



Committee of the Whole (1) Report

DATE: Tuesday, January 18, 2022

WARD(S): ALL

**TITLE: CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021
INCONSISTENCIES REFERENCE ERRORS AND
ADMINISTRATIVE AMENDMENTS**

FROM:

Haiping Xu, Deputy City Manager, Planning and Growth Management

Wendy Law, Deputy City Manager, Legal and Administrative Services and City Solicitor

ACTION: DECISION

Purpose

- To seek Council approval to make administrative amendments to Zoning By-law 001-2021 to remove the Holding Symbol “(H)”, previously lifted from lands under Zoning By-law 1-88, as amended, that have been unintentionally reapplied to the same lands in Zoning By-law 001-2021.
- To seek Council approval of the administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report, to correct reference errors in Zoning By-law 001-2021.

Report Highlights

- The new Comprehensive Zoning By-law 001-2021 was enacted by Council on October 20, 2021.
- Since the enactment of Zoning By-law 001-2021, staff have identified reference errors in Zoning By-law 001-2021 that are recommended for correction.
- The Holding Symbol “(H)” previously lifted from lands in Zoning By-law 1-88, as amended, have been unintentionally reapplied to the same lands in Zoning By-law 001-2021.
- Reference errors in Zoning By-law 001-2021 have been identified.
- The administrative amendments to Zoning By-law 001-2021 recommended in this Report will correct Holding Symbol “(H)” and reference errors in Zoning By-law 001-2021.

Recommendations

1. THAT the Holding Symbol “(H)” previously lifted from lands in Zoning By-law 1-88, as amended, that have been unintentionally reapplied to the same lands in Zoning By-law 001-2021 be removed from Zoning By-law 001-2021;
2. THAT the City Clerk be directed to make administrative amendments to Zoning By-law 001-2021 to implement Recommendation 1;
3. THAT Council approve the administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report, to correct reference errors in Zoning By-law 001-2021 pursuant to Policy 10.1.4.7 of Vaughan Official Plan 2010; and
4. THAT all necessary by-laws be enacted.

Background

On October 20, 2021, Council enacted the new Comprehensive Zoning By-law 001-2021. Zoning By-law 001-2021 affects all properties within the City of Vaughan, with the exception of lands in the vicinity of Yonge Street and Steeles Avenue. Zoning By-law 001-2021, when in force, will replace Zoning By-law 1-88, as amended, with the exception of matters of transition pursuant to Section 1.6 of Zoning By-law 001-2021 and the Yonge-Steeles Corridor Secondary Plan Area.

Zoning By-law 001-2021 has been appealed to the Ontario Land Tribunal (“**OLT**”) and does not come into force until all appeals have been withdrawn or finally disposed of, or an order of the OLT is issued bringing into effect sections of Zoning By-law 001-2021 that have not been appealed.

Since the enactment of Zoning By-law 001-2021, staff have identified reference errors in Zoning By-law 001-2021 that are recommended for correction. This Report details recommended administrative amendments to correct: (1) the Holding Symbol “(H)” previously lifted from lands under Zoning By-law 1-88, as amended, that have been unintentionally reapplied to the same lands in Zoning By-law 001-2021; and (2) reference errors in Zoning By-law 001-2021 as identified in Attachment 1 to this Report.

Previous Reports/Authority

[Item 9, Report No. 46, of the Committee of the Whole](#), which was adopted, as amended, by the Council of the City of Vaughan on October 20, 2021.

[Addendum 1 of the Council meeting of November 16, 2021](#), which was adopted by the Council of the City of Vaughan on November 16, 2021 (please see Page 2 for Extract) and the confidential recommendations made public in part upon Council ratification.

Analysis and Options

The administrative amendments to Zoning By-law 001-2021 recommended in this Report will correct the Holding Symbol “(H)” previously lifted from lands under Zoning By-law 1-88, as amended, that have been unintentionally reapplied to the same lands in Zoning By-law 001-2021

A Holding Symbol “(H)” is placed on a property through a zoning by-law amendment application to restrict or prohibit certain uses on a property until additional conditions can be satisfied and a subsequent by-law has been passed by Council to remove the Holding Symbol “(H)”. The *Planning Act* does not require a statutory Public Meeting for the removal of a Holding Symbol “(H)” and there is no appeal available except for the owner.

Zoning By-law 001-2021 contains reference errors such that the Holding Symbol “(H)” previously lifted from lands under Zoning By-law 1-88, as amended, has been unintentionally reapplied to those same lands in Zoning By-law 001-2021. The implications of this are that restrictions have been imposed on uses of property which were not intended to apply, and potential delays in project development.

To process and resolve these reference errors in an efficient manner, staff recommend that Council amend Zoning By-law 001-2021 such that the Holding Symbol “(H)” previously lifted from lands under Zoning By-law 1-88, as amended, that have been unintentionally reapplied to the same lands in Zoning By-law 001-2021, are removed from Zoning By-law 001-2021. Council would also need to authorize the City Clerk to implement this amendment by way of administrative updates to Zoning By-law 001-2021.

A statutory Public Meeting is not required to deal with the administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report pursuant to subsection 34(14.3) of the Planning Act and Policy 10.1.4.7 of Vaughan Official Plan 2010 (“VOP 2010”)

If an amendment to the substance of Zoning By-law 001-2021 is brought before Council, the amending by-law is subject to a full public notice and statutory Public Meeting process as required under the *Planning Act*.

Pursuant to subsection 34(14.3) of the *Planning Act* and Policy 10.1.4.7 of VOP 2010, the City is not required to hold a statutory public meeting in respect of amendments to Zoning By-law 001-2021 if such amendments will not affect the substance of Zoning By-law 001-2021, including changes or corrections to format, wording, or reference errors, or the deletion of obsolete provisions.

The administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report are of a minor nature and will not affect the substance of Zoning By-law 001-2021

Staff have determined that, pursuant to Policy 10.1.4.7 of VOP 2010, the administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report are minor in nature and will not affect the substance of Zoning By-law 001-2021.

The administrative amendments recommended in this Report are intended to correct mapping and reference errors on a site-specific basis, where the zoning status of a lot under Zoning By-law 1-88 was not accurately reflected in Zoning By-law 001-2021.

The administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report are consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 ("PPS"). The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important.

Section 4.7 of the PPS identifies the Official Plan as the most important vehicle for implementation of the PPS, and that the Official Plan shall identify provincial interests with appropriate land use designations and policies. The recommendations in this Report conform to Policy 10.1.4.7 of VOP 2010, which permit administrative corrections to reference errors in a zoning by-law. Passing the administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report will resolve reference errors to ensure the regulations match the intent of Zoning By-law 001-2021, in accordance with VOP 2010. The proposed amendments are consistent with the PPS.

The administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended

The Provincial Growth Plan: A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended (“**Growth Plan**”) is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe, including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council’s planning decisions, including zoning by-laws, are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

Section 5.1 of the Growth Plan identifies a municipal zoning by-law as an appropriate regulatory tool to implement the policies of the Growth Plan. The proposed administrative amendments are wide-ranging, as identified in Attachment 1 to this Report, and are considered minor and technical in nature. On this basis, the proposed amendments conform to the Growth Plan.

The administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report conform to the York Region Official Plan 2010

The York Region Official Plan 2010 (“**YROP**”) guides economic, environmental and community building decisions across York Region. The YROP also encourages pedestrian scaled safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. Section 8.3.2 of the YROP 2010 requires lower-tier municipalities to adopt municipal zoning by-laws that conform to the YROP 2010 in a timely manner.

The administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report clarify zoning provisions for specific sites in the City and thus will provide appropriate development standards for those sites. On this basis, the proposed amendments conform to the YROP.

The administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report conform to the VOP 2010

VOP 2010 establishes the planning framework for development throughout the City to the year 2031, and fulfills the City’s obligations to conform to Provincial policies and meet regionally imposed targets for residential and employment growth. VOP 2010 served as the primary source of policy direction for Zoning By-law 001-2021.

Policy 10.1.4.7 of VOP 2010 permits corrections to a Zoning By-law which are considered administrative matters that do not affect the substance of the Zoning By-law. This includes the following corrections:

- a) to delete obsolete provisions;
- b) changes or corrections to format, wording, or reference errors; or
- c) alteration in the number and arrangement of any provisions.

The proposed administrative amendments to Zoning By-law 001-2021 identified in Attachment 1 to this Report relate to corrections to format, wording or reference errors, or the alteration in the number and arrangement of provisions, and will provide further certainty respecting already applicable provisions of Zoning By-law 001-2021. On this basis, the proposed administrative amendments conform to VOP 2010.

Financial Impact

There are no financial implications associated with this Report.

Broader Regional Impacts/Considerations

Not applicable.

Conclusion

The administrative amendments to Zoning By-law 001-2021 recommended in this Report will correct Holding Symbol “(H)” and minor reference errors identified in Zoning By-law 001-2021.

For more information, please contact: Candace Tashos, Legal Counsel, extension 3618.

Attachment

1. List of Administrative Amendments to Zoning By-law 001-2021.

Prepared by

Candace Tashos, Legal Counsel, extension 3618

Caterina Facciolo, Deputy City Solicitor, Planning and Real Estate, extension 8662

Brandon Correia, Manager of Special Projects, Planning and Growth Management, extension 8227

Elvio Valente, Manager, Zoning Services and Zoning Administrator, Building Standards, extension 8374

Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Approved by



Wendy Law, Deputy City Manager,
Legal & Administrative Services and
City Solicitor

Reviewed by



Nick Spensieri, City Manager