

C113
COMMUNICATION
COUNCIL – October 20, 2021
CW (2)- Report No. 46, Item 9

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: Comments on New Comprehensive ZBL
Date: October-13-21 12:10:08 PM
Attachments: [image001.png](#)
[Comprehensive Zoning By-law - Comments & Issues List.pdf](#)
[Outlook-22pku1od.png](#)

From: Todd Coles <Todd.Coles@vaughan.ca>
Sent: Wednesday, October 13, 2021 12:09 PM
To: Lisa La Civita <llacivita@armlandgroup.com>; Haiqing Xu <Haiqing.Xu@vaughan.ca>
Cc: Brandon Correia <Brandon.Correia@vaughan.ca>; Daniel Belli <dbelli@armlandgroup.com>; 'Gabe DiMartino (gdimartino@trinitypoint.com)' <gdimartino@trinitypoint.com>; Joe Di Giuseppe <joed@greenpark.com>; Clerks@vaughan.ca; Isabel Leung <Isabel.Leung@vaughan.ca>
Subject: Re: Comments on New Comprehensive ZBL

Lisa,

Thank you for your submission. As the deadline to submit communications for today's meeting has passed, we will process this as a communication for the Council meeting to ensure that it is properly received.

Thanks,

Todd

Todd Coles, BES, MCIP, RPP

City Clerk

905-832-8585, ext. 8281 | todd.coles@vaughan.ca

City of Vaughan | Office of the City Clerk

2141 Major Mackenzie Dr., Vaughan ON L6A 1T1

vaughan.ca



From: Lisa La Civita <llacivita@armlandgroup.com>
Sent: 13 October 2021 12:05 PM
To: Todd Coles <Todd.Coles@vaughan.ca>; Haiqing Xu <Haiqing.Xu@vaughan.ca>
Cc: Brandon Correia <Brandon.Correia@vaughan.ca>; Daniel Belli <dbelli@armlandgroup.com>; 'Gabe DiMartino (gdimartino@trinitypoint.com)' <gdimartino@trinitypoint.com>; Joe Di Giuseppe <joed@greenpark.com>
Subject: [External] FW: Comments on New Comprehensive ZBL

Hi Todd,

I had submitted the attached correspondence to Brandon last month and have noticed that it is not captured in the Communications/Staff Report as issues on the Comprehensive Zoning By-law for this afternoon's Committee of the Whole meeting.

We are requesting the attached be submitted to the Committee of the Whole for today's meeting and the City Council meeting on October 20, 2021, regarding the City's Comprehensive Zoning By-law.

Please confirm receipt of this email and the attachment.

Thanks,
Lisa



Lisa La Civita, MCIP, RPP
Development Manager
8700 Dufferin St., Concord, ON. L4K 4S6
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From: Lisa La Civita
Sent: Wednesday, September 15, 2021 3:54 PM
To: Correia, Brandon <Brandon.Correia@vaughan.ca>
Cc: Daniel Belli <dbelli@armlandgroup.com>; 'Gabe DiMartino (gdimartino@trinitypoint.com)' <gdimartino@trinitypoint.com>
Subject: Comments on New Comprehensive ZBL

Hi Brandon,

Please find attached our comments on the new Draft Comprehensive ZBL for consideration.

I understand the By-law discussion was deferred to a future Committee of the Whole. Can you advise if that CoW date has been confirmed?

Thanks,
Lisa



Lisa La Civita, MCIP, RPP

Development Manager

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September 15, 2021

Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L4K 4S6

Mr. Correia:

**RE: CITY-WIDE COMPREHENSIVE ZONING BY-LAW REVIEW
COMMENTS & ISSUES LIST SUBMISSION**

Armland Group is a management company of the Greenpark Group of Companies and wish to submit comments on the City's new proposed Comprehensive Zoning By-law.

Enclosed is a list of comments and issues that have been collectively generated from our land development, residential, and commercial/industrial divisions, providing both general and site-specific comments and issues that we have with the proposed By-law.

I trust this list will be included as part of the overall stakeholder comments being generated on the new Zoning By-law, and that they are addressed prior to the new By-law being passed.

If you wish to discuss anything further, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa La Civita", is written over a light blue horizontal line.

Lisa La Civita, MCIP, RPP
Development Manager
Armland Group

Provision #	Excerpt	Issue/Comment
1.6.2	Planning Act Approvals	Minor Variance approvals prior to 2015 need to be accounted for. Can't limit timeframe of CofA approvals for MV and Consent.
2.0 Establishment of Zones and Schedules	Table 2-1 provides the Zone Name, Zone Symbols, and Purpose of the Zone	There is no clear distinction between the residential zones and its variations and permitted uses or housing types. For example, there is no explanation on what the difference between R4 and R4A is, which is carried over to Section 7
	Table 2-1 Other Zones	<p>I1 permits a range of institutional uses, such as government facilities and schools</p> <p>Need to ensure that an underlying residential zone is maintained for future school sites so that a Zoning Amendment is not required if the site becomes surplus.</p> <p>Why does this table even exist? It is repeated in every zone category</p>
2.4.5 Holding Provisions	3. Only on lands where a holding symbol is applicable, the permitted uses, lot and building requirements that apply while the holding symbol is in effect, and after the holding symbol is lifted, shall be in accordance with the applicable exception zone.	<p>Conditional Building permits are issued with Holding provisions in place. Will this section require relief from the bylaw if a conditional permit is requested?</p> <p>Sales offices could be a problem</p>
3.0 Definitions	Greenway: Means a corridor of land used for landscape, a public walkway or buffer block, cycling path, or for conservation uses.	<p>Is the "corridor of land used for landscape" on public or private property?</p> <p>Why is "used" underlined?</p>

	Hazardous Lands and Hazardous Sites	These definitions are the same, why are both included?
	Height i. In the case of a flat roof. Including any roof where more than half of the roof area has a slope of 15 degrees or less above the horizontal, the highest point of the roof surface or parapet, whichever is the greater	Parapets should be excluded from building height.
	Gross Floor Area	City did not include Mezzanine's in the calculation of GFA. This will create legal not conforming issues in multi-unit buildings.
	Storey	Definition includes – Mezzanine. Ontario building code does not consider a mezzanine as a storey. Plays to comment made on GFA above
	Outside Storage	Existing bylaw has a definition – Open Storage, which deals with fleet parking. Does the leaving of vehicles on site constitute outside storage?
4.1.2 Location of Accessory Buildings and Structures	4.1.2.1	4.1.2.1. d and e. should be 4.1.2.2. a and b.
4.1.4 Maximum Height for Accessory Structures	4.1.4.1 In any Residential zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m	Minimum height of 4.5 m for accessory structures should be considered.

<p>4.2 (7) Active Use Frontages in the Vaughan Metropolitan Centre</p>	<p>Paragraph 7, 8 9</p>	<p>This is an urban design paragraph. It should be left in the urban design guidelines</p> <p>Specifies uses as well</p> <p>Numbering is not consistent</p>
<p>4.3.2 Minimum Amenity Area</p>	<p>4.3.2 (3) minimum 5m² per unit</p>	<p>High rate based on site specific bylaws issued to date.</p>
<p>4.3.3 Outdoor Amenity Area Requirements</p>	<p>4.3.3 (1-3) Outdoor Amenity Area Requirements</p>	<p>Outdoor requirements too specific. May not apply to all sites and buildings</p>
<p>4.5 Established Neighbourhoods</p>	<p>4.5.1 to 4.5.3</p>	<p>Urban Design provisions. 4.5.1.b. provides for a minimum building height of 8.5m</p>
<p>4.7 Height Exceptions</p>	<p>4.7.1.b.</p>	<p>Include parapet as an exception to building height (it is an architectural feature)</p>
<p>4.8 Highway Corridor Setback</p>		<p>Include flexibility should the MTO ever change the 14m requirement.</p> <p>And mechanical rooms and elevator shafts Include language to state that any excess or non-required/essential parking, amenity areas, etc., may be located within this setback, subject to MTO approval.</p>
<p>4.10 Number of uses and buildings on a lot</p>	<p>Any land or building may be used for more than one permitted use</p>	<p>Adds to the problem that exists with 6.2.1</p>

4.15.2	Portable Aggregate Plant	No definition, but underlined term.
4.20 Rooftop Mechanical Penthouse	Paragraph 1 - 5	<p>Requirements are too specific and may not apply to all buildings.</p> <p>Provision in Paragraph 4 requires all rooftop equipment to be screened. This is more of an Urban Design provision.</p>
4.24 Waste Storage	<p>4.24.2 Waste storage shall be wholly located within a building, within a waste storage enclosure or within a private garage in the following zones or in conjunction with the following uses:</p> <ul style="list-style-type: none"> a. The General Mixed Use Zone (GMU), Community Commercial Mixed Use Zone (CMU), and the Employment Commercial Mixed Use Zone (EMU); b. A Commercial (C) Zone; c. The Private Open Space (OS2) Zone; d. An Institutional (I) Zone; e. An Employment (EM) Zone except the EM3 Zone; and, f. Any apartment dwelling or multiple unit townhouse dwelling with fewer than 20 dwelling units on a single lot. 	<p>Does the Molok system count as a 'structure' as per the Waste Storage Enclosure and Structure definitions?</p> <p>Need to account for Moloks in the by-law</p> <p>Sequencing of Provision needs to be updated to: 4.24.1 to 4.24.5</p>

<p>5.1 Accessory Agriculture dwelling</p>	<p>5.1.1 An accessory dwelling shall only be permitted where agriculture is the principal use of the lot</p> <p>5.1.3 An accessory agriculture dwelling shall not be permitted on a lot with a lot area less than 35.0 ha</p> <p>5.1.7 An accessory agriculture dwelling shall not be permitted on lands subject to Section 4.22 of this By-law (TRCA Regulated Areas)</p>	
<p>5.2 Accessory Office and Accessory Retail</p>	<p>5.2 (2) An accessory retail use shall not exceed 10% of the GFA of the principal use</p>	<p>Existing bylaw provides for accessory retail not to exceed 30%. This should be maintained.</p>
<p>5.6 Model Homes and Temporary Sales Offices</p>	<p>5.6.2 Par. (1) -Permitted if site plan approval Granted</p> <p>5.6.2 (4)</p>	<p>Sales offices would be required prior to site plan approval being granted.</p> <p>Site Plan Agreement is not currently required for a temporary sales office.</p>
<p>5.18 Seasonal Farm Stand</p>	<p>5.18.3 A seasonal farm stand shall only be permitted to be operated by an individual or individuals whose principal residence is located on the same lot as the seasonal farm stand</p> <p>5.18.4 A seasonal farm stand shall only be permitted on a lot with a lot area of 35 ha or greater</p> <p>5.18.5 Maximum area of a seasonal farm stand shall be 25 m²</p>	<p>Will not be able to build a market stand on farmed properties:</p> <p>Goldenrod Medaows Home Corp. (12110 Jane Street) Bodonista Properties Ltd. (3620 Kirby Rd. and 11950 Jane St.)</p>

<p>6.10.2 Stacking Lane Location Requirements</p>	<p>6.10.2.2 No part of a stacking lane shall be permitted to be located in a front yard</p>	<p>This would put many sites in non-compliance, including:</p> <p>Limestone Gallery Investments Inc. (3255 Rutherford Rd) – located in front yard</p> <p>Amville Developments Inc. (9222 Keele Street) – located in front yard</p> <p>Piazza Villagio Corp. (9200 Weston Road) - located in front yard</p>
<p>6.11.4 Minimum Loading Space Rates</p>	<p>Loading spaces for residential buildings based on units.</p> <p>Additional loading space for commercial use</p>	<p>One loading space is adequate for apartment building.</p> <p>Small retail component should not require an additional space.</p>
<p>7.2.1</p>	<p>Permitted Uses in the Residential Zones – RE, R1, R2, R3, R4, R5</p> <p>And Map 131</p>	<p>Block 18 former Elementary and High School sites – shown as Zoned R3(EN) and R4(EN) – does not permit townhouses which is what is currently being reviewed in an active Draft Plan of Subdivision Application.</p>
<p>7.3.3 Lot and Building requirements for RM Zones</p>	<p>Podium and tower requirements</p>	<p>These are urban design provisions that should not be in the bylaw.</p>
<p>8.2 Regulations for the LMU, MMU, HMU, GMU, CMU and EMU Zones</p>	<p>8.2.1 Permitted Uses</p> <p>Does not permit Drive-throughs in the GMU, CMU, EM1 and EMU Zones</p> <p>Indicates a note (1) to refer to Part 5</p>	<p>Are drive-throughs generally permitted in commercial mixed-use zones?</p> <p>There are no Drive-through notes in Part 5.</p>

12.2.2	Lot and Building Requirements for the Environmental Protection, Open Space, and Agriculture Zones	Agriculture Zone Provisions: Minimum Lot Area: 40 ha Minimum Lot Frontage: 100 m Issue for all properties being farmed that are less than 40 ha
Site Specific Zoning Issues		
8.2.1 & 11.2.1	Manufacturing Use	Balfior Investments Inc. (4160 Steeles Avenue): Conversion from EM1 to EMU, there is a loss of manufacturing uses
Zoning Map 122		Bethridge Developments Inc. (1 & 11 Sonoma Blvd.): Zoning amendment says site will be RA3, while zoning map labels as CC-663
Zoning Map 164	Zoning map change from C2 (Old) to EMU (New)	Cambay Holdings Inc. (3120, 3450, 3500, 3520, 3560 Major Mackenzie) – New zoning map converts previous Zoning (C2) to EMU. New zoning does not permit shopping centre
11.2.1	Zoning change from C7 (Old) to EM1 (New)	Cappoterra Holdings Inc. (8300 Jane Street) & Carstar Building Group Inc. (8400 Jane Street) - Original exception allowed the uses listed as additional uses to C7 zone. Losing all previously permitted zoning uses in C7 zone, and any new uses under EM1 zoning.
11.2.1	Uses in EM1	Fairmill Holdings Inc. (8700 Dufferin Street) – The new EM1 zone does not permit take-out/convenience restaurant and beer store. Office permitted as principal use is restricted to 10,000 m2.

11.2.1	EM2	<p>Farrington Court Estates Inc. (101 Bradwick Drive) – Uses not allowed, that previously were:</p> <ul style="list-style-type: none"> - office use - Places of entertainment/recreation use/sports - Club or health centre - Service and repair - Car sales - Day care - 1 restaurant
11.2.1	EMU	<p>Star Palace Realty Ltd. (3680 & 3650 Langstaff Road) – Uses Not permitted that previously were:</p> <ul style="list-style-type: none"> - Automatic service station/gas bar, car wash-allowed under existing - Day care - LCBO/beer store
8.2.1	GMU	<p>Rutherford Shopping Centre Inc. (3255 Rutherford Road) – Drive through is permitted under amendments.</p> <p>Shopping Centre is not permitted in the new ZBL</p>
11.2.1	EM1	<p>Mogano Mills Developments Inc. (525, 533, 541, 551 Cityview Blvd.)</p> <p>Uses Not permitted, that previously were:</p> <ul style="list-style-type: none"> - Banquet hall, gym - Entertainment uses - Funeral home - Personal service - Exception under the new by-law omits drive thru, convenience and drive thru restaurants which is permitted under the current by-law expectation

	C4 to GMU	Piazza Villagio Corp. (9200 Weston Road): Uses Not permitted that previously were: <ul style="list-style-type: none"> - LCBO/Beer Store; - shopping centre, - day care/drive through is only permitted if existing
9.2.1	NC	Rutherford Shopping Centre (5100 Rutherford): Supermarket and Service Repair Shop are no longer permitted
11.2.1	EM1	Strathern Heights Investments Inc. (505 Cityview Blvd.): Omitted from the updated by-law amendment: <ul style="list-style-type: none"> - Club or health/centre - Service and repair - Convenience/take out restaurant - Banquet/convention centre -
9.2.1		No definition for footnote 4
8.2.1	Zones GMU, CMU, EMU	Commercial uses are restricted to only 30% of GFA.
9.2.1	Convenience Commercial Zone	Restricts uses to 185 m2

Other:

1. **No mention of ‘retaining walls’ – all previous provisions removed**
2. **Properties becoming Legal Non-Complying due to York Region Expropriations – the City should endeavour to recognize these sites as “Legal” and not just “legal non-complying”**
 - **Maruba Investment Inc.**
 - **Bellshire Woods Estate Inc.**