at the garage door to the highest point of the said building or structure and the nearest part of the roof which shall not be more than 3m above finished grade;

- c) Adding Schedule "E-1641" attached hereto as Schedule "1".
- d) Deleting Key Map 9E and substituting therefor the Key Map 9E attached hereto as Schedule "2".

2. Schedules "1" and "2" shall be and hereby form part of this By-law.

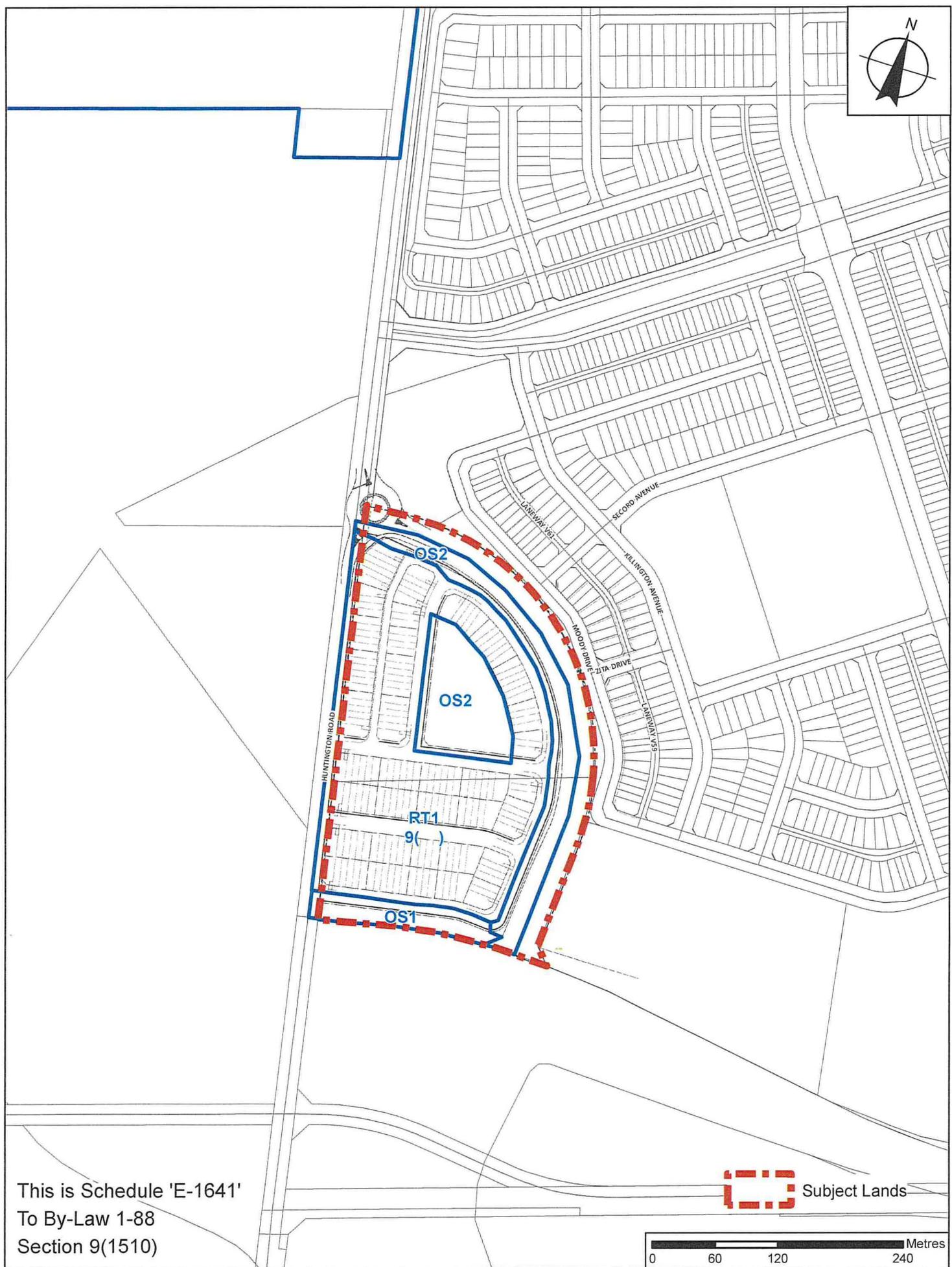
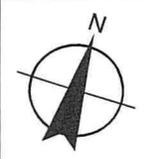
Enacted by City of Vaughan Council this 26th day of January, 2021.



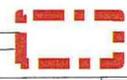
Hon. Maurizio Bevilacqua, Mayor

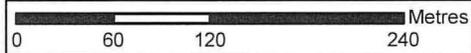


Todd Coles, City Clerk



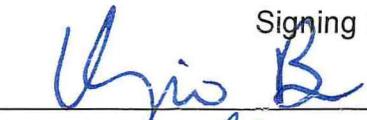
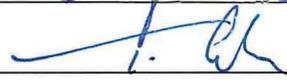
This is Schedule 'E-1641'
To By-Law 1-88
Section 9(1510)

 Subject Lands



This is Schedule '1'
To By-Law 005-2021
Passed the 26th Day of January, 2021

File: Z.19.004
Related File: 19T-19V001
Location: Part of Lots 21 and 22, Concession 9
Applicant: Nashville Developments (South) Inc. and
Nashville Major Developments Inc.
City of Vaughan

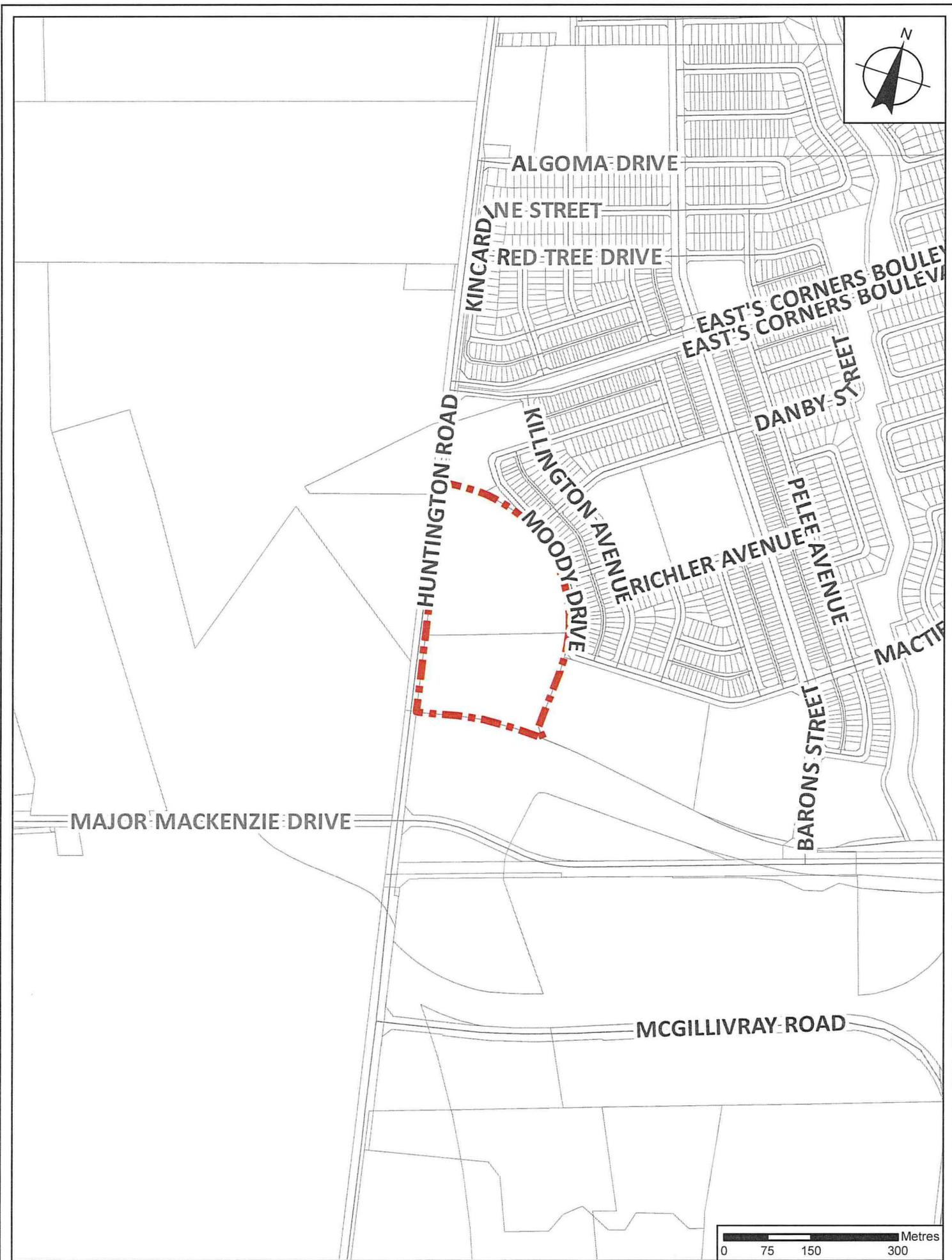
Signing Officers

Mayor

Clerk

SUMMARY TO BY-LAW 005-2021

The lands subject to this By-law are located north of Major Mackenzie Drive and east of Huntington Road being Part of the West Half of Lot 21 and Part of Lot 22, Concession 9, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from A Agricultural Zone to RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone. The By-law will facilitate thirty-five (35) blocks for 178 street townhouse dwellings, 4 public streets and a neighbourhood park.

This By-law also provides for site-specific development standards including, exceptions to the permitted minimum lot area, lot depth, front yard, rear yard, exterior and interior side yards, maximum building height and minimum distance between the garage and nearest wall of dwelling.



Location Map To By-Law 005-2021

File: Z.19.004

Related File: 19T-19V001

Location: Part of Lots 21 and 22, Concession 9

Applicant: Nashville Developments (South) Inc. and
Nashville Major Developments Inc.

City of Vaughan



Subject Lands

October 12, 2021

By E-Mail Only to clerks@vaughan.ca

Committee of the Whole
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Mr. Todd Coles, City Clerk

Members of the Committee of the Whole:

**Re: Committee of the Whole Meeting – October 13, 2021 – Item 6.9
City-Wide Comprehensive Zoning By-law Review
2466571 Ontario Inc.
31 and 55 Mounsey Street, City of Vaughan**

**COMMUNICATION C38
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021**

We are counsel to 2466571 Ontario Inc. (the “**Owner**”), the owner of the lands municipally known as 31 and 55 Mounsey Street (the “**Subject Lands**”).

Our client and its land use planning consultants have reviewed the Planning Staff Report prepared in respect of the above-noted item and the Final Draft of the proposed Comprehensive Zoning By-law (the “**Comprehensive ZBL**”). Our client has concerns with the Comprehensive ZBL as it applies to the Subject Lands.

In December 2016, the Owner filed applications for an Official Plan Amendment and Zoning By-law Amendment (collectively, the “**Applications**”) to permit the development of a nine-storey residential apartment building consisting of 192 units on the Subject Lands (the “**Proposed Development**”). In 2017, the Owner appealed the Applications to the Ontario Municipal Board (now continued as the Ontario Land Tribunal (the “**Tribunal**”)) due to the City’s failure to make a decision. Since then, the Owner has been working with the City to try to resolve issues; however, the appeals remain outstanding.

The Subject Lands are currently zoned “Residential Zone (R2)” in the City’s Zoning By-law 1-88 (“**By-law 1-88**”). The Applications propose to re-zone the Subject Lands to “Apartment Residential Zone (RA2)” with various site-specific zoning exceptions.

The Comprehensive ZBL proposes to re-zone the Subject Lands “Second Density Residential Zone – Established Neighbourhood (R2A(EN))”. This zoning would not permit the Proposed Development as contemplated in the Applications.

We understand from the Planning Staff Report that their intent was to include transition provisions in the Comprehensive ZBL to provide transition for in-progress development applications. While our client agrees with this intention, in our view, the proposed transition provisions in section 1.6.3 of the Comprehensive ZBL do not achieve the intended objective and do not provide adequate assurance that the Applications could be implemented, if approved by the Tribunal.

In particular, section 1.6.3.3 provides that the Comprehensive ZBL would not apply to prevent the approval of applications filed on or before its effective date, provided the application has been deemed complete and it “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”. As drafted, this section would automatically exclude any zoning by-law amendment applications, including the one filed for the Subject Lands, because such applications, by their very nature, do not comply with By-law 1-88.

If approved as proposed, the Comprehensive ZBL would not allow for any in-progress zoning by-law amendment applications, including the Applications, to be approved and implemented in accordance with that approval. Based on the comments in the Planning Staff Report, this appears to be an unintended outcome, which will lead to many unnecessary appeals of the Comprehensive ZBL in order to protect existing applications, or the need to apply for new zoning by-law amendments, which would be inefficient, impractical and prejudicial to applicants.

Given the inadequacy of the proposed transition provisions and the outstanding Applications, the Owner requests that the transition provisions be modified to ensure that the Applications may be approved despite the passing of the Comprehensive ZBL and any subsequent development applications and/or permits required to implement them will be determined in accordance with such approval. Alternatively, the Owner requests that the Subject Lands be excluded from the Proposed By-law until such time as the Applications are determined by the Tribunal.

Our client remains open to working co-operatively with City Staff and would be pleased to discuss these concerns and its proposed modifications further.

We request notice of any future meetings of Council or its Committees and any decisions made by the Committee of the Whole or Council respecting this matter.

Yours truly,
DAVIES HOWE LLP



Meaghan McDermid
copy: Client

Maurizio Rogato, Blackthorn Development Corp.
Brandon Correia, Manager, Special Projects, City of Vaughan
Haiqing Xu, Deputy City Manager, City of Vaughan
Effie Lidakis, Legal Counsel, City of Vaughan



COMMUNICATION C39
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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klmplanning.com

File: P-2199

October 12, 2021

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

Attention: Hon. Mayor Bevilacqua and Members of Council

Re: Comments on City-Wide Comprehensive Zoning By-law (Final Draft)
Committee of the Whole Meeting - Wednesday October 13, 2021
Agenda Item 9
Letter of Objection - Yonge Steeles Corridor Secondary Plan Pre-Zoning
City of Vaughan,
Regional Municipality of York

Dear Hon. Mayor Bevilacqua and Members of Council:

KLM Planning Partners Inc. is the planning consultant for the Yonge Steeles Landowners Group Inc. ("YSLOG"), which is a collective of landowners within the Yonge Steeles Corridor Secondary Plan area generally bounded by Yonge Street to the east, Steeles Avenue West to the south, Hilda Avenue to the west, and the CN Rail corridor to the north in the City of Vaughan. These landowners are also appellants and/or parties to the appeals of the Yonge Steeles Corridor Secondary Plan (the "YSCSP"). This letter is further to our previous correspondence letters dated December 4, 2020 and June 18, 2021, copies of which are attached.

Vaughan Committee of the Whole considered a recommendation report from the Deputy City Manager, Planning and Growth Management dated June 8, 2021 in relation to the City-Wide Comprehensive Zoning By-law ("CZBL"), which recommended the following:

1. THAT Vaughan Council ADOPT the City-wide Comprehensive Zoning By-law in substantially the same form as attached at its Council meeting of September 27, 2021;
2. THAT Vaughan Council authorize the Deputy City Manager of Planning and Growth Management to make such stylistic and technical changes to the City-wide Comprehensive Zoning By-law as may be required;

3. THAT the City-wide Comprehensive Zoning By-law, dated XX 2021, delete and replace zoning By-law 1-88 as amended;
4. THAT Vaughan Council deem that no additional notice or public meeting is required prior to the enactment of the City-wide Comprehensive Zoning By-law notwithstanding that changes were made to the by-law after the holding of the statutory public meeting.

Given the significant number of issues which remained with the CZBL, Vaughan Committee of the Whole recommended a deferral of the final consideration of the CZBL to the Committee of the Whole meeting on October 13, 2021. After having an opportunity to review the staff report, the public input response matrix, and the draft Zoning By-law and Mapping included as attachments to the report that will be considered at the October 13, 2021 Committee of the Whole meeting, it appears the concerns outlined in our previous submitted letters have not been resolved.

Staff continue to recommend that the YSCSP area be excluded from the CZBL at this time given the ongoing appeals to the Ontario Land Tribunal (“OLT”), formerly the Ontario Municipal Board (“OMB”) and Local Planning Appeal Tribunal (“LPAT”). This final version of the CZBL differs from the second draft of the CZBL provided in October 2020 in which the lands within the YSCSP were proposed to be pre-zoned to align with the 2012 Regionally endorsed YSCSP, subject to a Holding Symbol “(H)”. We provided comments on that former draft CZBL but never received a response to those comments.

Subsequent to sending our comments in December 2020, staff revised their approach as it applied to the YSCSP and recommended at the June 8, 2021 Committee of the Whole meeting that the CZBL should not apply to those lands until the Secondary Plan appeal is resolved. There was no discussion between City staff and the YSLOG to explain the rationale for this change, and despite our identification of the issue in our June 18, 2021 letter to Council staff still have not responded on the matter notwithstanding that the status “resolved” has been applied to the item in the public comments response matrix attached to the October 2021 staff report. By excluding the YSCSP lands from the CZBL the City will be maintaining the existing low-scale commercial zoning in the YSCSP area which is clearly outdated and would continue to promote the underutilization of our client’s lands.

It is our continued opinion that the Regionally endorsed YSCSP does not properly recognize the full potential of the affected lands as envisioned in the current Provincial policy direction, including but the limited to, the 2019 Provincial Growth Plan (as amended) and the 2020 Provincial Policy Statement. As this area is included within a future Major Transit Station Area (MTSA) area, which is planned to be served by the Yonge North Subway Extension, significant growth opportunities beyond what is currently reflected in the latest draft of the CZBL should be permitted in the final comprehensive zoning by-law for these lands.

Our client is hopeful that through the ongoing appeals process that the YSCSP can be finalized and brought into force to realize the full potential of the lands appropriately in terms of range

and mix of uses, building heights and densities. We respectfully request that prior to final enactment of the CZBL, that it be amended to address these outstanding matters.

Please consider this to be our formal request to be notified of all future Public Hearings, Open Houses, Committee of the Whole and Council meetings and decisions relating to this matter. As always, we would be pleased to meet with City staff to discuss our concerns. If you would like to arrange a meeting to discuss the above, please do not hesitate to contact us.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Mino-Leahan, B.U.R.PI, MCIP, RPP
Partner

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Marshall Smith, BES, PMP, MCIP, RPP
Senior Planner

MSmith@KLMPPlanning.com

905-669-4055 x 222

cc: Ira Kagan, Kagan Shastri LLP
Jason Park, Devine Park LLP
Yonge Steeles Landowners Group Inc.
Myron Pestaluky, Delta Urban Inc.
Mustafa Ghassan, Delta Urban Inc.
Brandon Correia, Manager of Special Projects, City of Vaughan

ATTACHMENT 1 - LETTER OF JUNE 18, 2021



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File: P-2199

June 18, 2021

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

Attention: Hon. Mayor Bevilacqua and Members of Council

**Re: Comments on City-Wide Comprehensive Zoning By-law (Final Draft)
Council Meeting - Tuesday June 22, 2021
In Response to Committee of the Whole Agenda Item 6.8 (Tuesday June 8, 2021)
Letter of Objection - Yonge Steeles Corridor Secondary Plan Pre-Zoning
City of Vaughan,
Regional Municipality of York**

Dear Hon. Mayor Bevilacqua and Members of Council:

KLM Planning Partners Inc. is the planning consultant for the Yonge Steeles Landowners Group Inc., which is a collective of landowners within the Yonge Steeles Corridor Secondary Plan area generally bounded by Yonge Street to the east, Steeles Avenue West to the south, Hilda Avenue to the west, and the CN Rail corridor to the north in the City of Vaughan. These landowners are also appellants and/or parties to the appeals of the Yonge Steeles Corridor Secondary Plan (the "YSCSP").

This letter is further to our previous correspondence dated December 4, 2020, a copy of which is attached. Vaughan Committee of the Whole considered a recommendation report from the Deputy City Manager, Planning and Growth Management dated June 8, 2021 in relation to the City-Wide Comprehensive Zoning By-law ("CZBL").

The report recommends the following:

1. THAT Vaughan Council ADOPT the City-wide Comprehensive Zoning By-law in substantially the same form as attached at its Council meeting of September 27, 2021;

2. THAT Vaughan Council authorize the Deputy City Manager of Planning and Growth Management to make such stylistic and technical changes to the City-wide Comprehensive Zoning By-law as may be required;
3. THAT the City-wide Comprehensive Zoning By-law, dated XX 2021, delete and replace zoning By-law 1-88 as amended;
4. THAT Vaughan Council deem that no additional notice or public meeting is required prior to the enactment of the City-wide Comprehensive Zoning By-law notwithstanding that changes were made to the by-law after the holding of the statutory public meeting.

Given the significant number of issues which remain with the CZBL, Vaughan Committee of the Whole has recommended a deferral of the final consideration of the CZBL to the Committee of the Whole meeting on October 13, 2021. Notwithstanding this deferral, after having an opportunity to review the staff report, draft Zoning By-law and mapping included as attachments to the report, we would like to provide the following comments for consideration by City staff and Council.

Staff are now recommending that the YSCSP area be excluded from the CZBL at this time given the ongoing appeals to the Ontario Land Tribunal (“OLT”), formerly the Ontario Municipal Board (“OMB”) and Local Planning Appeal Tribunal (“LPAT”). This final version of the CZBL differs from the second draft of the CZBL provided in October 2020 in which the lands within the YSCSP were proposed to be pre-zoned to align with the 2012 Regionally endorsed YSCSP, subject to a Holding Symbol “(H)”. We provided comments on that former draft CZBL but never received a response to those comments.

Subsequent to sending our comments in December 2020, staff revised their approach as it applies to the YSCSP and are now recommending that the CZBL not apply to those lands until the Secondary Plan appeal is resolved. There was no discussion between City staff and Yonge Steeles Landowners Group to explain the rationale for this change, nor does it appear that planning staff responded to our last letter dated December 4, 2020 in their response matrix attached to the June 8, 2021 staff report. By excluding the YSCSP lands from the CZBL the City will be maintaining the existing low-scale commercial zoning in the YSCSP area which is clearly outdated and would continue to promote the underutilization of our client’s lands.

It is our continued opinion that the Regionally endorsed YSCSP does not properly recognize the full potential of the affected lands as envisioned in the current Provincial policy direction, including but the limited to, the 2019 Provincial Growth Plan (as amended) and the 2020 Provincial Policy Statement. As this area is included within a future Major Transit Station Area (MTSA) area, which is planned to be served by the Yonge North Subway Extension, significant growth opportunities beyond what is currently reflected in the latest draft of the CZBL should be permitted in the final comprehensive zoning by-law for these lands.

Our client is hopeful that through the ongoing appeals process that the YSCSP can be finalized and brought into force to realize the full potential of the lands appropriately in terms of range and mix of uses, building heights and densities. We respectfully request that prior to final enactment of the CZBL, that it be amended to address these outstanding matters. It would also be appropriate for the final version of the CZBL to reflect the ongoing site-specific development applications that some of the members in our landowners group have filed.

Please consider this to be our formal request to be notified of all future Public Hearings, Open Houses, Committee of the Whole and Council meetings and decisions relating to this matter. As always, we would be pleased to meet with City staff to discuss our concerns. If you would like to arrange a meeting to discuss the above, please do not hesitate to contact us.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Mino-Leahan, B.U.R.PI, MCIP, RPP
Partner

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Marshall Smith, BES, PMP, MCIP, RPP
Senior Planner

MSmith@KLMPPlanning.com

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cc: Ira Kagan, Kagan-Shastri LLP
Jason Park, Devine Park LLP
Yonge Steeles Landowners Group Inc.
Myron Pestaluky, Delta Urban Inc.
Mustafa Ghassan, Delta Urban Inc.
Brandon Correia, Manager of Special Projects, City of Vaughan

ATTACHMENT 2 - LETTER OF DECEMBER 4, 2021



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File: P-2199

December 4, 2020

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

Attention: Mayor and Members of Council

**Re: City-Wide Comprehensive Zoning By-law
Letter of Objection - Yonge Steeles Corridor Secondary Plan Pre-Zoning
City of Vaughan, Regional Municipality of York**

KLM Planning Partners Inc. is the planning consultant for the Yonge Steeles Landowners Group Inc., which is a collective of landowners within the Yonge Steeles Corridor Secondary Plan area generally bounded by Yonge Street to the east, Steeles Avenue West to the south, Hilda Avenue to the west, and the CN Rail corridor to the north in the City of Vaughan. These landowners are also appellants and/or parties to the appeals of the Yonge Steeles Corridor Secondary Plan (the "YSCSP").

We understand that, further to the latest public hearing of October 29, 2020, the City-Wide Comprehensive Zoning By-law ('CZBL') is expected to be adopted in Q4 of 2020 or Q1 of 2021. In reviewing the latest draft version of the CZBL, specifically Maps 19 & 20 of Schedule A to the draft CZBL, and the recent City staff report dated October 29, 2020, we are aware that the YSCSP area is proposed to be pre-zoned to align with the 2012 Regionally endorsed YSCSP which is yet to come into force due to the outstanding appeals at the LPAT, and which are presently subject to ongoing mediation. It is also noted that pre-zoning of the YSCSP area with the Holding Symbol "(H)" is meant to acknowledge any modifications that may result from resolution of appeals which will manifest in the final in-effect YSCSP.

Notwithstanding the above, it is our opinion that the 2012 Regionally endorsed YSCSP does not properly recognize the full potential of the affected lands as envisioned in the current Provincial policy direction, including but the limited to the 2019 Provincial Growth Plan and 2020 Provincial Policy Statement. As this area is included within a future Major Transit Station Area (MTSA) area, which is planned to be served by the Yonge North Subway Extension, significant growth opportunities beyond what is currently being reflected in the latest draft of the CZBL should be allowed in the final comprehensive zoning by-law for these lands. Our client is hopeful that

through the ongoing appeals process that the YSCSP can be finalized and brought into force to realize the full potential of the lands appropriately in terms of range and mix of uses, building heights and densities, an appropriate system of public parks which does not unduly restrict development within this area, and a multimodal transportation network that will benefit existing and future residents and businesses alike in this important gateway location to the City of Vaughan and York Region. We respectfully request that prior to adoption the draft CZBL should be amended to address these outstanding matters for the YSCSP and to ultimately implement the final approval of the YSCSP as well as consider the ongoing site-specific development applications that some of the landowners in our client group have put forth.

Please consider this to be our formal request to be notified of all future Public Hearings, Open Houses, Committee of the Whole and Council meetings and decisions relating to this matter. Your continued consideration of the circumstances surrounding the YSCSP area is appreciated as work on the CZBL continues.

We would be pleased to meet with City staff to discuss our concerns. If you would like to arrange a meeting or discuss the above, please do not hesitate to contact us.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Mino-Leahan, B.U.R.PI, MCIP, RPP
Partner

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Marshall Smith, BES, PMP, MCIP, RPP
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cc: Ira Kagan, Kagan-Shastri LLP
Jason Park, Devine Park LLP
Yonge Steeles Landowners Group Inc.
Myron Pestaluky, Delta Urban Inc.
Mustafa Ghassan, Delta Urban Inc.
Brandon Correira, Manager of Special Projects, City of Vaughan



P-2283

COMMUNICATION C40
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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October 12, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
Development Planning Department

Sent by Email: clerks@vaughan.ca

Attn: Hon. Mayor Bevilacqua & Members of Council

Re: Committee of the Whole – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
City-Wide Comprehensive Zoning By-law (“CZBL”)
The Corporation of the City of Vaughan
Madison V!VA Bathurst Holdings Limited (Phase 2)
Lebovic Campus Drive
Site Development Application File: DA.19.066

Hon. Mayor Bevilacqua & Members of Council,

KLM Planning Partners is pleased to submit the following on behalf of our client, Madison **V!VA Bathurst Holdings Limited (Phase 2)** with respect to the above noted lands (the “Subject Lands”). We have reviewed the Committee of the Whole (2) Report and recommendation with respect to the above noted agenda item and we are concerned with how the proposed City-wide Comprehensive Zoning By-law may impact the Subject Lands.

Our client is anticipating imminent approvals of their ‘Simple revision to Site Development Application not requiring recirculation/Council Approval’ (Application) for the above noted lands. Furthermore, our client has relied on By-law 1-88, as amended in designing and marketing their proposed building. Their application complies with By-law 1-88, as amended, conforms to the Vaughan Official Plan 2010 and represents good planning. We are not satisfied that the new provisions will allow the registration of our clients’ Site Plans and issuance of building permits for the Subject Lands as permitted by By-law 1-88, as amended.

With respect to the Transition clauses of the CZBL, we do not believe the provisions will ensure in-process site plans where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building

permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

In light of the above, we request that the Subject Lands be left out of the new CBZL so that the zoning permissions currently under consideration by the City for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of decision has been issued for a zoning by-law amendment application or a site plan approval application'.

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

Sincerely,

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Virtanen, MCIP, RPP
Partner

cc: Monica Dashwood, Madison VIVA Bathurst Holdings Limited.
Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brendan Correia, Manager, Special Projects

October 12, 2021

By E-Mail Only to clerks@vaughan.ca

Committee of the Whole
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Mr. Todd Coles, City Clerk

Members of the Committee of the Whole:

**Re: Committee of the Whole Meeting – October 13, 2021 – Item 6.9
City-Wide Comprehensive Zoning By-law Review
Tesmar Holdings Inc.
9075 and 9085 Jane Street, City of Vaughan**

We are counsel to Tesmar Holdings Inc. (“**Tesmar**”), the owner and developer of the lands municipally known as 9075 and 9085 Jane Street (the “**Subject Lands**”).

Our client and its land use planning consultants have reviewed the Final Draft of the proposed Comprehensive Zoning By-law (the “**Proposed By-law**”) and have significant concerns with the zoning proposed therein for the Subject Lands.

The current zoning for the Subject Lands was established through site-specific Zoning By-law 157-2018 (the “**ZBA**”). The ZBA was approved by Order of the former Local Planning Appeal Tribunal dated August 27, 2018. The ZBA amended City Zoning By-law 1-88 to rezone the lands from “C7 Service Commercial Zone” subject to Exception 9(1032) to “RA3 Residential Apartment Zone” subject to a Holding provision and Exception 9(1467). The Holding symbol was removed from the zoning for the Subject Lands through By-law 176-2018 enacted September 27, 2018.

The first two phases of development, consisting of two residential towers, have now been constructed on the Subject Lands and partially occupied and the Plans of Condominium were approved with conditions on July 12, 2021. Tesmar has commenced the planning process for the third and final phase of development and will be submitting applications for Official Plan Amendment and Zoning By-law Amendment (the “**Applications**”) imminently.

COMMUNICATION C41
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

The Proposed By-law proposes to zone the Subject Lands “Service Commercial Zone SC-701”, which appears to reflect their former zoning and is clearly inconsistent with the zoning which was approved through the ZBA and has now been implemented on the Subject Lands for the first two phases.

We trust that this error is simply an oversight and request that the zoning for the Subject Lands be corrected to reflect the ZBA. Given the imminent Applications for the third and final phase, Tesmar is further requesting that the Proposed By-law reflect the proposed development relating to land use, height and density.

Our client and its land use planning consultants would be pleased to meet with City Planning Staff to discuss appropriate zoning for the Subject Lands in the Proposed By-law.

Please ensure that we are notified of any future meetings of Council or its Committees and any decisions made by this Committee of the Whole or Council respecting this matter.

Yours truly,
DAVIES HOWE LLP



Meaghan McDermid

MM

copy: Client
Ryan Mino, KLM Planning Partners Inc.
Brandon Correia, Manager, Special Projects, City of Vaughan
Haiqing Xu, Deputy City Manager, City of Vaughan
Caterina Facciolo, Deputy City Solicitor, City of Vaughan



COMMUNICATION C42
ITEM NO. 4
COMMITTEE OF THE WHOLE (2)
October 13, 2021

DATE: October 12, 2021
TO: Mayor and Members of Council
FROM: Nick Spensieri, City Manager
RE: COMMUNICATION – Committee of the Whole (2), October 13, 2021
Item # 4, Report # 46

**CITY OF VAUGHAN HEALTHCARE CENTRE PRECINCT FEASIBILITY
STUDY AND PARTNERSHIP**

Recommendation

The City Manager recommends:

1. An additional recommendation be added to the subject report as follows:
“Preliminary findings from the Cortellucci Vaughan Hospital Advisory Task Force be brought to a Committee of the Whole meeting for discussion in Q2 2022.”

Background

The Hospital Advisory Task Force has been formed to oversee the development of the vision and priorities for making Vaughan a globally recognized exemplar of a healthy city. The Task Force will meet four times from September 2021 to June 2022.

The Task Force will oversee work undertaken by the City of Vaughan, Mackenzie Health, York University and ventureLAB to continue building capacity for a future healthcare precinct, including work to advance seven decision points identified in the Vaughan Healthcare Centre Precinct feasibility study:

1. Identify a Preferred Implementation/Governance Model;
2. Protect and Maintain a “Hospital First Approach” in all Decision-Making;
3. Adopt a Phased Approach to Vertical Development of the VHCP;
4. Establish Agreements between the City of Vaughan and the VHCP Partners articulating and clarifying the individual roles, responsibilities, and obligations of each Organization;
5. The City of Vaughan to establish separate agreements with each individual stakeholder in the Partnership outlining a relationship of land provision, resources, and other expectations;



6. Stakeholders and partners need to determine their internal funding capacities for the VHCP phases; and
7. The partnership should explore opportunities with various partners (private and public sector) to advance the VHCP.

Following the conclusion of the Task Force in May 2022, a report summarizing the key findings of the Task Force will be brought to a Committee of the Whole meeting for discussion.

For more information, contact Julie Flesch, Economic Development Officer, extension 8893 or Raphael Costa, Director, Economic and Cultural Development, extension 8891.

Respectfully submitted by

A handwritten signature in black ink, appearing to read "Nick Spensieri", with a long horizontal line extending to the right.

Nick Spensieri
City Manager

COMMUNICATION C43
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

From: Michael LARKIN <mtl@larkinplus.com>

Sent: Tuesday, October 12, 2021 12:01 PM

To: Clerks@vaughan.ca

Cc: Brandon Correia <Brandon.Correia@vaughan.ca>; haiging.xi@vaughan.ca; Tom Barlow (tbarlow@fasken.com) <tbarlow@fasken.com>; cosimo CASALE <cosimo@cosmopolitan.ca>; Aaron M. GILLARD <amg@larkinplus.com>

Subject: [External] OBJECTION Vaughan Comprehensive Zoning Bylaw Update

Importance: High

Sensitivity: Confidential

Good morning,

We represent Arbor Memorial Services respecting matters pertaining to their GLENVIEW Memorial Gardens cemetery located on Highway 50 in Vaughan. Please find attached a letter of objection to the Vaughan Comprehensive Zoning Bylaw scheduled to be considered by Council at their meeting of October 13th, 2021 @ 1:00 pm. The letter from our Client's legal team is dated July 15th 2021. Please be advised that as our issues have not been resolved our Client maintains their formal objection to the Zoning Bylaw.

It is our understanding from Vaughan Staff that the matters of concern would be addressed before the Zoning Bylaw was to be brought back to Council. This clearly has not been done despite clear assurances to the contrary. In addition to our Client's letter of objection you can find the Final version of the following:

- ZBL Text (see section 11.2.1 Permitted uses for Employment Zones, which does not include Funeral Home / Services)
- Site Specific Exception 14.794 (it does not include Funeral Home / services as specific permitted use within EM-1; and it does not include the Exterior Site Yard Setback of 9.0m for the Cemetery OS2 Zone per ZBL 159-2020)
- VCZBL Schedule A Zoning Map 22 (it does not reflect the correct boundary between OS2 and EM-1 zones)
- Matrix communication (see page 14 re: Fasken Letter, and City response)

The concerns presented by LARKIN+, and FASKEN on behalf of AMI Glenview remain unresolved by the City Staff dealing with the Zoning review. We remain available to meet to discuss the matters raised in the attached letter and attachments.

Regards,
Michael

 **LARKIN+ LUPi**

 Michael T. **LARKIN** M.Pl., MCIP, RPP

 P: 905.895.0554 x.101 M: 416.726.3350

larkinplus.com

This message is intended only for the individual or entity to whom it is addressed and may contain information that is privileged and confidential. If you have received this message in error, please accept our apologies, notify us immediately by reply mail, and delete the message. THANK YOU!

© LARKIN+ Land Use Planners Inc.

FASKEN

Fasken Martineau DuMoulin LLP
Barristers and Solicitors
Patent and Trade-mark Agents

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Canada

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+1 800 268 8424
F +1 416 364 7813
fasken.com

July 15, 2021

Tom Barlow
Direct +1 416 868 3403
tbarlow@fasken.com

VIA EMAIL

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
Office of the Deputy City Manager
Planning and Growth Portfolio
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. Correia:

**Re: Glenview Memorial Gardens, 7541 Highway 50, Vaughan
City of Vaughan Comprehensive Zoning By-law Review**

We represent Arbor Memorial Inc., which is the owner of the above-mentioned cemetery property in the City of Vaughan.

Please accept this letter of objection to the City of Vaughan Comprehensive Draft Zoning By-law as it affect our client's property.

We have reviewed the City of Vaughan's Final Draft – Comprehensive Zoning By-law and note that concerns in regard to permissions in Exception 794 that regulate land uses on Glenview Memorial Gardens remain outstanding. Our client's consultants,

LARKIN+, our client's planners, have made several submissions on the three previous drafts of the City's new Comprehensive Zoning By-law dated 2019-08-14, 2020-04-27 and 2020-10-08 (as attached), attended several meetings with staff to review these concerns and made a delegation at the Public Hearing for the Third Draft on 2020-10-29.



Our concerns can be described briefly as follows:

1. A Funeral Establishment is not formally recognized as a permitted use in the Prestige Employment Zone (EM1) that applies to Glenview Memorial Gardens. Funeral Homes are identified as a permitted use within the EM1 Zone of the City of Vaughan ZBL I-88. If this general permission is not going to be carried forward into the new Comprehensive Zoning By-law, this use must be formally recognized in Exception 794 - Section 14.794.2 Permitted Uses.
2. Site Specific Bylaw 159-2020 to I-88 was passed in the fall of 2020 which recognizes a setback of 9 metres from the exterior lot line of the cemetery. The Final Draft of the Comprehensive Zoning By-law does not recognize this setback in Exception 794 – Section 14.794.2 Lot and Building Permissions.

Accordingly, please accept this letter as our formal objection to Section 14.794 of the new City of Vaughan Comprehensive Zoning By-law – Final Draft.

Please advise if anything further is required and in the event you wish to discuss.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



W. Thomas Barlow*

*Practising through a professional corporation

cc. Mr. Haiqing Xu, Deputy City Manager of Planning & Growth Management, City of Vaughan
cc. Office of the City Clerk
cc. Larkin+ Land Use Planners Inc.



**Committee of the Whole (2)
October 13, 2021**

RE: Communication C43

Item 9

**CITY-WIDE COMPREHENSIVE ZONING BY-LAW THE CORPORATION
OF THE CITY OF VAUGHAN (REFERRED)**

In addition to the preceding comments and letter, Communication C43 references and includes the following attachments, as distributed on October 1, 2021 in Communication C1 from the Deputy City Manager, Planning and Growth Management:

1. Comprehensive Zoning By-law (Final | 001-2021);
2. Zone Exception No. 794 (14.794);
3. Comprehensive Zoning Bylaw Schedule A, Map 22; and
12. Comment Response Matrix– Updated.

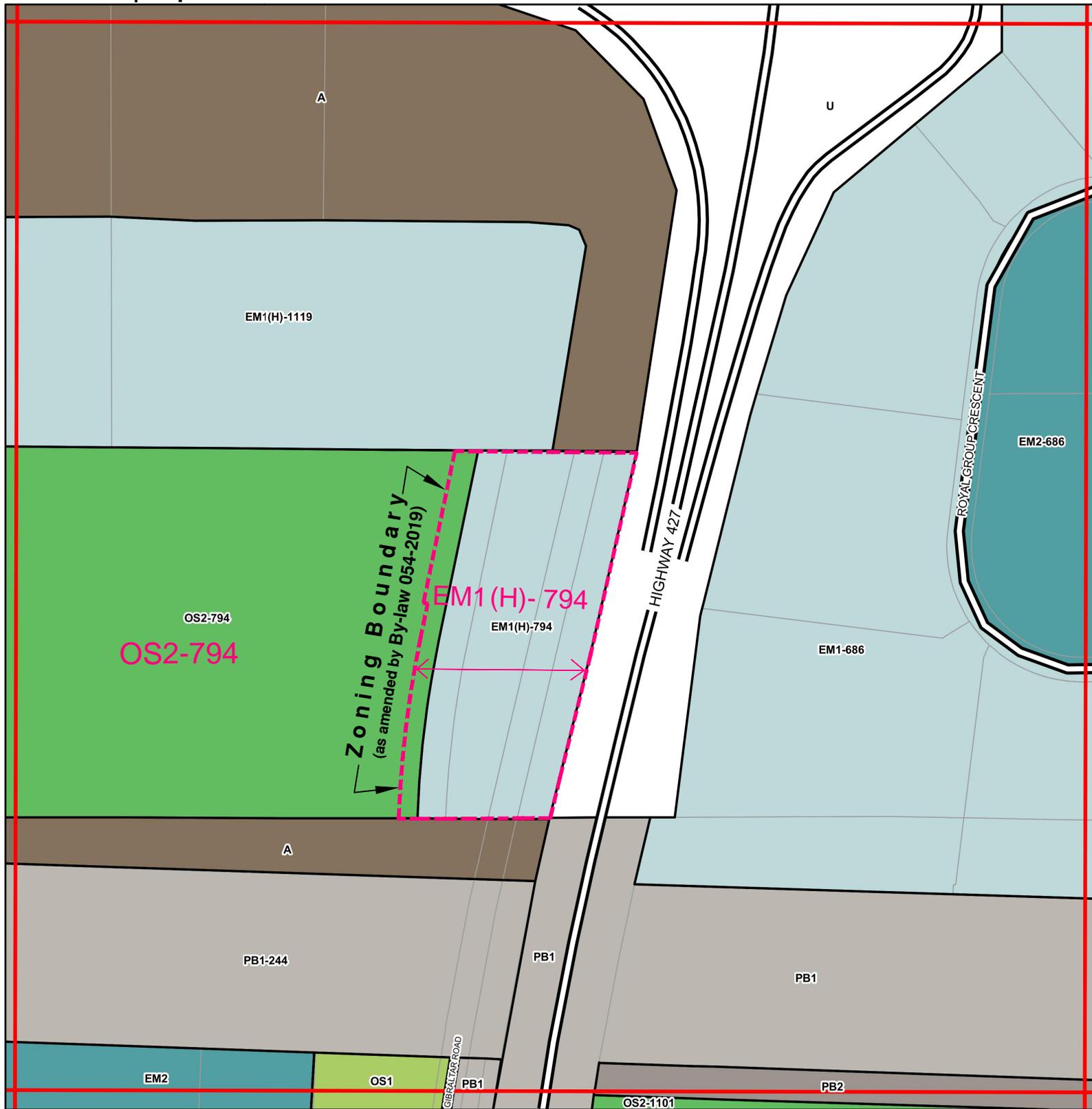
For ease of reference, only pages with amendment and/or markup have been included. The following pages have been included:

- Comprehensive Zoning Bylaw Schedule A, Map 22 (includes markup);
and
- Page 14 of the Comment Response Matrix – Updated (includes markup).

A copy of the entire communication document containing a total of 185 pages is on file in the Office of the City Clerk.

Zoning By-law 001- 2021

Schedule A | Map 22



Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
 - OS1 (Public Open Space Zone)
 - OS2 (Private Open Space Zone)
 - EP (Environmental Protection Zone)
- ### Vaughan Metropolitan Centre Zones
- V1 (Station Precinct Zone)
 - V2 (South Precinct Zone)
 - V3 (Neighbourhood Precinct Zone)
 - V4 (Employment Precinct Zone)

Residential Zones

- R1 (First Residential Zone)
- R2 (Second Residential Zone)
- R3 (Third Residential Zone)
- R4 (Fourth Residential Zone)
- R5 (Fifth Residential Zone)
- RT (Townhouse Zone)
- RM1 (Multiple Residential Zone 1)
- RM2 (Multiple Residential Zone 2)
- RE (Estate Residential Zone)

Commercial Zones

- GC (General Commercial Zone)
 - NC (Neighbourhood Commercial Zone)
 - CC (Convenience Commercial Zone)
 - SC (Service Commercial Zone)
- ### Mixed-Use Zones
- LMU (Low-Rise Mixed-Use Zone)
 - MMU (Mid-Rise Mixed-Use Zone)
 - HMU (High-Rise Mixed-Use Zone)
 - GMU (General Mixed-Use Zone)
 - CMU (Community Commercial Mixed-Use Zone)

Employment Zones

- EMU (Employment Commercial Mixed-Use Zone)
- KMS (Main Street Mixed-Use - Kleinburg Zone)
- MMS (Main Street Mixed-Use - Maple Zone)
- WMS (Main Street Mixed Use - Woodbridge Zone)
- EM1 (Prestige Employment Zone)
- EM2 (General Employment Zone)
- EM3 (Mineral Aggregate Operation Zone)

Other Zones

- I1 (General Institutional Zone)
- I2 (Major Institutional Zone)
- U (Utility Zone)
- FD (Future Development Zone)
- PB1 (Parkway Belt Public Use Zone)
- PB2 (Parkway Belt Complementary Use Zone)
- PB3 (Parkway Belt West Recreational Zone)

These lands shall not be subject to Zoning By-law 2021-01

61	62	63	64
41	42	43	44
21	22	23	24
1	2	3	4

EMAIL	Ryan Virtanen, KLM Partners Inc.	6/7/2021	8555, 8811, 9151 Huntington Road, 6560 Langstaff Road	Transition	<p>1. The comments provided request re-consideration of the subject lands being omitted from the by-law, at this time, The submission expresses concern respecting Transition, specifically for draft approved Plans of Subdivision which have not been registered.</p> <p>2. Staff have reviewed this comment and propose minor modifications to the Transitions provisions of the by-law (section 1.6) to clearly include draft approved plans of sub-division. Staff welcome further review of site specific special provisions to ensure no editorial or housekeeping matters.</p>	Resolved
EMAIL	Matthew Di Vona, Di vona Law	6/7/2021	10481 Hwy #50, 7050 Major Mackenzie Drive, 7050 Major Mackenzie Drive	Zone	<p>1. The comments provided oppose the proposed Future Development 'FD' Zone.</p> <p>2. Staff have reviewed the submission and support the proposed 'FD' zone, which would generally require an application for zoning by-law amendment to facilitate the development of the subject lands. On this basis, no change is proposed in the final draft.</p>	No change
EMAIL	Michael Vani, Weston Consulting	6/8/2021	7290 Major Mackenzie Drive	By-law approval	<p>1. The submission requests confirmation that by-law 141-2020 will be reflected in the final draft considered by Vaughan Council.</p> <p>2. City staff confirm that Part 14 special provisions (14.967) has been updated to reflect by-law approval 141-2020.</p>	Resolved
EMAIL	Matthew Halo, Weston Consulting	6/21/2021	8960, 9000 Jane Street, 27 Korda Gate		<p>1. The comments submitted request review of chapter 14 special provisions to ensure that the zoning requirements are consistent with the site specific recent by-law approval (by-law 033-2019). As well, the submission provides requests for review of the definition of "storey", waste enclosure requirements, temporary sales office, outdoor patios and rooftop mechanical equipment.</p> <p>2. Staff have considered each and have concluded that the proposed final draft are in keeping with best practice and are in conformity to VOP 2010. Temporary sales office has been amended to eliminate reference to site plan control, which is regulated by the site plan control by-law.</p>	Partially Resolved
EMAIL	Tom Barlow, Fasken Martineau DuMoulin LLP	7/16/2021	7451 Hwy #50	By-law approval	<p>1. The submission requests confirmation that by-law 059-2019 will be reflected in the final draft considered by Vaughan Council.</p> <p>2. City staff confirm that Part 14 special provisions (14.967) has been updated to reflect by-law approval 059-2019.</p>	Resolved

Exception
14.794

COMMUNICATION C44

ITEM NO. 6

COMMITTEE OF THE WHOLE (2)

October 13, 2021

COMMITTEE OF THE WHOLE

ELIZABETH LINCOLN AND BRENT KOWALCHUK

RESIDENT OWNERS OF [REDACTED] ATHABASCA DRIVE SINCE 2002

Athabasca Community Traffic Study/Actions

- Support
- Do not support

Support

- Stop sign at Hunterwood Chase (South) and Athabasca Drive
 - Breaks up a 1 km stretch of uninterrupted roadway along Athabasca Drive.
- More by-law enforcement of daytime street parking over 3 hours, and overnight street parking
 - Decreases driver visibility of pedestrians. We have a growing number of pedestrians who prefer not to use the sidewalks. Parking on both sides of the road at the same time exacerbates the issue.
 - Impairs a driver's ability to exit their driveway safely.
- Crosswalk painted ladder markings

Do not support

a. Legalization of illegal street signs including “Drive Safe”

- Visual obstacle to having a full view of the road
- Hazardous – wired signs blow onto road
- Emotionally distressing

b. 9 Warning signs

- Locations? - Outstanding road safety complaint made to By-Law in 2018, 2020 and again in 2021. More street obstacles will only add to our pre-existing hazardous condition
- How is success measured? Before/after proof of effectiveness? ROI?

Do not support

c. 1 in-road flexible signage

- What is it? A Bollard? Why do we need it?
- Seems like an inner city, high density solution
- Unsuitable to “Rural Vaughan” where properties are wide, and traffic volume low

d. Centreline painting

- How is success measured? Before/after proof of behavioural impact?
- Not sustainable – maintenance

e. Consultants

- Waste of tax dollars
- Biased conclusions

COMMUNICATION C45
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

City of Vaughan City-wide Comprehensive Zoning By-law Review

Committee of the Whole (2)

October 13, 2021



Overview

1. Review of comment response matrix
2. Zoning By-law – Final Draft

Transition (C. 6, C.19, C.27, C.32, C. 33, C. 34, C.35, C.36, C.37, C.39.)

- Several communications received request future consideration of the comprehensive zoning by-law for various reasons such as but not limited a range of active development applications.
- Comments made seeking to increase clarity with respect to what is subject to Transition
- Revisions to Part 1.6 made seeking to respond to concerns raised

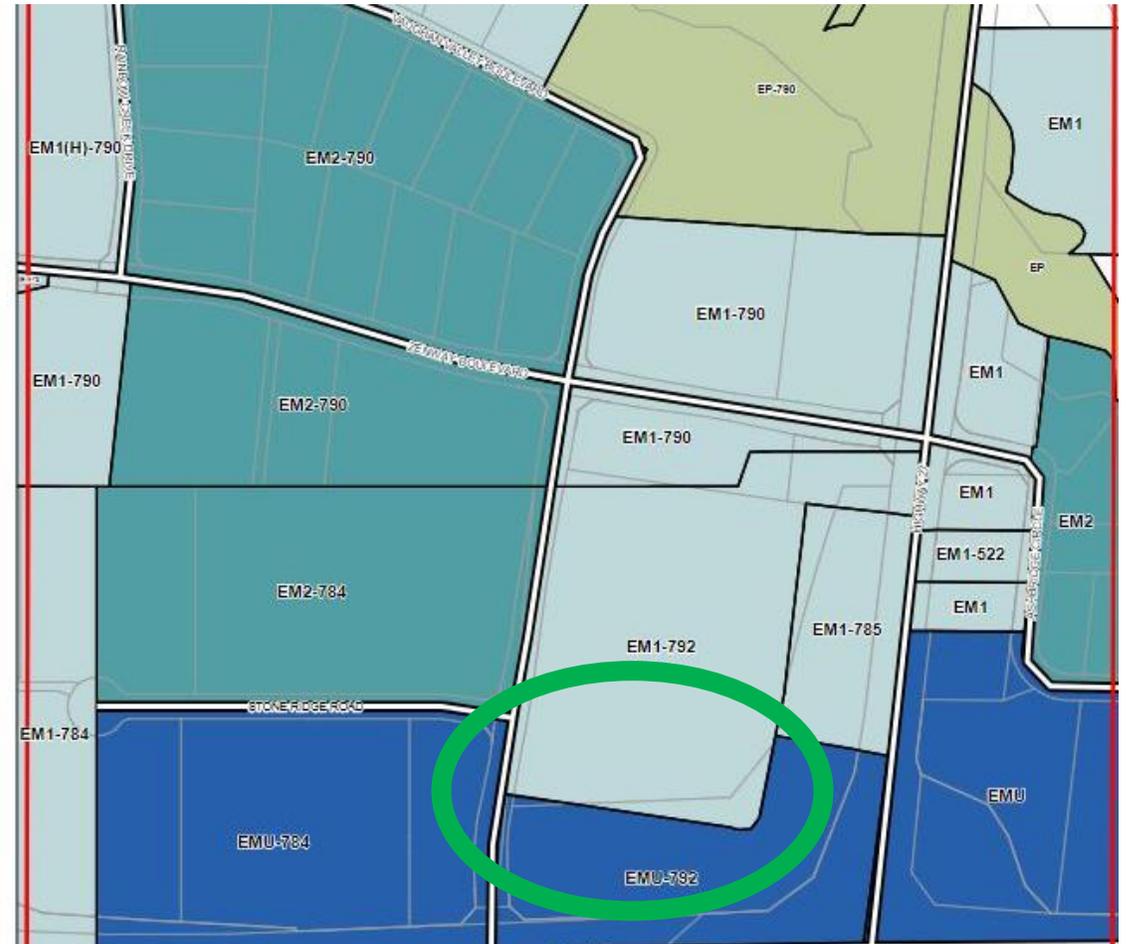
Transition



- Transition has two main aspects: Planning Act & Building Code Act (permit) approvals
- Applies to all types of development applications (Zoning By-law amendment, draft plan of subdivision approval, minor variances, site plans, etc.)
- With planning approval in place, building permits are subject to transition to avoid potential conflict with zoning requirements
- The final draft recommends that transition go back to Jan 1, 2010 and be subject to a ten year expiry **clause (new)**

C.6 – Request for revised zone line

- Minor zone boundary now follows the internal road and avoids the split zoning of two existing buildings
- Confirmation respecting accessory eating establishment to gas stations



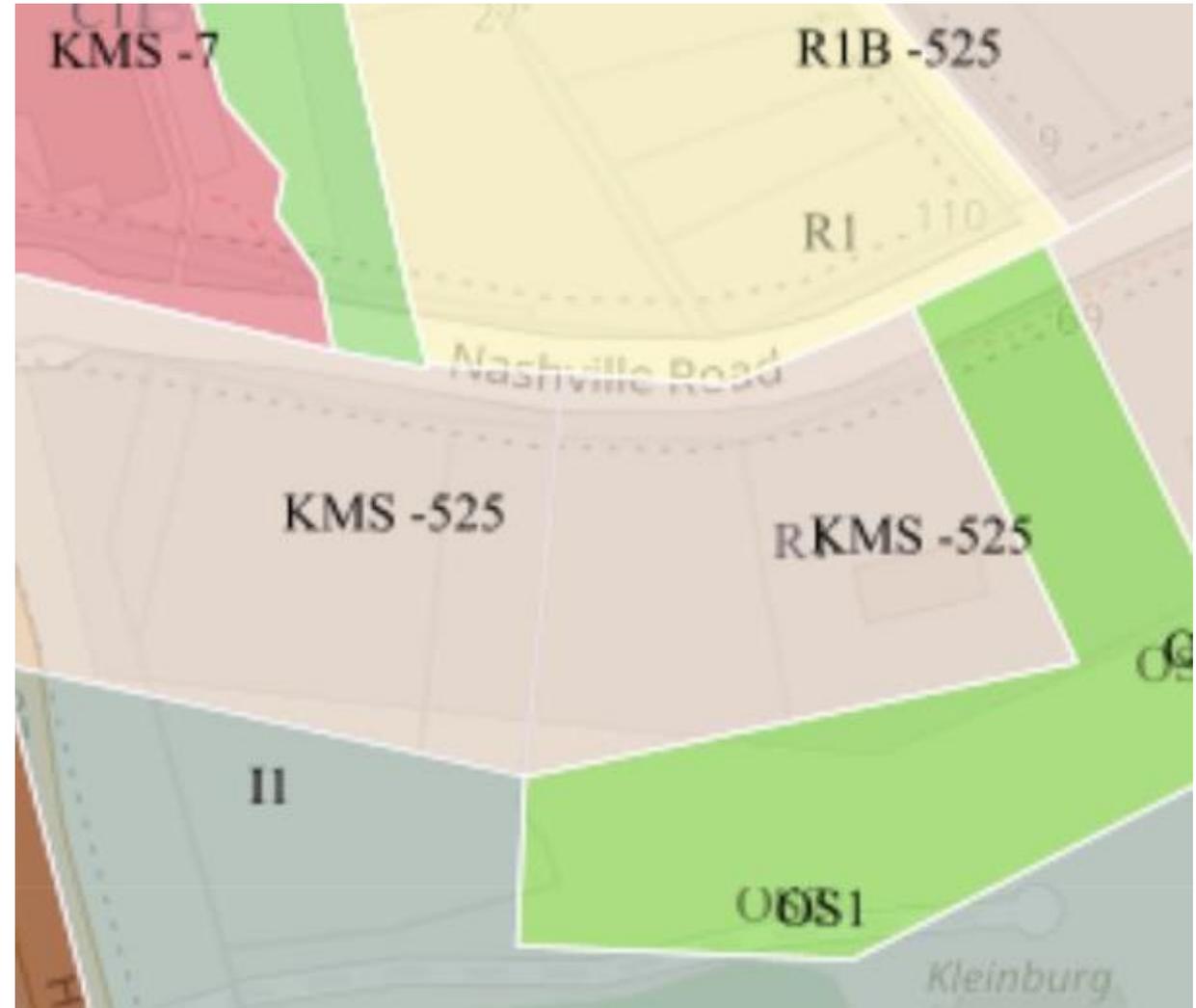
C. 22 Responding to existing conditions: Kleinburg Inn

- June draft would result in legal non-conforming of existing Kleinburg Inn
- Staff reviewed the comments and supported a commercial zone for a portion of the property which would legally recognize the Kleinburg Inn as a permitted use.
- The balance of the lands remain with the EP zone
- Special provisions amended to permit a “hotel” use only.



C.19 Consideration of site-specific exception

- Current site specific exception refers to single family dwellings being the only permitted use
- Future development limits to be aligned in consultation with TRCA
- Site specific development review recommended in order to delete the existing exception (14.525)

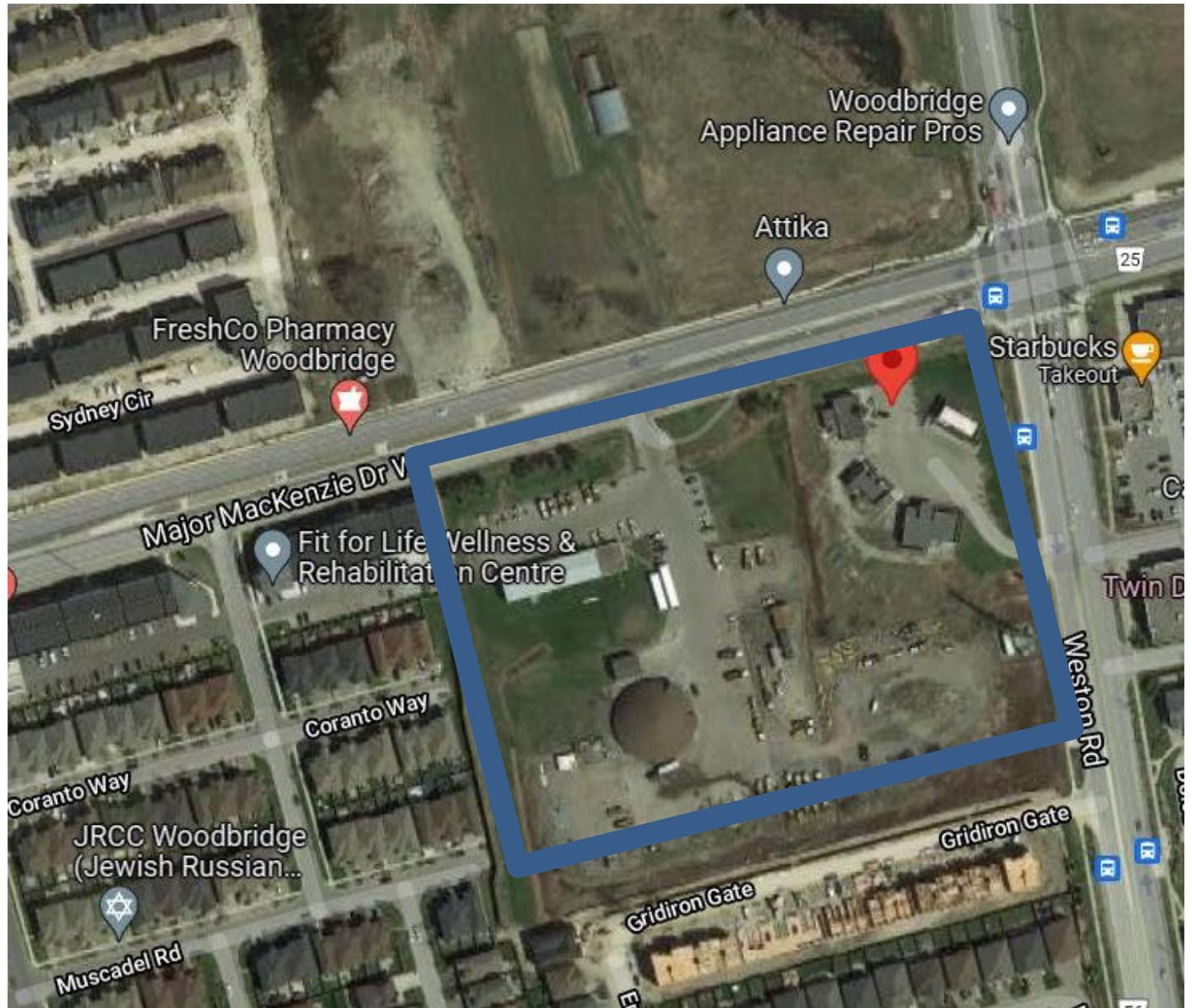


PRE-ZONING REQUESTS

- C.14, C.15, C.16, (several email requests)
- Pre-zoning is not appropriate in all circumstances
- Lands zoned with an Agriculture zone, or FD “Future Development” zone require a detailed planning process (i.e. Secondary Plan approval, etc.)
- The VOP 2010 does not require that all lands within the City are pre-zoned

Example: Request for pre-zoning (residential)

- Currently zoned 'A' by-law 1-88
- New zoning by-law remains 'A' as pre-zoning was not proposed in this area.
- Consultant requesting a mixed-use zone
- Staff have not supported site specific re-zoning through the comprehensive zoning by-law review process



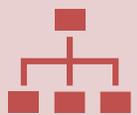
C.20 MMS zone – 9920, 10150 Keele Street



The submission request clarity respecting permitted uses in the new MMS zone and the interpretation of special provision 14.534.



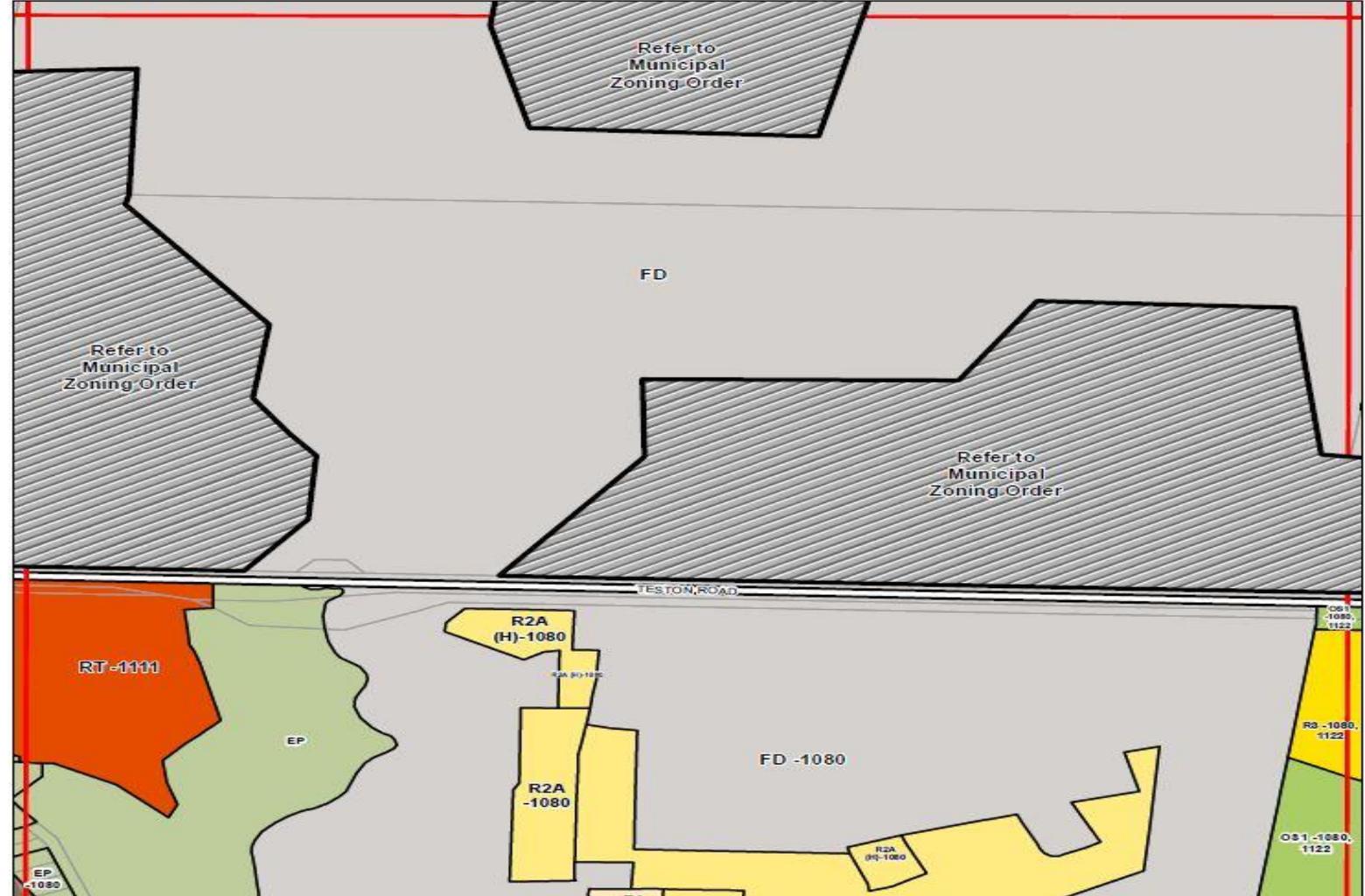
Staff have reviewed the comments and clarify that the uses of the new MMS parent zone are permitted on the subject property, subject to all other planning approvals such as but not limited to Site Plan approval being in place.



As well, Special Provision 14.534 requires that the existing Heritage structure be maintained. On this basis, minor refinements to chapter 14. 534 are recommended in the final draft.

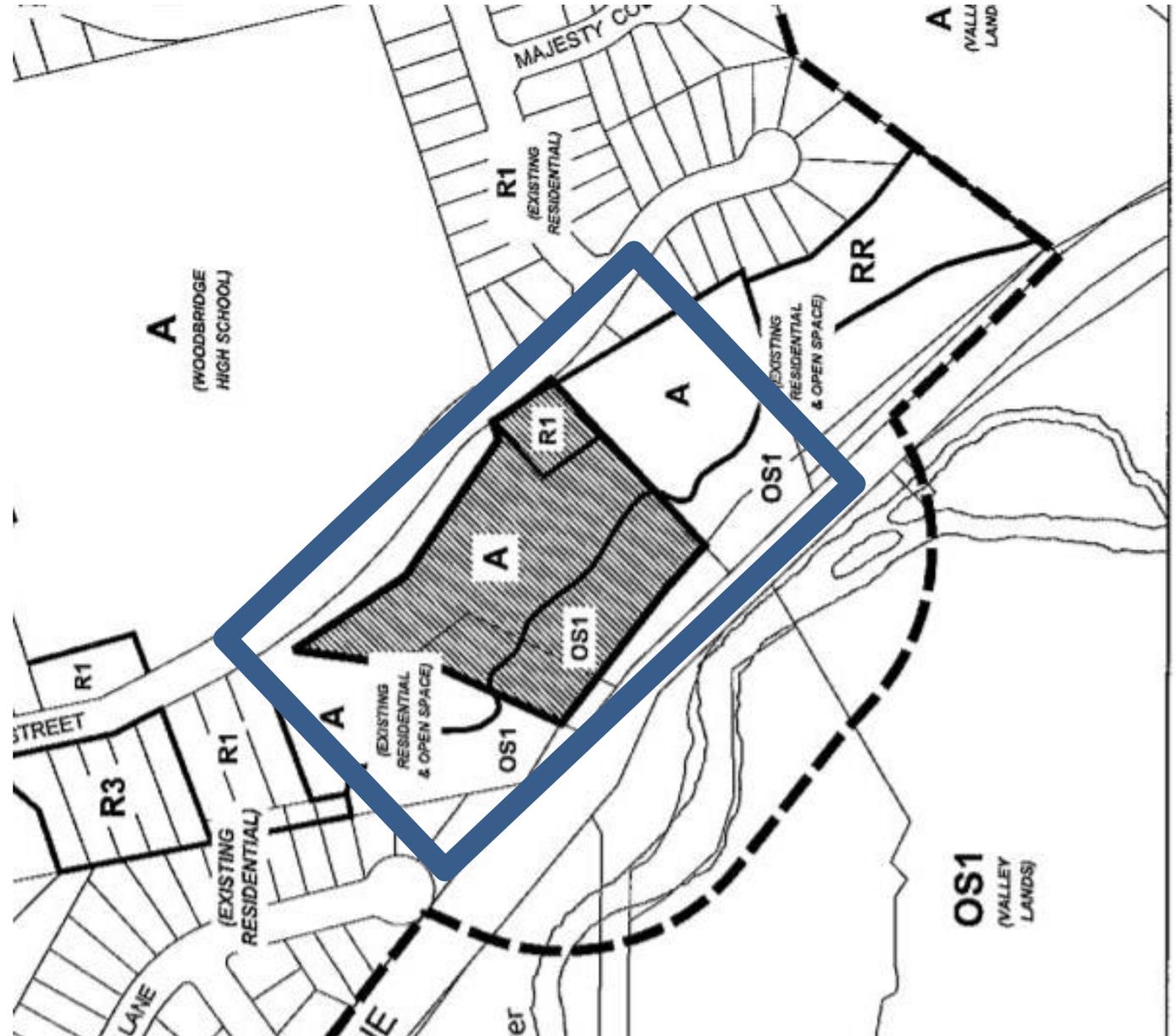
Updated reference to applicable Minister Zoning Order's

Zoning By-law 01- 2021
Schedule A | Map 201



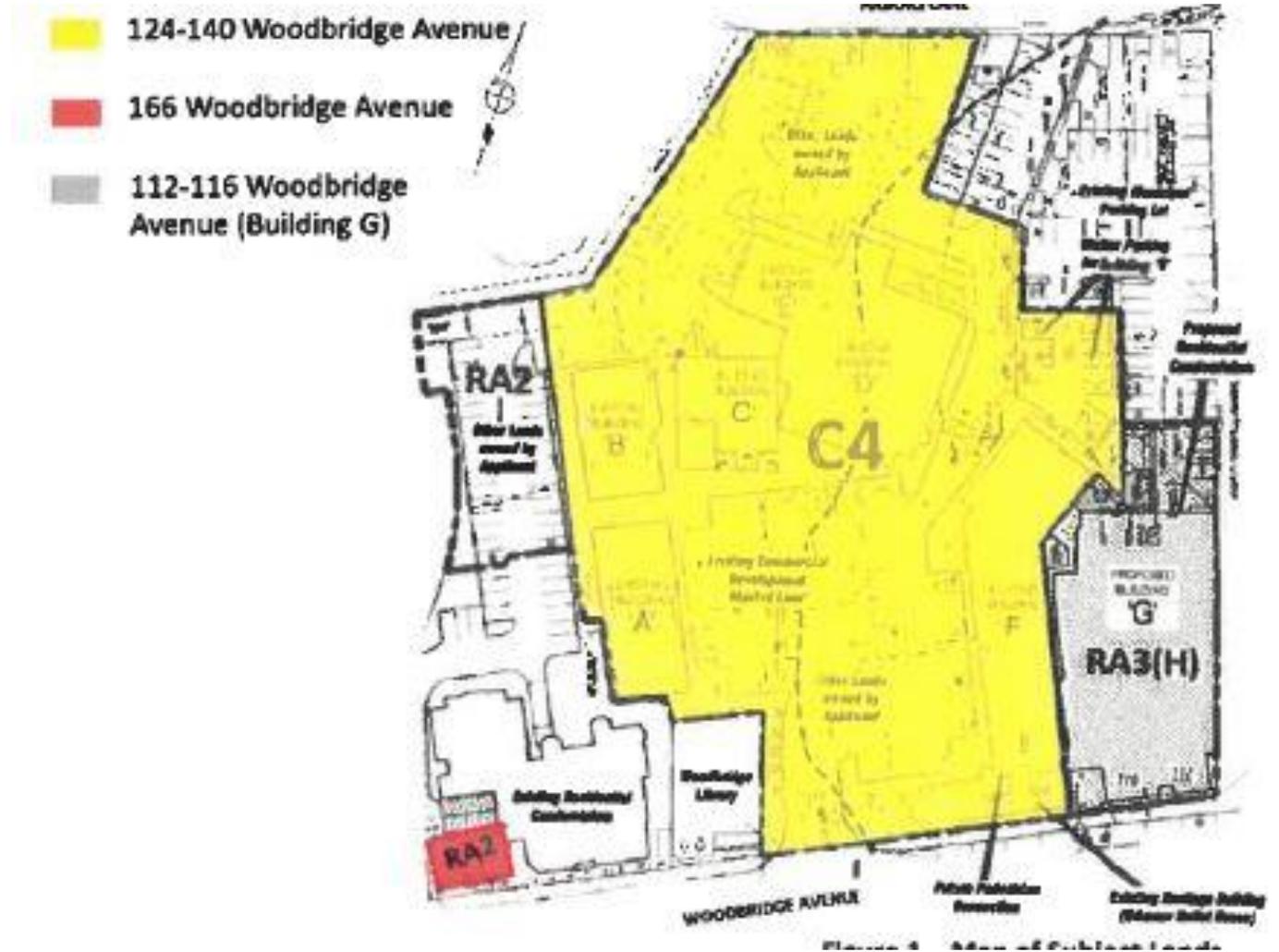
Request on Nashville

- Comments refer to on-going planning process awaiting decision and request that the equivalent open space zone apply until such time as a decision is made by the OLT/LPAT.
- Staff have reviewed these comments and recommend the use of the Agriculture and Open Space zones

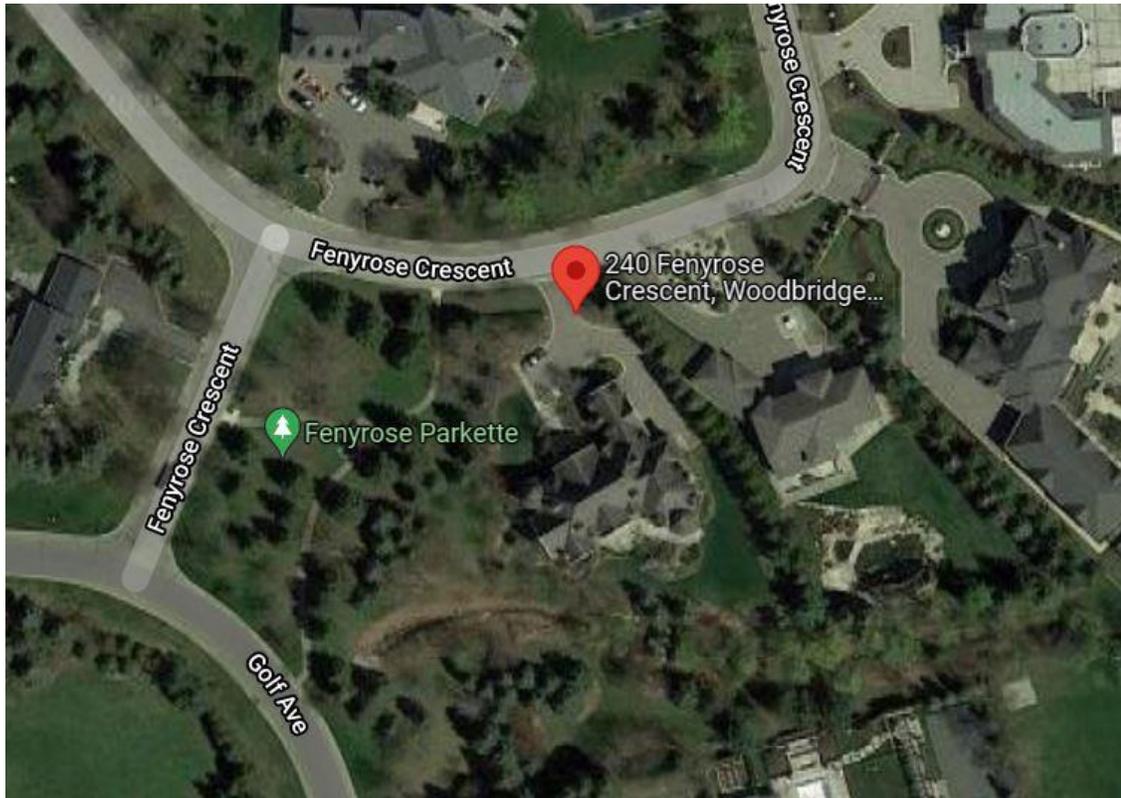


Market lane (Email communication)

- Request to re-consider wording respecting waste storage for existing locations and permitted uses
- Comments request that the patio requirements reflect the existing by-law rather than the draft provisions in the new comprehensive zoning by-law.
- Staff have amended the exception to recognize the previously applicable patio regulations, and have made text revisions respecting waste storage
- Several revisions made over each draft



C.19 240 Fenyrose Crescent

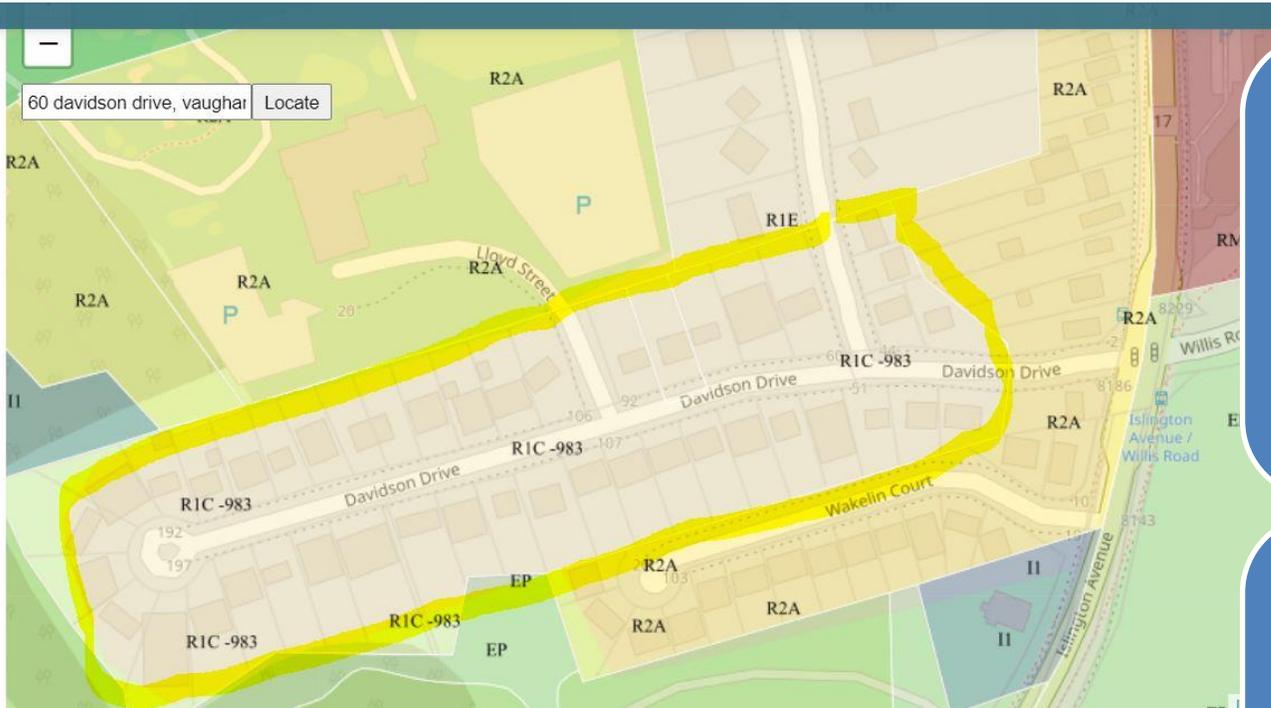


Request to have zone line reflective of building footprint

Consultant provided an easement line which would avoid a portion of the existing single-family dwelling from being legal-nonconforming

On this basis, a minor zone line adjustment is recommended in the final draft

Davidson Drive (Email)



Request to re-consider applicable zone (R1A vs R1C) as June draft may result in Non-conformity

Staff reviewed the comments and lot and building requirements and recommend a minor change to R1A.

LPAT/ OLT Approvals prevail

- An order made by the approval authority will be consolidated on a case-by-case basis, as development planning staff bring forward site specific by-law (instruments) as / if directed by the board or approval authority



- 1.6 – Transition provisions allow for LPAT / OLT matters to reach their logical conclusion with a decision and any required passing of a site-specific by-law becomes a matter of consolidation



Zoning By-law Overview

Parts 1-3 deal with Administration & Interpretation

- 1 Administration
- 2 Establishment of Zones and Schedules
- 3 Definitions

Parts 4-6 deal with Provisions that apply to all Zones

- 4 General Provisions
- 5 Specific Use Provisions
- 6 Parking and Loading Requirements



Transition

- Provisions to aid with interpretation, transition and administration
- Section 1.6. Transition Provisions
 - 1.6.1 – Building Permit Applications
 - 1.6.2 – Planning Act Approvals
 - 1.6.3 – Planning Applications in Process
 - 1.6.4 – Lapse of Transition Provisions

Zoning By-law Overview

Parts 7-13 deal with Zone Categories



Residential Zones



Mixed-Use Zones



Commercial Zones



Vaughan Metropolitan Centre Zones



Employment Zones



Institutional and Other Zones



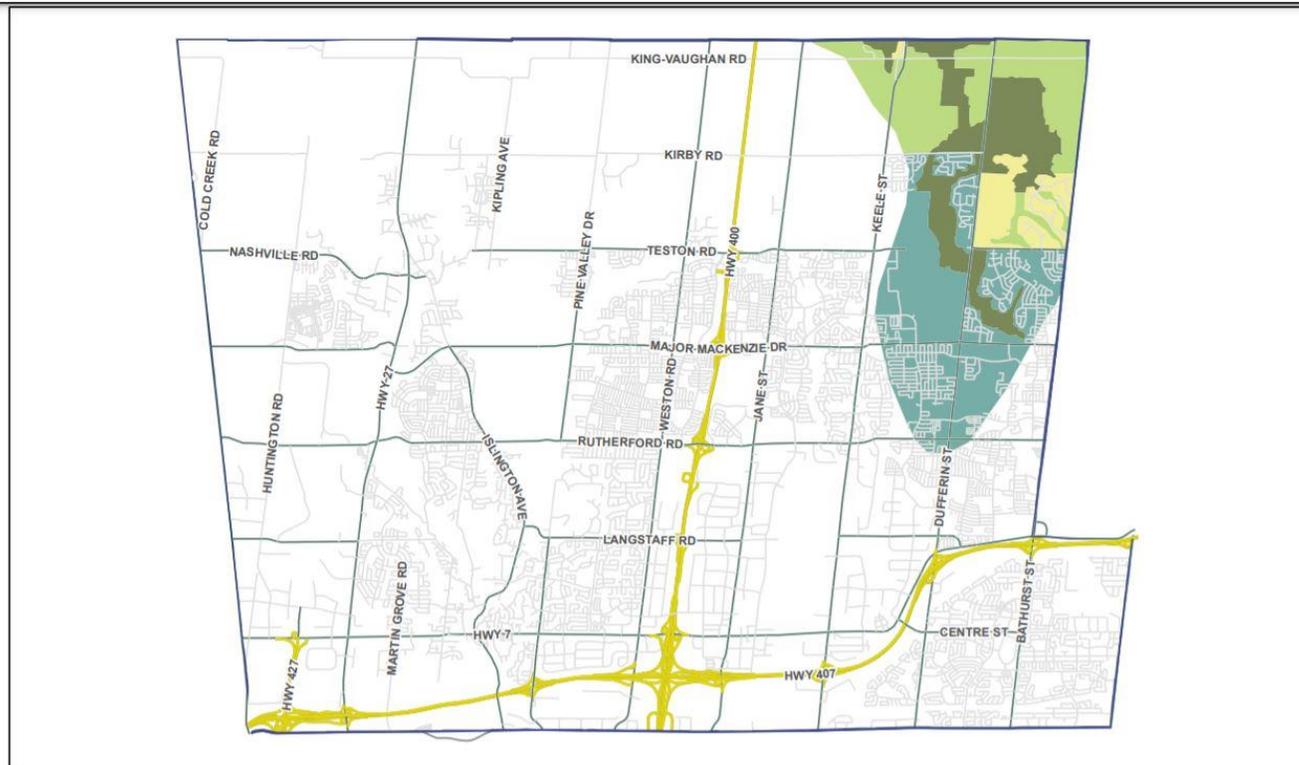
Site-specific Exceptions



Zoning By-law Schedules A and B

Maps and Schedules

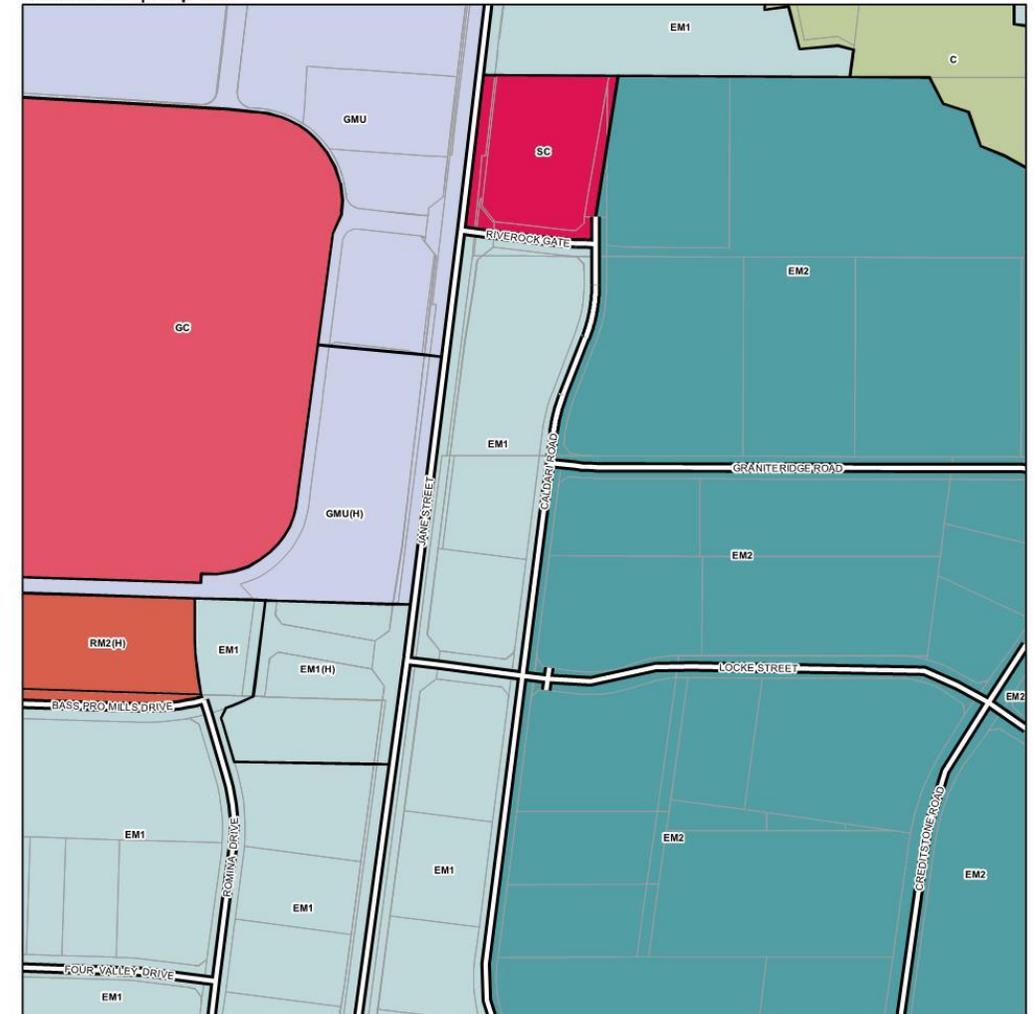
- Schedule A: Zone Mapping
- B- Schedules (overlay)



- Oak Ridges Moraine Settlement Area
- Oak Ridges Moraine Natural Core Area
- Oak Ridges Moraine Natural Linkage Area
- Oak Ridges Moraine Countryside



Zoning By-law _ - 2020 Schedule A | Map 110



Conservation, Open Space and Agricultural Zones A (Agriculture) OS1 (Public Open Space Zone) OS2 (Private Open Space Zone) C (Conservation Zone)		Residential Zones R1 (Residential First Density Zone) R2 (Residential Second Density Zone) R3 (Residential Third Density Zone) R4 (Residential Fourth Density Zone) R5 (Residential Fifth Density Zone) RT1 (Street Townhouse) RT2 (Back-to-Back Townhouse) RM1 (Multiple Residential Zone 1) RM2 (Multiple Residential Zone 2) RE (Rural and Estate Residential Zone)		Commercial Zones GC (General Commercial) NC (Neighbourhood Commercial) CC (Convenience Commercial) SC (Specialty Commercial) Mixed-Use Zone LMU (Local Mixed-Use) MMU (Main Street Mixed-Use) HMU (Highway Mixed-Use) GMU (General Mixed-Use) CMU (Community Mixed-Use)		Other Zones EMU (Employment Commercial Mixed-Use) VMS (Main Street Mixed-Use - Kleinburg) VMS (Main Street Mixed-Use - Maple) VMS (Main Street) I1 (General Institutional Zone) I2 (Major Institutional Zone) U (Utility Zone)	
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144	145	146	147	148
126	127	128	129	130
109	110	111	112	
91	92	93	94	
71	72	73	74	

VAUGHAN WSP

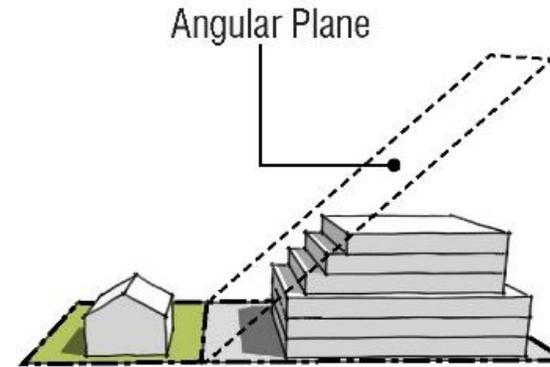
VAUGHAN

101 Working Draft, March 22, 2019

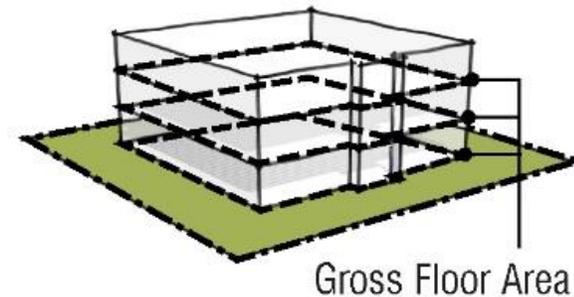
Part 3: Definitions

Angular Plane: Means an imaginary plane extending from a lot line and above the entirety of the lot at an inclined angle that is specified by this By-law. Where an angular plane requirement applies, no portion of a building or structure shall be permitted to encroach above the angular plane unless an encroachment is expressly permitted by this By-law.

Floor Space Index (FSI): Means the quotient obtained by dividing the total gross floor area of all buildings on the lot, excluding any storeys below grade and excluding any bicycle parking spaces located in the building, by the lot area



Floor Space Index (FSI)
= Gross Floor Area/Lot Area



Part 3: Definitions

Independent Living Facility: Means premises containing four (4) or more independent dwelling units intended to accommodate people of common circumstance the ability to reside together and is managed and operated for the purposes of encouraging and supporting the independence of its residents

Long Term Care Facility: Means premises containing four or more sleeping units, without individual kitchen or cooking facilities, used for the accommodation of persons with common circumstance, and who require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.

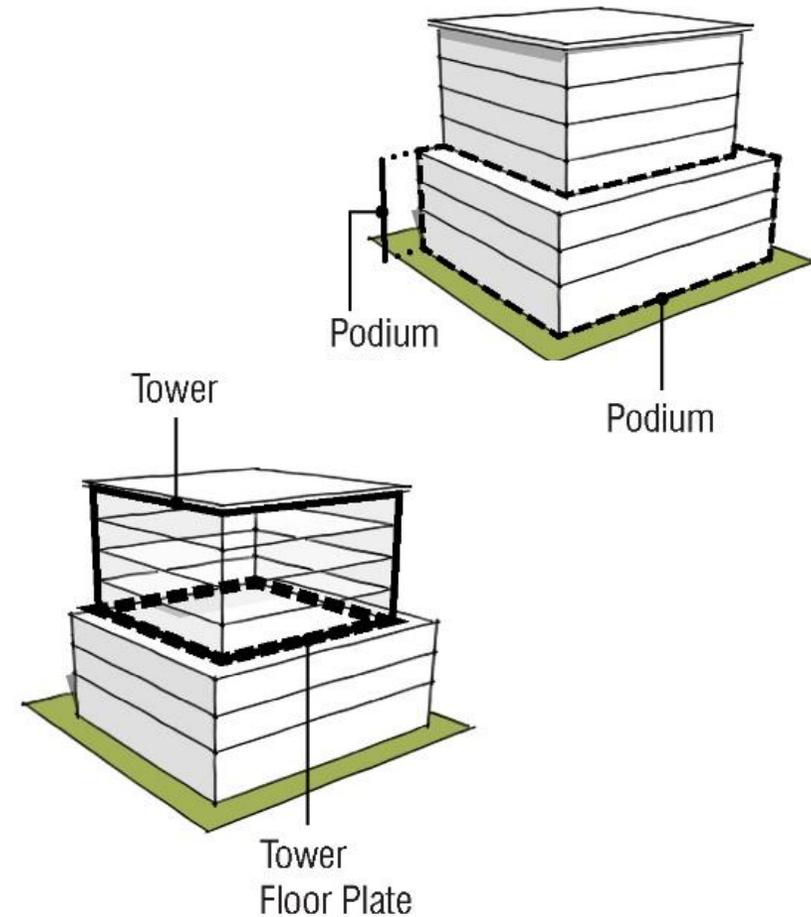
Supportive Living Facility: Means building or part of a building containing four (4) or more sleeping units with or without individual kitchens or cooking facilities, used for the accommodation persons requiring semi-independent living arrangements, where limited supervision and assistance is provided to support the health, safety and well-being of its residents.

Part 3: Definitions

Podium: Means the base of a building, inclusive of the ground floor, that projects horizontally from the tower.

Tower: Means the portion of a building that is located above the podium and every individual storey of which encompasses a smaller gross floor area than the individual storeys of the podium.

Tower Floor Plate: Means the gross floor area of any storey within a tower.



5. Specific Use Provisions – Home Occupations

- Section 5.9 Home Occupation
 - Means a business or occupation that is operated as an ancillary use to a dwelling unit.
 - Permitted uses:
 - Art studio, business service (no retail), clinic, home based day care, home based catering (no retail), massage establishment, personal service, office, instruction, education or tutoring

2. A home occupation for instruction of personal fitness, music or dance shall only be permitted in a single detached dwelling.
3. For any massage establishment, personal service, art studio, clinic, business service, office or instruction home occupation use, a maximum of one client shall be permitted on the premises at any given time.
4. A maximum of one home occupation shall be permitted per dwelling unit.
5. A home occupation shall be operated solely by the person or persons whose principal residence is the dwelling in which the home occupation is operated. For greater clarity, a home occupation shall not include employment of a person or persons whose principal residence is not the dwelling in which the home occupation is operated.
6. A home occupation shall not occupy an area greater than 25% of the gross floor area of the dwelling, or have a total area greater than 50.0 m², whichever is less.
7. An accessory building or structure, or any part thereof, shall not be used for a home occupation. For clarity, an attached private garage shall be permitted to be used for a home occupation provided the required minimum number of parking spaces is maintained.
8. Outside storage or an outdoor display area associated with a home occupation shall be prohibited.
9. Advertising or signs shall not be permitted to be displayed on a lot, except in accordance with the City of Vaughan's Sign By-law where it relates specifically to home occupations.

Part 14 – Special Provisions

- Decisions respecting on-going development applications (or future applications) would form new Special provisions to the CZBL.
- The re-writing of special provisions ensures the reduction of occurrence in legal Non-conformity
- Standard template to increase administrative ease

14.938

Exception Number 938	Legal Description: 177-201 Townsgate Drive
Applicable Parent Zone: R3	
Schedule A Reference: 18	Figure E Link (if applicable)
By-law / Tribunal Decision Reference	Figure T Link (if applicable)
14.938.1 Lot and Building Requirements	
1. The lands subject to the R3 Zone shown on Figure E-1429 shall be developed in accordance with the schedule of lot and building requirements set out in Figure T-122.	

Thank you !

COMMUNICATION C45
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

City of Vaughan City-wide Comprehensive Zoning By-law Review

Committee of the Whole (2)

October 13, 2021



Overview

1. Review of comment response matrix
2. Zoning By-law – Final Draft

Transition (C. 6, C.19, C.27, C.32, C. 33, C. 34, C.35, C.36, C.37, C.39.)

- Several communications received request future consideration of the comprehensive zoning by-law for various reasons such as but not limited a range of active development applications.
- Comments made seeking to increase clarity with respect to what is subject to Transition
- Revisions to Part 1.6 made seeking to respond to concerns raised

Transition



- Transition has two main aspects: Planning Act & Building Code Act (permit) approvals
- Applies to all types of development applications (Zoning By-law amendment, draft plan of subdivision approval, minor variances, site plans, etc.)
- With planning approval in place, building permits are subject to transition to avoid potential conflict with zoning requirements
- The final draft recommends that transition go back to Jan 1, 2010 and be subject to a ten year expiry **clause (new)**

C.6 – Request for revised zone line

- Minor zone boundary now follows the internal road and avoids the split zoning of two existing buildings
- Confirmation respecting accessory eating establishment to gas stations



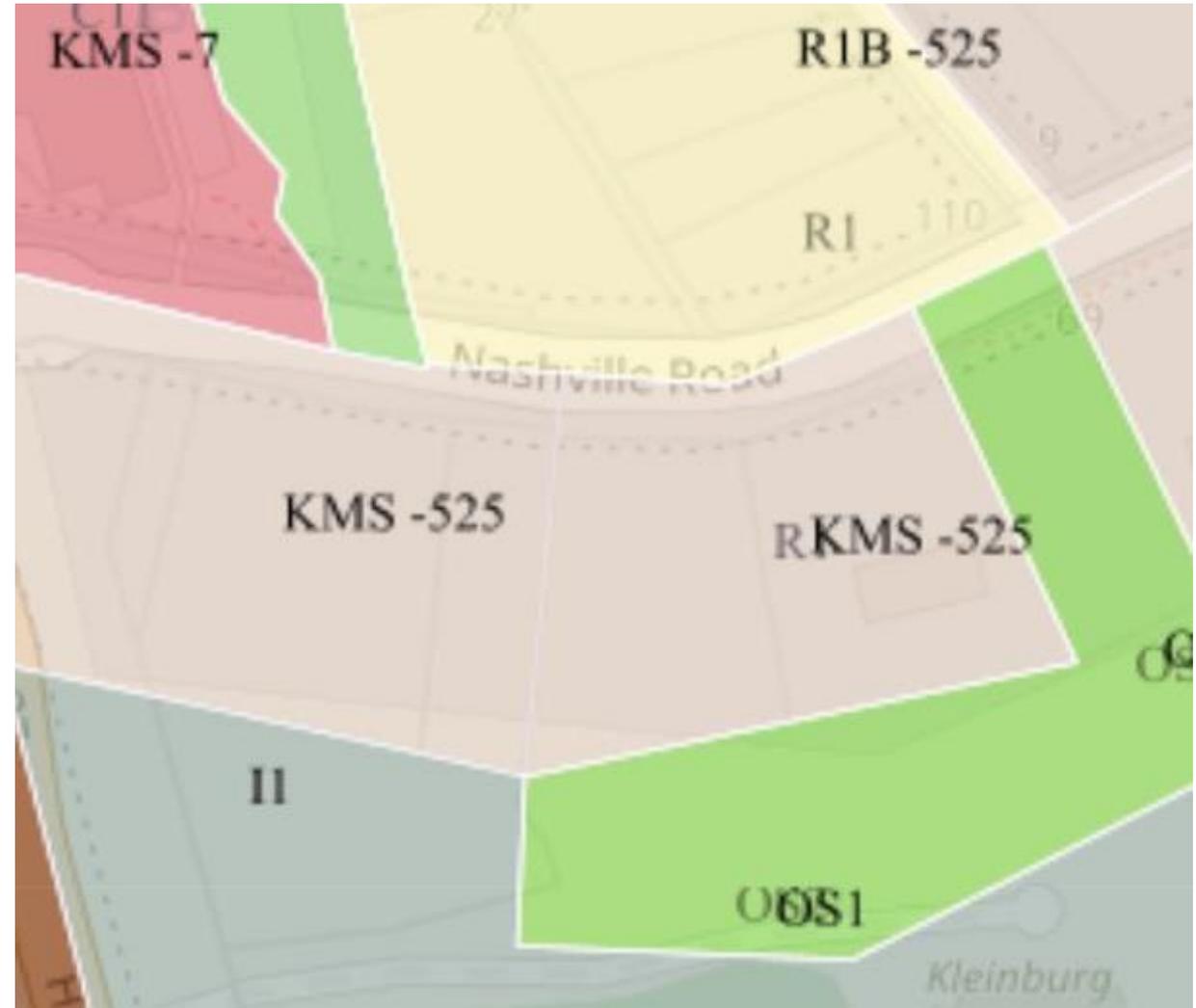
C. 22 Responding to existing conditions: Kleinburg Inn

- June draft would result in legal non-conforming of existing Kleinburg Inn
- Staff reviewed the comments and supported a commercial zone for a portion of the property which would legally recognize the Kleinburg Inn as a permitted use.
- The balance of the lands remain with the EP zone
- Special provisions amended to permit a “hotel” use only.



C.19 Consideration of site-specific exception

- Current site specific exception refers to single family dwellings being the only permitted use
- Future development limits to be aligned in consultation with TRCA
- Site specific development review recommended in order to delete the existing exception (14.525)

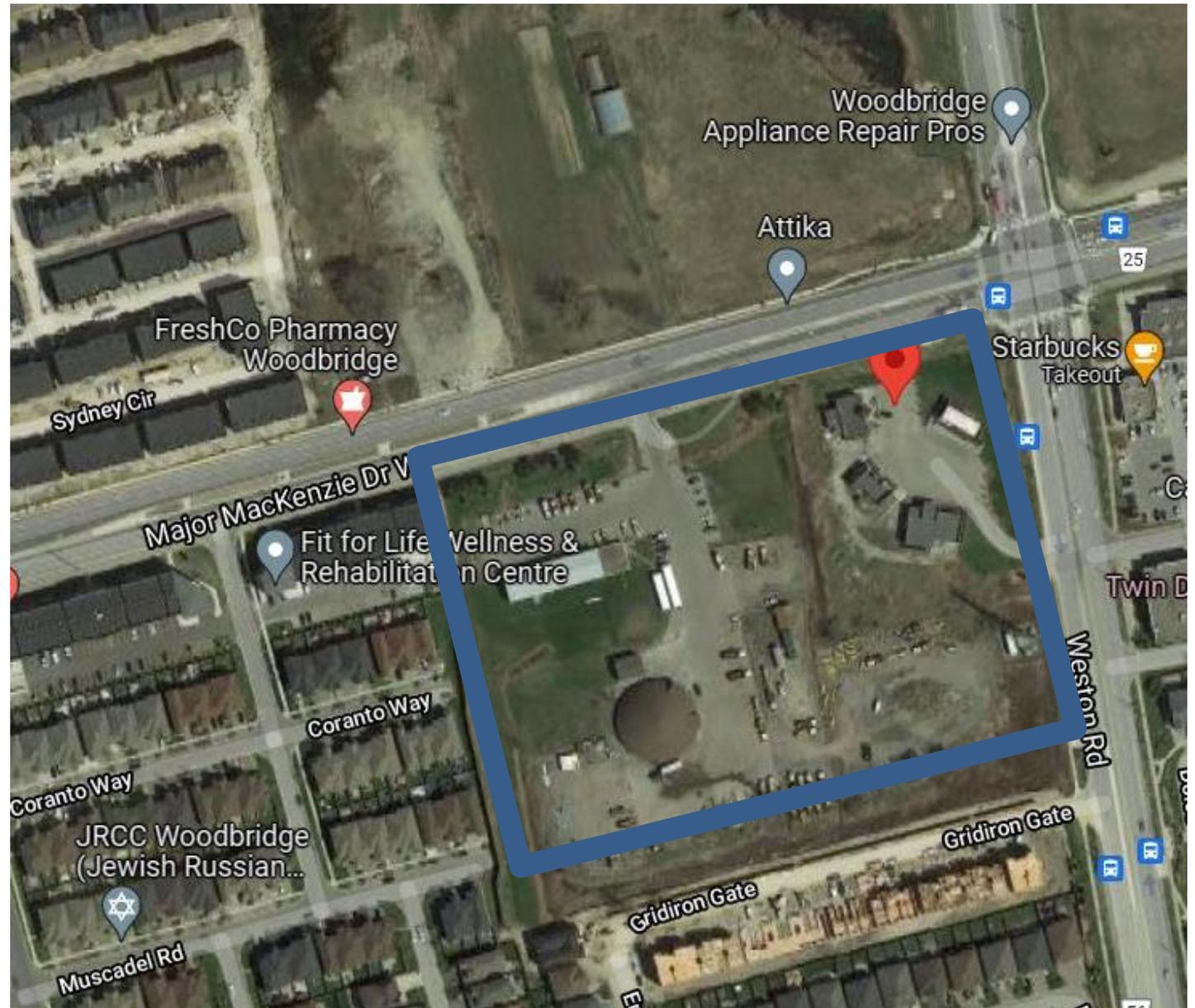


PRE-ZONING REQUESTS

- C.14, C.15, C.16, (several email requests)
- Pre-zoning is not appropriate in all circumstances
- Lands zoned with an Agriculture zone, or FD “Future Development” zone require a detailed planning process (i.e. Secondary Plan approval, etc.)
- The VOP 2010 does not require that all lands within the City are pre-zoned

Example: Request for pre-zoning (residential)

- Currently zoned 'A' by-law 1-88
- New zoning by-law remains 'A' as pre-zoning was not proposed in this area.
- Consultant requesting a mixed-use zone
- Staff have not supported site specific re-zoning through the comprehensive zoning by-law review process



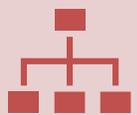
C.20 MMS zone – 9920, 10150 Keele Street



The submission request clarity respecting permitted uses in the new MMS zone and the interpretation of special provision 14.534.



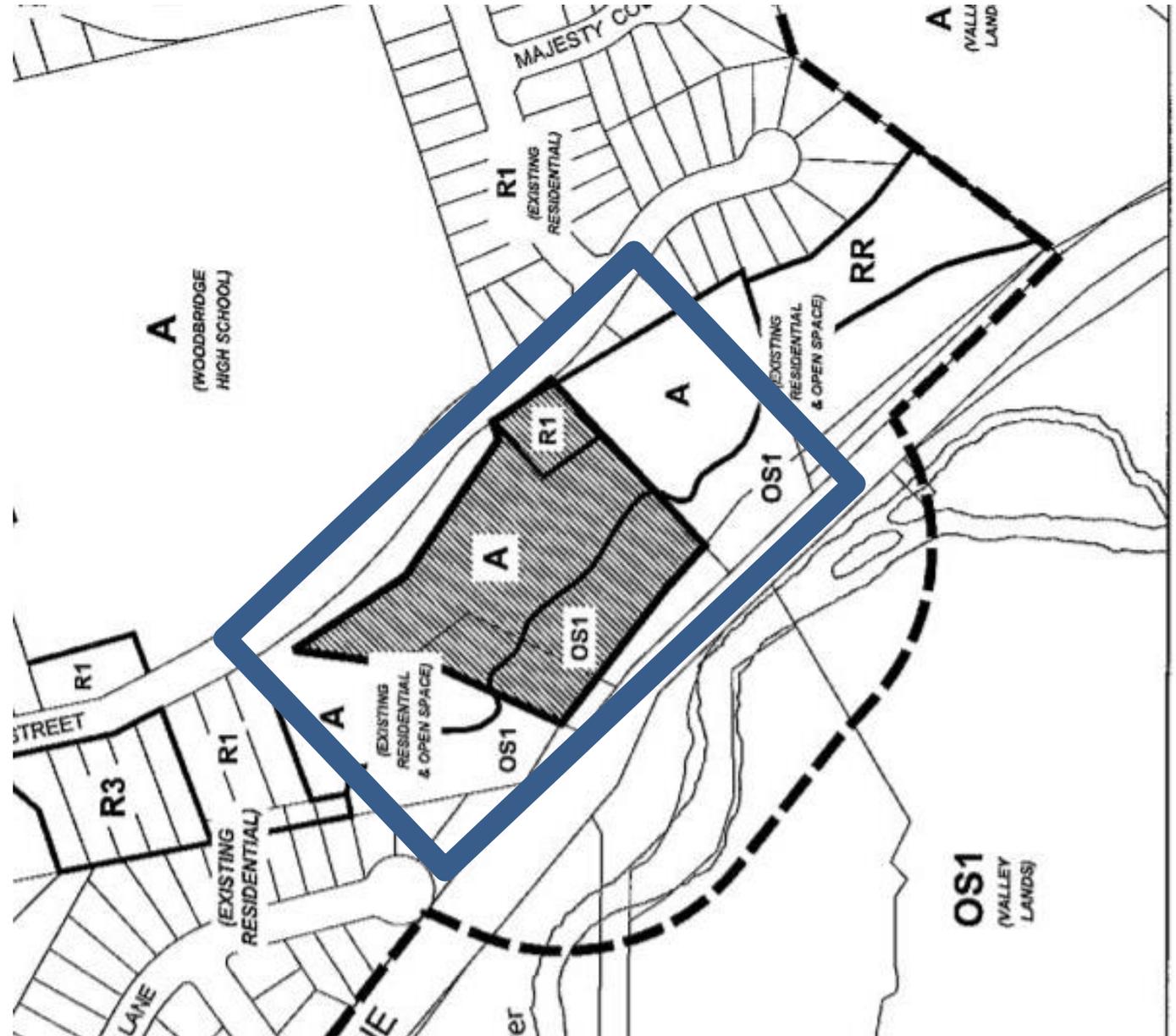
Staff have reviewed the comments and clarify that the uses of the new MMS parent zone are permitted on the subject property, subject to all other planning approvals such as but not limited to Site Plan approval being in place.



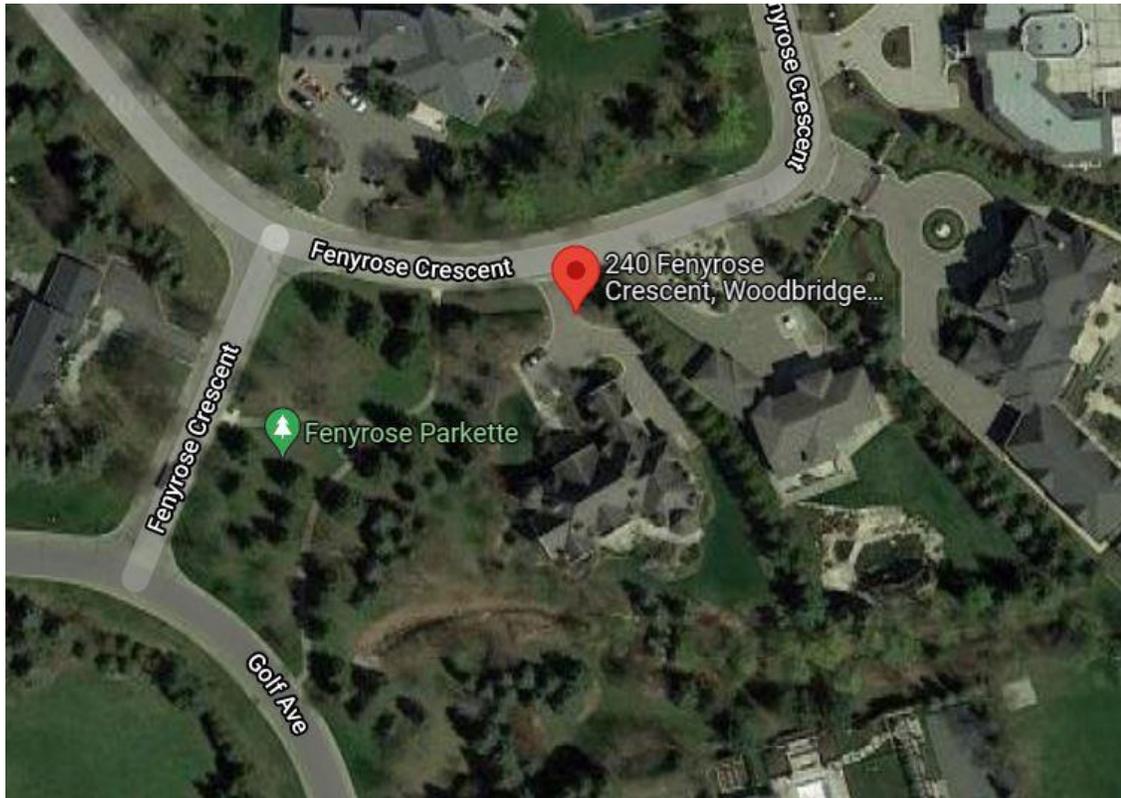
As well, Special Provision 14.534 requires that the existing Heritage structure be maintained. On this basis, minor refinements to chapter 14. 534 are recommended in the final draft.

Request on Nashville

- Comments refer to on-going planning process awaiting decision and request that the equivalent open space zone apply until such time as a decision is made by the OLT/LPAT.
- Staff have reviewed these comments and recommend the use of the Agriculture and Open Space zones



C.19 240 Fenyrose Crescent

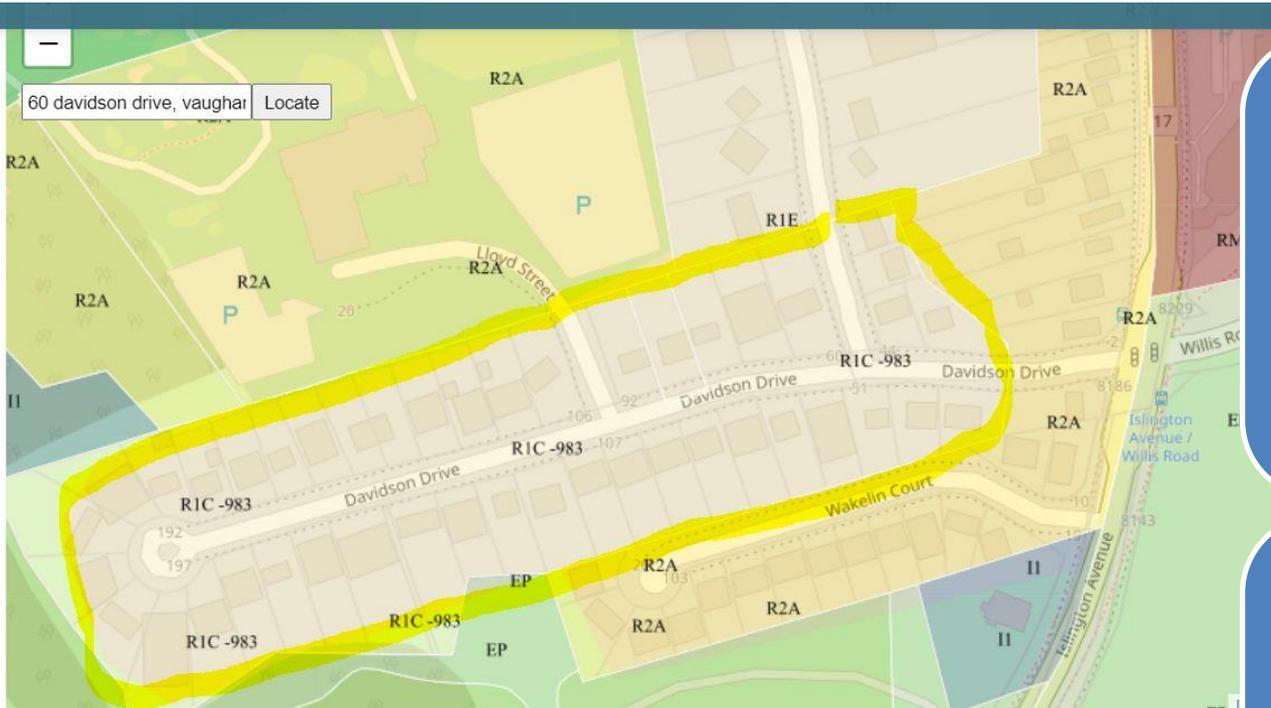


Request to have zone line reflective of building footprint

Consultant provided an easement line which would avoid a portion of the existing single-family dwelling from being legal-nonconforming

On this basis, a minor zone line adjustment is recommended in the final draft

Davidson Drive (Email)



Request to re-consider applicable zone (R1A vs R1C) as June draft may result in Non-conformity

Staff reviewed the comments and lot and building requirements and recommend a minor change to R1A.

LPAT/ OLT Approvals prevail

- An order made by the approval authority will be consolidated on a case-by-case basis, as development planning staff bring forward site specific by-law (instruments) as / if directed by the board or approval authority



- 1.6 – Transition provisions allow for LPAT / OLT matters to reach their logical conclusion with a decision and any required passing of a site-specific by-law becomes a matter of consolidation



Zoning By-law Overview

Parts 1-3 deal with Administration & Interpretation

- 1 Administration
- 2 Establishment of Zones and Schedules
- 3 Definitions

Parts 4-6 deal with Provisions that apply to all Zones

- 4 General Provisions
- 5 Specific Use Provisions
- 6 Parking and Loading Requirements



Transition

- Provisions to aid with interpretation, transition and administration
- Section 1.6. Transition Provisions
 - 1.6.1 – Building Permit Applications
 - 1.6.2 – Planning Act Approvals
 - 1.6.3 – Planning Applications in Process
 - 1.6.4 – Lapse of Transition Provisions

Zoning By-law Overview

Parts 7-13 deal with Zone Categories



Residential Zones



Mixed-Use Zones



Commercial Zones



Vaughan Metropolitan Centre Zones



Employment Zones



Institutional and Other Zones



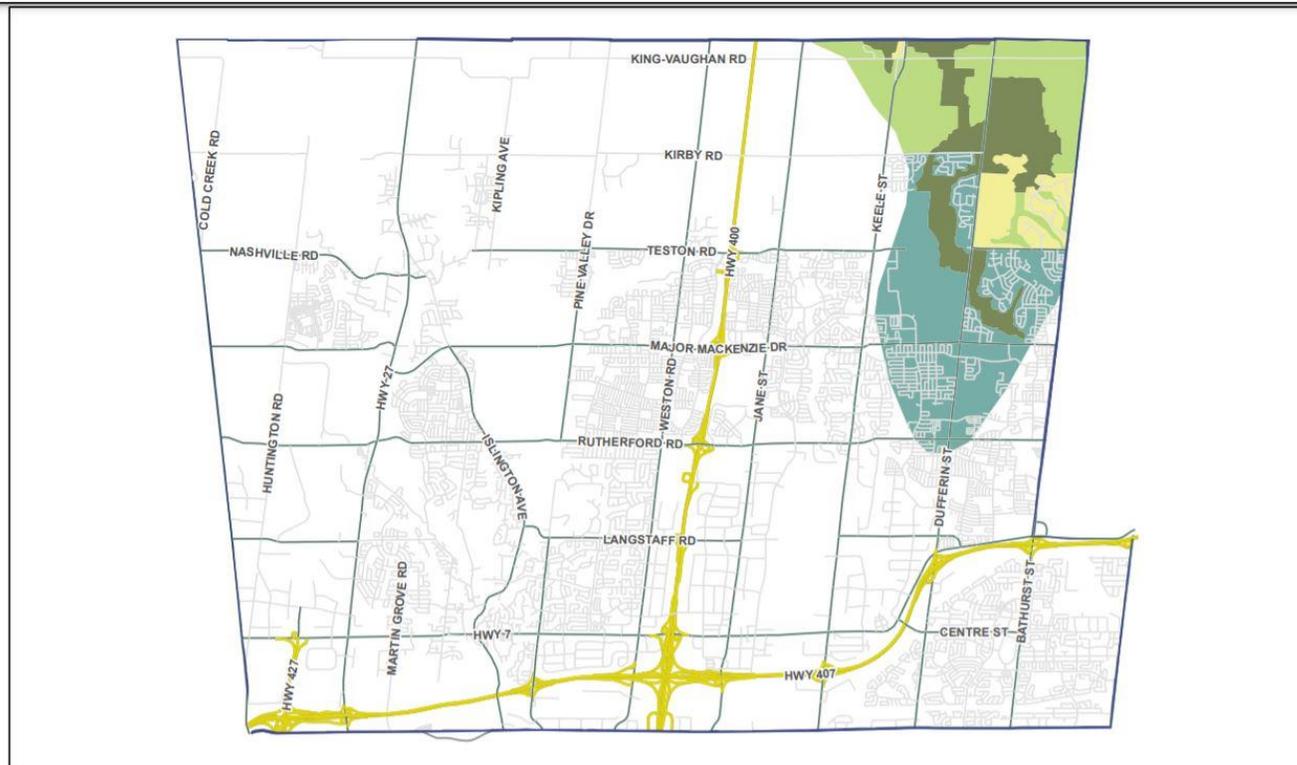
Site-specific Exceptions



Zoning By-law Schedules A and B

Maps and Schedules

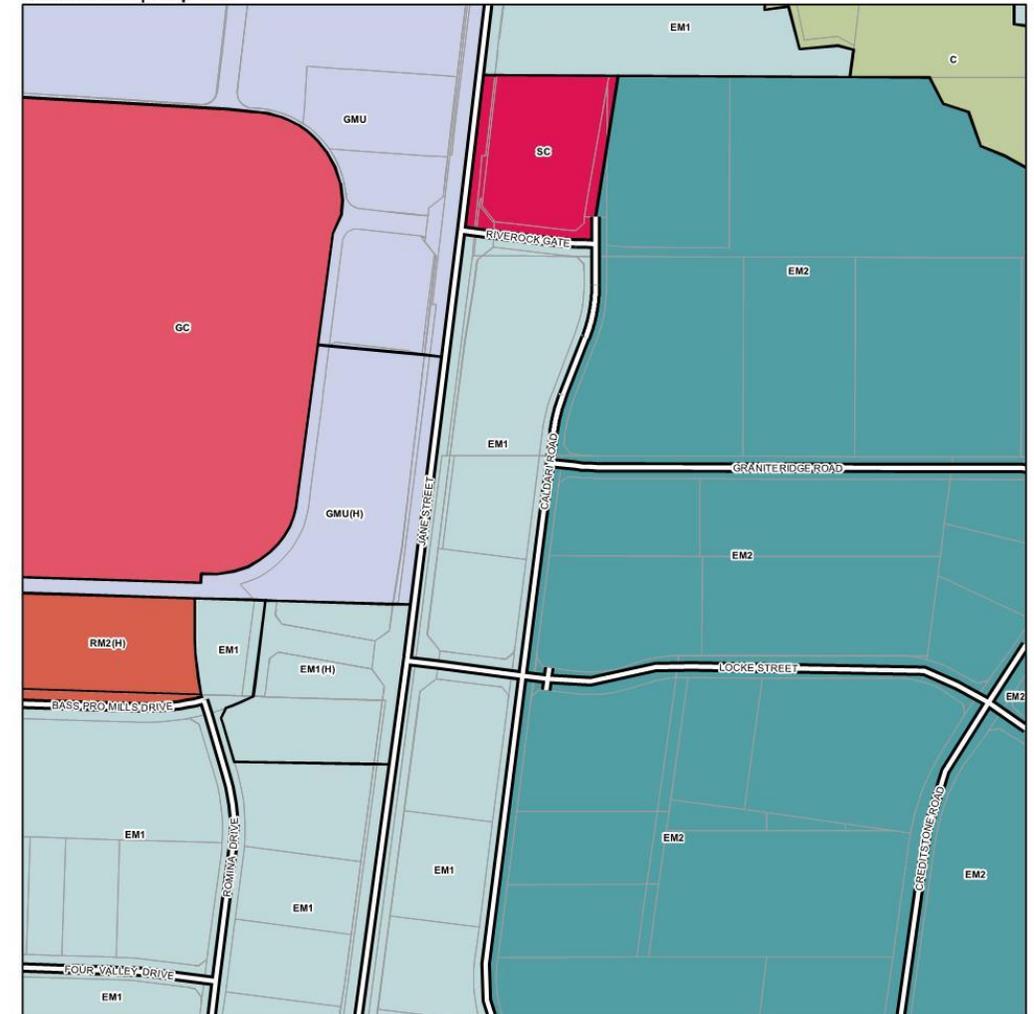
- Schedule A: Zone Mapping
- B- Schedules (overlay)



- Oak Ridges Moraine Settlement Area
- Oak Ridges Moraine Natural Core Area
- Oak Ridges Moraine Natural Linkage Area
- Oak Ridges Moraine Countryside



Zoning By-law - 2020 Schedule A | Map 110



Conservation, Open Space and Agricultural Zones A (Agriculture) OS1 (Public Open Space Zone) OS2 (Private Open Space Zone) C (Conservation Zone)		Residential Zones R1 (Residential First Density Zone) R2 (Residential Second Density Zone) R3 (Residential Third Density Zone) R4 (Residential Fourth Density Zone) R5 (Residential Fifth Density Zone) RT1 (Street Townhouse) RT2 (Back-to-Back Townhouse) RM1 (Multiple Residential Zone 1) RM2 (Multiple Residential Zone 2) RE (Rural and Estate Residential Zone)		Commercial Zones GC (General Commercial) NC (Neighbourhood Commercial) CC (Convenience Commercial) SC (Special Commercial) Mixed-Use Zone LMU (Local Medium Density Mixed-Use) MMU (Main Street Mixed-Use) HMU (High Density Mixed-Use) GMU (General Medium Density Mixed-Use) CMU (Community Medium Density Mixed-Use)		Other Zones EMU (Employment Medium Density Mixed-Use) VMS (Main Street Mixed-Use - Kleinburg) VMS (Main Street Mixed-Use - Maple) VMS (Main Street Mixed-Use - Vaughan) I1 (General Institutional Zone) I2 (Major Institutional Zone) U (Utility Zone)	
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144	145	146	147	148
126	127	128	129	130
109	110	111	112	
91	92	93	94	
71	72	73	74	

VAUGHAN WSP

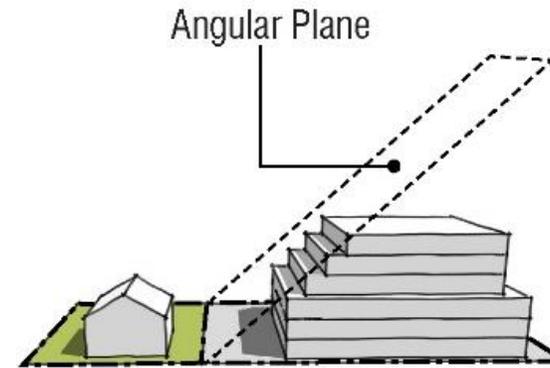
VAUGHAN

101 Working Draft, March 22, 2019

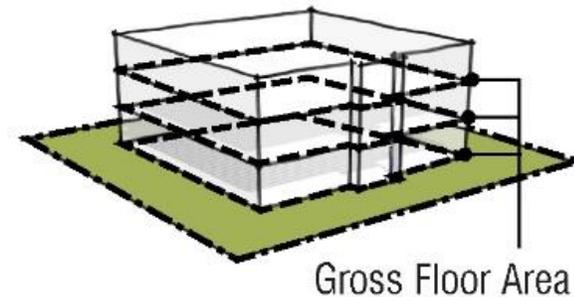
Part 3: Definitions

Angular Plane: Means an imaginary plane extending from a lot line and above the entirety of the lot at an inclined angle that is specified by this By-law. Where an angular plane requirement applies, no portion of a building or structure shall be permitted to encroach above the angular plane unless an encroachment is expressly permitted by this By-law.

Floor Space Index (FSI): Means the quotient obtained by dividing the total gross floor area of all buildings on the lot, excluding any storeys below grade and excluding any bicycle parking spaces located in the building, by the lot area



Floor Space Index (FSI)
= Gross Floor Area/Lot Area



Part 3: Definitions

Independent Living Facility: Means premises containing four (4) or more independent dwelling units intended to accommodate people of common circumstance the ability to reside together and is managed and operated for the purposes of encouraging and supporting the independence of its residents

Long Term Care Facility: Means premises containing four or more sleeping units, without individual kitchen or cooking facilities, used for the accommodation of persons with common circumstance, and who require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.

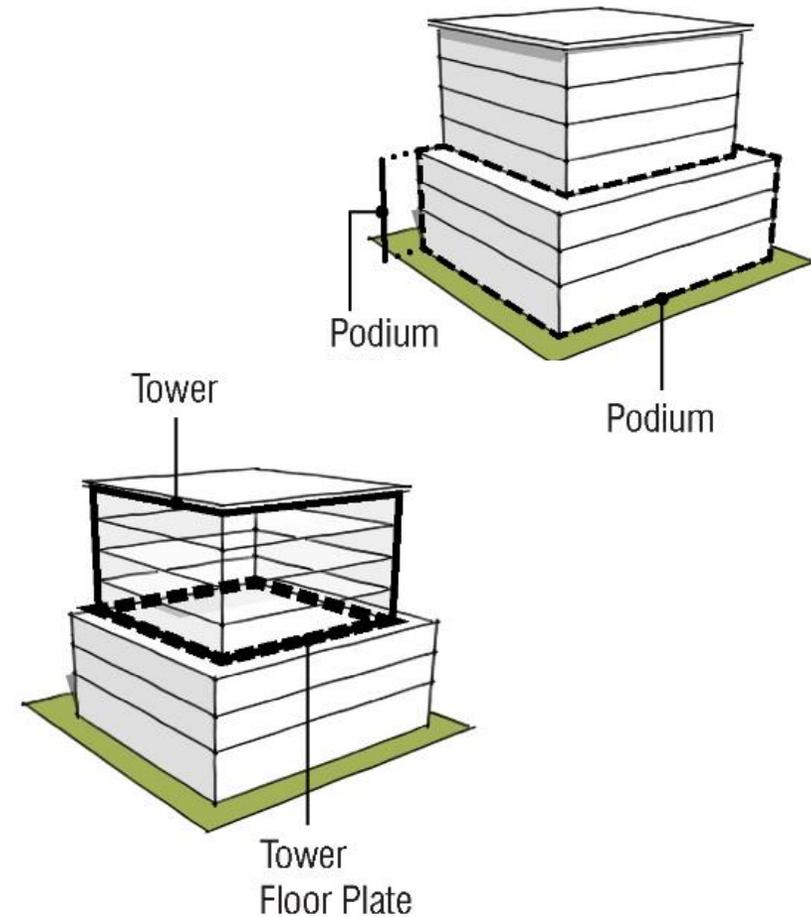
Supportive Living Facility: Means building or part of a building containing four (4) or more sleeping units with or without individual kitchens or cooking facilities, used for the accommodation persons requiring semi-independent living arrangements, where limited supervision and assistance is provided to support the health, safety and well-being of its residents.

Part 3: Definitions

Podium: Means the base of a building, inclusive of the ground floor, that projects horizontally from the tower.

Tower: Means the portion of a building that is located above the podium and every individual storey of which encompasses a smaller gross floor area than the individual storeys of the podium.

Tower Floor Plate: Means the gross floor area of any storey within a tower.



5. Specific Use Provisions – Home Occupations

- Section 5.9 Home Occupation
 - Means a business or occupation that is operated as an ancillary use to a dwelling unit.
 - Permitted uses:
 - Art studio, business service (no retail), clinic, home based day care, home based catering (no retail), massage establishment, personal service, office, instruction, education or tutoring

2. A home occupation for instruction of personal fitness, music or dance shall only be permitted in a single detached dwelling.
3. For any massage establishment, personal service, art studio, clinic, business service, office or instruction home occupation use, a maximum of one client shall be permitted on the premises at any given time.
4. A maximum of one home occupation shall be permitted per dwelling unit.
5. A home occupation shall be operated solely by the person or persons whose principal residence is the dwelling in which the home occupation is operated. For greater clarity, a home occupation shall not include employment of a person or persons whose principal residence is not the dwelling in which the home occupation is operated.
6. A home occupation shall not occupy an area greater than 25% of the gross floor area of the dwelling, or have a total area greater than 50.0 m², whichever is less.
7. An accessory building or structure, or any part thereof, shall not be used for a home occupation. For clarity, an attached private garage shall be permitted to be used for a home occupation provided the required minimum number of parking spaces is maintained.
8. Outside storage or an outdoor display area associated with a home occupation shall be prohibited.
9. Advertising or signs shall not be permitted to be displayed on a lot, except in accordance with the City of Vaughan's Sign By-law where it relates specifically to home occupations.

Part 14 – Special Provisions

- Decisions respecting on-going development applications (or future applications) would form new Special provisions to the CZBL.
- The re-writing of special provisions ensures the reduction of occurrence in legal Non-conformity
- Standard template to increase administrative ease

14.938

Exception Number 938	Legal Description: 177-201 Townsgate Drive
Applicable Parent Zone: R3	
Schedule A Reference: 18	Figure E Link (if applicable)
By-law / Tribunal Decision Reference	Figure T Link (if applicable)
14.938.1 Lot and Building Requirements	
1. The lands subject to the R3 Zone shown on Figure E-1429 shall be developed in accordance with the schedule of lot and building requirements set out in Figure T-122.	

Thank you !