

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2022

Item 3, Report No. 3, of the Committee of the Whole (Public Meeting), which was adopted, as amended, by the Council of the City of Vaughan on January 25, 2022, as follows:

By receiving the following Communication:

- C3. Matthew Helfand, Aird & Berlis LLP, Bay Street, Toronto, dated January 18, 2022; and***
- C4. Martin Quarcoopome, Weston Consulting, Millway Avenue, Vaughan dated January 18, 2022.***

3. CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021 ZONING BY-LAW AMENDMENT FILE Z.21.052 AMENDMENTS TO TRANSITION PROVISIONS

The Committee of the Whole (Public Meeting) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, and Deputy City Manager, Legal and Administrative Services and City Solicitor, dated January 18, 2022, be approved;**
- 2) That the following speaker be received:**
 - 1. Kevin Bechard, Weston Consulting, Millway Avenue, Vaughan, representing Dufcen Construction Inc., and Communication C30, dated January 17, 2022; and**
- 3) That the following communications be received:**
 - C16 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
 - C17 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
 - C18 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
 - C19 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
 - C20 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
 - C21 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
 - C22 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2022

Item 3, CW Report 3 – Page 2

- C23 Mark McConville, Humphries Planning Group Inc., Pippin Road, Vaughan, dated January 17, 2022;**
- C24 Mark McConville, Humphries Planning Group Inc., Pippin Road, Vaughan, dated January 17, 2022;**
- C25 Rosemarie Humphries, Humphries Planning Group Inc., Pippin Road, Vaughan, dated January 17, 2022;**
- C26 Rosemarie Humphries, Humphries Planning Group Inc., Pippin Road, Vaughan, dated January 17, 2022;**
- C27 Rosemarie Humphries, Humphries Planning Group Inc., Pippin Road, Vaughan, dated January 17, 2022;**
- C28 Rosemarie Humphries, Humphries Planning Group Inc., Pippin Road, Vaughan, dated January 17, 2022;**
- C29 Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, dated January 17, 2022;**
- C31 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C32 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C33 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C34 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C35 John M. Alati, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C36 John M. Alati, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C37 John M. Alati, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C38 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C39 Michael Melling, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C40 Marshall Smith, KLM Planning Partners Inc., Jardin Drive, Concord, dated January 17, 2022;**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2022

Item 3, CW Report 3 – Page 3

- C43 Mark Flowers, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022;**
- C47 Aaron I. Platt, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022; and**
- C48 Aaron I. Platt, Davies Howe LLP, Adelaide Street West, Toronto, dated January 17, 2022.**

Recommendations

1. THAT the Public Meeting report for draft amendments to the transition provisions of the City-Wide Comprehensive Zoning By-law 001-2021, as shown on Attachment 1, BE RECEIVED; and that any issues identified be addressed by staff in the Planning and Growth Management Portfolio, in consultation with the Legal Services, in a comprehensive report scheduled for the March 1, 2022 Committee of the Whole (1) meeting.

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, January 18, 2022

WARD(S): ALL

TITLE: CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021
ZONING BY-LAW AMENDMENT FILE Z.21.052
AMENDMENTS TO TRANSITION PROVISIONS

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

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

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on draft amendments to the transition provisions (Section 1.6) (the “**Transition Provisions**”) of the City-Wide Comprehensive Zoning By-law 001-2021 (“**CZBL**”) identified in Attachment 1 to this Report.

Report Highlights

- The CZBL was enacted by Council on October 20, 2021.
- The CZBL has been appealed to the Ontario Land Tribunal (“**OLT**”) and some of the appeals relate to the Transition Provisions.
- Since the enactment of the CZBL, specific matters have been raised with respect to the application of the Transition Provisions to previously approved zoning by-law amendments, planning applications in process, planning approvals, and future planning and building permit applications.
- The proposed amendments to the Transition Provisions of the CZBL are intended to resolve some of these matters.
- A report prepared by the Planning and Growth Management Portfolio, in consultation with the Legal Services, is scheduled to be considered at the March 1, 2022 Committee of the Whole (1) meeting.

Recommendations

1. THAT the Public Meeting report for draft amendments to the transition provisions of the City-Wide Comprehensive Zoning By-law 001-2021, as shown on Attachment 1, BE RECEIVED; and that any issues identified be addressed by staff in the Planning and Growth Management Portfolio, in consultation with the Legal Services, in a comprehensive report scheduled for the March 1, 2022 Committee of the Whole (1) meeting.

Background

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

The CZBL has been appealed to the OLT and some of the appeals relate to the Transition Provisions. The CZBL 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 the CZBL that have not been appealed.

Since the enactment of the CZBL, specific matters have been raised with respect to the application of the Transition Provisions to previously approved zoning by-law amendments, planning applications in process, planning approvals, and future planning and building permit applications. This Report details proposed draft amendments to the Transition Provisions, as identified in Attachment 1, intended to resolve some of these matters and ensure ongoing efficient processing of planning and building permit applications.

The Transition Provisions of the CZBL as adopted are attached to this Report as Attachment 2. Attachment 3 to this Report is a comparison version which clearly sets out the proposed amendments.

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 and the confidential recommendations made public in part upon Council ratification (refer to page 2).

Analysis and Options

The draft amendments to the Transition Provisions of the CZBL are as set out in Attachment 1 to this Report. What follows is a description of the proposed amendments, and an explanation of their purpose.

Clarity and certainty regarding the effective date of the CZBL in respect of the applicability of the Transition Provisions is proposed within the Transition Provisions of the CZBL

To provide clarity and certainty with respect to the effective date of the CZBL in respect of transition, an amendment is proposed to change “on or prior to the effective date of this By-law” to “on or prior to October 20, 2021” in all of the Transitions Provisions as identified in Attachment 1 to this Report. As noted above, October 20, 2021 was the date when Council enacted the CZBL.

Amendments are proposed in Sections 1.6.2.8 and 1.6.3.3.2 to 1.6.3.3.4 of Attachment 1 to contemplate an expanded list of future planning applications and approvals to be completed under Zoning By-law 1-88, as amended

If amended as proposed, the CZBL will not apply to prevent the approval of certain applications filed after October 20, 2021 if such applications comply with all requirements of the *Planning Act* and are complete and comply with an amendment to Zoning By-law 1-88, as amended, that:

1. was finally approved and in effect on or after January 1, 2010 and on or before October 20, 2021 (i.e. approvals for the implementation of an approved site-specific Zoning By-law Amendment);
2. was finally approved and in effect in relation to an application for a Zoning By-law Amendment that was filed and deemed complete on or before October 20, 2021;
or
3. has been approved in principle by the Tribunal after January 1, 2010 where the final Order has been withheld.

The following is a list of applications and approvals for which the exemptions from the CZBL are intended to apply:

- (a) site plan drawings and conditions;
- (b) a consent to sever;

- (c) an approval of draft plan of subdivision;
- (d) a draft plan of condominium approval;
- (e) a part-lot control exemption pursuant to Section 50 of the *Planning Act*; and
- (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.

Nothing in the CZBL will prevent the issuance of a building permit where the applicable applications described above have been finally approved and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all final approved minor variances.

The exemptions proposed through the amendment will cease to apply upon completion of the project for which approvals and permits have been obtained.

The intent of the proposed amendment is to ensure that future planning applications to implement previously approved zoning by-law amendments under Zoning By-law 1-88, as amended, are permitted to continue through the approval process and be completed under Zoning By-law 1-88, as amended.

Section 1.6.2.6 in Attachment 1 to this Report identifies a new provision that is proposed to be added to address site-specific zoning exceptions approved in Zoning By-law 1-88, as amended, but missing in the CZBL

The CZBL will not apply where an amendment to Zoning By-law 1-88, as amended, was finally approved and in effect on or after January 1, 2010, and such amendment has not been included in Section 14 (Exception Zones) of the CZBL. This revision would allow a landowner to continue with previous zoning approvals under Zoning By-law 1-88, as amended, that were not included in the CZBL.

Section 1.6.2.7 in Attachment 1 to this Report identifies a new provision that is proposed to be added to contemplate the removal of a Holding Symbol “(H)” that was previously implemented under Zoning By-law 1-88, as amended

The CZBL will not apply to prevent the removal of a Holding Symbol “(H)” from an amendment to Zoning By-law 1-88, as amended, that was finally approved and in effect on or after January 1, 2010. This revision would allow a landowner to continue with satisfying conditions to remove a Holding Symbol “(H)” under Zoning By-law 1-88, as amended.

Section 1.6.3.3.1 in Attachment 1 to this Report identifies an amendment that is proposed to clarify the approval of Zoning By-law Amendment applications in process

The CZBL will not apply to prevent the approval of an application for a Zoning By-law Amendment if the application was filed and deemed complete in accordance with Vaughan Official Plan, 2010 on or before October 20, 2021, and complies with all requirements of the *Planning Act*.

Sections 1.6.3.3.5 and 1.6.3.3.6 in Attachment 1 to this Report identify amendments proposed to clarify the approval of planning applications in process

Nothing in the CZBL will prevent the approval of the following applications if: (1) the application was filed and deemed complete on or before October 20, 2021 in accordance with Vaughan Official Plan, 2010; (2) the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021; and (3) the project complies with all requirements of the *Planning Act*.

- (a) a consent to sever;
- (b) an approval of draft plan of subdivision;
- (c) a plan of condominium approval; or
- (d) a part lot control exemption approval pursuant to Section 50 of the *Planning Act*.

The proposed amendment would provide for planning applications in process to obtain building permits and to be completed under Zoning By-law 1-88, as amended. A building permit may be issued under Zoning By-law 1-88, as amended, after final approval is received for the applications described above based on an application for a building permit filed after October 20, 2021. However, the project and building permit application in question must comply with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, including all final approved minor variances.

Where a project complies, as described above, the proposed amendment provides for ample opportunity and greater clarity to landowners wishing to complete their planning applications under Zoning By-law 1-88, as amended, that was in force at the time of the application.

Section 1.6.3.3.7 in Attachment 1 to this Report identifies an amendment to contemplate approvals granted in principle by the Tribunal based on Zoning By-law 1-88, as amended, that are issued after October 20, 2021

An amendment is proposed to delete the reference to “on or before the effective date of this By-law” as identified in Section 1.6.3.3.2 of the Transition Provisions of the CZBL as adopted. The intent of the proposed amendment is to ensure that approvals granted in principle by the Tribunal on or after January 1, 2010 based on Zoning By-law 1-88, as amended, are to be completed under Zoning By-law 1-88, as amended, notwithstanding that the approvals granted in principle by the Tribunal may be issued after October 20, 2021.

Section 1.6.4 in Attachment 1 to this Report identifies that the exemptions under the Transition Provisions are proposed to cease upon the issuance of the building permit(s) upon which the exemptions are founded

An amendment is proposed which is intended to provide development applications in process, and future development applications, approvals and building permits, the opportunity to be completed under Zoning By-law 1-88, as amended, until the earlier of: (1) the issuance of the building permit(s) upon which the exemptions are founded; or (2) ten (10) years after October 20, 2021.

The proposed amendment is required in order for the amendments described above to have effect, specifically, to ensure that future planning applications to implement previous approvals under Zoning By-law 1-88, as amended, are permitted to continue through the approval process and be completed under Zoning By-law 1-88, as amended.

Financial Impact

There are no financial implications associated with this Report.

Broader Regional Impacts/Considerations

Not applicable

Conclusion

The proposed amendments to the Transition Provisions of the CZBL are intended to resolve matters that have been raised with respect to the application of the Transition Provisions to previously approved zoning by-law amendments, planning applications in process, certain planning approvals, and future planning and building permit applications.

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

Attachments

1. Draft Amendments to the Transition Provisions of Zoning By-law 001-2021
2. Transition Provisions (Section 1.6) of Zoning By-law 001-2021
3. Comparison Version which clearly sets out the proposed amendments

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

Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Approved by



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

Reviewed by



Nick Spensieri, City Manager

Transition

For the purposes of determining zoning compliance for matters covered by Section 1.6 of this By-law, the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 shall apply.

1.6.1 Building Permit Applications

1. Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a building permit has been filed on or prior to October 20, 2021.

1.6.2 Planning Act Approvals

1. The requirements of this By-law do not apply to a lot where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal (collectively, the "Tribunal") and finally approved on or after January 1, 2010 and on or before October 20, 2021 and a building permit for the applicable project has not yet been issued.
2. The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before October 20, 2021 and a building permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title.
3. The requirements of this By-law do not apply to a lot where a conditional or final site plan approval has been granted by the City or the Tribunal on or after January 1, 2010 and on or before October 20, 2021 and a building permit for the applicable project has not yet been issued.
4. For clarity, where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before October 20, 2021 as a requisite condition for a site plan approval, Section 1.6.2.3 shall apply to give effect to the applicable site plan approval.
5. For approved site plans and minor variances where this By-law has subsequently been amended, the regulations in effect on the date of approval of the site plan or minor variance shall apply to any building permit applications.
6. The requirements of this By-law do not apply to a lot where an amendment to Zoning By-law 1-88 was finally approved and in effect on or after January 1, 2010, and such amendment has not been included in Section 14 herein.
7. The requirements of this By-law do not apply to prevent the removal of a holding symbol ("H") from an amendment to Zoning By-law 1-88 that was finally approved and in effect on or after January 1, 2010.

8. 1. The requirements of this By-law do not apply to prevent the approval of the following applications filed after October 20, 2021 if such application(s) are complete and, save under (f), comply with an amendment to Zoning By-law 1-88 that was finally approved and in effect on or after January 1, 2010 and on or before October 20, 2021, or that has been approved in principle by the Tribunal after January 1, 2010 where the final order has been withheld, and comply with all requirements of the Planning Act:
 - (a) site plan drawings and conditions;
 - (b) a consent to sever;
 - (c) an approval of draft plan of subdivision;
 - (d) a plan of condominium approval;
 - (e) a part-lot control exemption approval pursuant to Section 50 of the Planning Act; or
 - (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.
2. Nothing in this By-law shall prevent the erection or use of a building or structure on a lot where the applicable applications under Section 1.6.2.8.1 have been finally approved and the building permit application complies with the provisions of Zoning By-law 1-88, as amended as it read on October 20, 2021 and all final approved minor variances.
3. Upon completion of the project for which approvals and permits have been obtained pursuant to Sections 1.6.2.8.1 and 1.6.2.8.2, this exemption under Section 1.6.2.8 shall cease to apply.

1.6.3 Planning Applications in Process

1.6.3.1 Minor Variance Applications

1. Nothing in this By-law shall prevent the erection or use of a building or structure, in the circumstances set out in Section 1.6.3.1.1(a) and (b), for which:
 - (a) a complete application for a minor variance under Section 45 of the Planning Act was filed on or before October 20, 2021; or
 - (b) a complete application for minor variance under Section 45 of the Planning Act was filed after October 20, 2021 based on a building permit application referred to in Section 1.6.1.1.
2. Where a project qualifies under Section 1.6.3.1.1:
 - (a) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Zoning By-law 1-88, as amended, as it read on October 20, 2021; and
 - (b) a building permit for that project may be issued after final approval is received for the minor variance if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, and all final approved minor variances.

1.6.3.2 Site Plan Approval Applications

1. Nothing in this By-law shall prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or before October 20, 2021, if the project in question complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021.
2. Where a project qualifies under Section 1.6.3.2.1:
 - (a) The Conditions of final site plan approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, and all requirements of the Planning Act; and
 - (b) after the conditions of site plan approval or final site plan approval is received for a project that qualifies under Section 1.6.3.2.1, a building permit for that project may be issued if the project in question and the building permit application for the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, the site plan approval, and all approved minor variances.

1.6.3.3 Other Approvals

1. The requirements of this By-law do not apply to prevent the approval of an application for a zoning by-law amendment if the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before October 20, 2021, and complies with all requirements of the Planning Act.
2. The requirements of this By-law do not apply to prevent the approval of the following applications filed after October 20, 2021 if such application(s), save under (f), are complete and comply with an amendment to Zoning By-law 1-88 that was finally approved and in effect in accordance with Section 1.6.3.3.1, and comply with all requirements of the Planning Act:
 - (a) site plan drawings and conditions;
 - (b) a consent to sever;
 - (c) an approval of draft plan of subdivision;
 - (d) a plan of condominium approval;
 - (e) a part-lot control exemption approval pursuant to Section 50 of the Planning Act; or
 - (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.
3. Nothing in this By-law shall prevent the erection or use of a building or structure on a lot where the applicable applications under Sections 1.6.3.3.1 and 1.6.3.3.2 have been finally approved and are in effect and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all final approved minor variances.
4. Upon completion of the project for which approvals and permits have been obtained pursuant to Sections 1.6.3.3.1 to 1.6.3.3.3, this exemption shall cease to apply.

5. The requirements of this By-law do not apply to prevent the approval of the following applications where the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before October 20, 2021:
 - (a) a consent to sever;
 - (b) an approval of draft plan of subdivision;
 - (c) a plan of condominium approval; or
 - (d) a part-lot control exemption approval pursuant to Section 50 of the Planning Act.

6. Where a project qualifies under Section 1.6.3.3.5:
 - (a) the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part-lot control exemption approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all requirements of the Planning Act; and
 - (b) a building permit for that project may be issued after final approval is received for the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part-lot control exemption approval, based on an application for a building permit filed after October 20, 2021, if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, and all final approved minor variances.

7. The requirements of this By-law do not apply to a lot where the Tribunal has, on or after January 1, 2010, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, as amended, a provisional consent, or conditional or final site plan approval, but has decided that the final order shall be withheld until such time as the performance of certain terms imposed by the Tribunal have been satisfied.

1.6.4 Duration of Transition Provisions

1. Nothing in this By-law applies so as to continue the application of Sections 1.6.1 to 1.6.3 beyond the issuance of the building permit or permits upon which the exemptions are founded.
2. Notwithstanding Section 1.6.4.1 above, the provisions of Section 1.6 shall be repealed ten (10) years after October 20, 2021. This provision shall not require an amendment to this By-law to take effect.

Transition

Notwithstanding the requirements of this By-law, a building permit may be issued in accordance with Section 1.6 of this By-law for the following scenarios.

For the purposes of determining zoning compliance for matters covered by Section 1.6 of this By-law, the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law shall apply.

1.6.1 Building Permit Applications

1. Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a building permit has been filed on or prior to the effective date of this By-law.

1.6.2 Planning Act Approvals

1. The requirements of this By-law do not apply on a lot where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal (collectively, the "Tribunal") on or after January 1, 2010 and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued.

2. The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title.

3. The requirements of this By-law do not apply to a lot where a conditional or final site plan approval has been granted by the City or the Tribunal on or after January 1, 2010 and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued.

4. For clarity, where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before the effective date of this By-law as a requisite condition for a site plan approval, Section 1.6.2.3 shall apply to give effect to the applicable site plan approval.

5. For approved site plans and minor variances where this By-law has subsequently been amended, the regulations in effect on the date of approval of the site plan or minor variance shall apply to any building permit applications.

1.6.3 Planning Applications in Process

1.6.3.1 Minor Variance Applications

1. Nothing in this By-law will prevent the erection or use of a building or structure, in the circumstances set out in Section 1.6.3.1.1(a) and (b), for which:

(a) a complete application for a minor variance under Section 45 of the Planning Act was filed on or before the effective date of this By-law; or

(b) a complete application for minor variance under Section 45 of the Planning Act was filed after the effective date of this By-law based on a building permit application referred to in Section 1.6.1.1.

2. Where a project qualifies under Section 1.6.3.1.1:

(a) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law; and

(b) a building permit for that project may be issued after final approval is received for the minor variance if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law, and all final approved minor variances.

1.6.3.2 Site Plan Approval Applications

1. Nothing in this By-law will prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or before the effective date of this By-law, if the project in question complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law.

2. Where a project qualifies under Section 1.6.3.2.1:

(a) The Conditions of final site plan approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law, and all requirements of the Planning Act; and

(b) after the conditions of site plan approval or final site plan approval is received for a project that qualifies under Section 1.6.3.2.1, a building permit for that project may be issued if the project in question and the building permit application for the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law, the site plan approval, and all approved minor variances.

1.6.3.3 Other Approvals

1. The requirements of this By-law do not apply to prevent the approval of applications for zoning by-law amendment, minor variance, site plan, plan of subdivision, consent, part-lot control exemption or plan of condominium if the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before the effective date of this By-law.

2. The requirements of this By-law do not apply to a lot where the Tribunal has, on or after January 1, 2010 and on or before the effective date of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, as amended, a provisional consent, or conditional or final site plan approval, but has decided that the final order shall be withheld until such time as the performance of certain terms imposed by the Tribunal have been satisfied.

1.6.4 Duration of Transition Provisions

1. Once a permit or approval has been granted in accordance with Section 1.6, the provisions of Zoning By-law 1-88, as amended, shall cease to be in effect.

2. Notwithstanding Section 1.6.4.1 above, the provisions of Section 1.6 shall be repealed ten (10) years from the effective date of this By-law. This provision shall not require an amendment to this By-law to take effect.

Transition

~~Notwithstanding the requirements of this By-law, a building permit may be issued in accordance with Section 1.6 of this By-law for the following scenarios:~~

For the purposes of determining zoning compliance for matters covered by Section 1.6 of this By-law, the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021 shall apply.

1.6.1 Building Permit Applications

1. Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a building permit has been filed on or prior to ~~the effective date of this By-law~~October 20, 2021.

1.6.2 Planning Act Approvals

1. The requirements of this By-law do not apply ~~ento~~ a lot where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal (collectively, the "Tribunal") and finally approved on or after January 1, 2010 and on or before ~~the effective date of this By-law~~October 20, 2021 and a building permit for the applicable project has not yet been issued.
2. The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before ~~the effective date of this By-law~~October 20, 2021 and a building permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title.
3. The requirements of this By-law do not apply to a lot where a conditional or final site plan approval has been granted by the City or the Tribunal on or after January 1, 2010 and on or before ~~the effective date of this By-law~~October 20, 2021 and a building permit for the applicable project has not yet been issued.
4. For clarity, where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before ~~the effective date of this By-law~~October 20, 2021 as a requisite condition for a site plan approval, Section 1.6.2.3 shall apply to give effect to the applicable site plan approval.
5. For approved site plans and minor variances where this By-law has subsequently been amended, the regulations in effect on the date of approval of the site plan or minor variance shall apply to any building permit applications.

6. The requirements of this By-law do not apply to a lot where an amendment to Zoning By-law 1-88 was finally approved and in effect on or after January 1, 2010, and such amendment has not been included in Section 14 herein.
7. The requirements of this By-law do not apply to prevent the removal of a holding symbol ("H") from an amendment to Zoning By-law 1-88 that was finally approved and in effect on or after January 1, 2010.
8. 1. The requirements of this By-law do not apply to prevent the approval of the following applications filed after October 20, 2021 if such application(s) are complete and, save under (f), comply with an amendment to Zoning By-law 1-88 that was finally approved and in effect on or after January 1, 2010 and on or before October 20, 2021, or that has been approved in principle by the Tribunal after January 1, 2010 where the final order has been withheld, and comply with all requirements of the Planning Act:
 - (a) site plan drawings and conditions;
 - (b) a consent to sever;
 - (c) an approval of draft plan of subdivision;
 - (d) a plan of condominium approval;
 - (e) a part-lot control exemption approval pursuant to Section 50 of the Planning Act; or
 - (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.
2. Nothing in this By-law shall prevent the erection or use of a building or structure on a lot where the applicable applications under Section 1.6.2.8.1 have been finally approved and the building permit application complies with the provisions of Zoning By-law 1-88, as amended as it read on October 20, 2021 and all final approved minor variances.
3. Upon completion of the project for which approvals and permits have been obtained pursuant to Sections 1.6.2.8.1 and 1.6.2.8.2, this exemption under Section 1.6.2.8 shall cease to apply.

1.6.3 Planning Applications in Process

1.6.3.1 Minor Variance Applications

1. Nothing in this By-law ~~will~~shall prevent the erection or use of a building or structure, in the circumstances set out in Section 1.6.3.1.1(a) and (b), for which:
 - (a) a complete application for a minor variance under Section 45 of the Planning Act was filed on or before ~~the effective date of this By-law~~October 20, 2021; or
 - (b) a complete application for minor variance under Section 45 of the Planning Act was filed after ~~the effective date of this By-law~~October 20, 2021 based on a building permit application referred to in Section 1.6.1.1.
2. Where a project qualifies under Section 1.6.3.1.1:

- (a) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021; and
- (b) ~~(b)~~—a building permit for that project may be issued after final approval is received for the minor variance if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021, and all final approved minor variances.

1.6.3.2 Site Plan Approval Applications

1. Nothing in this By-law ~~will~~shall prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or before ~~the effective date of this By-law~~October 20, 2021, if the project in question complies with the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021.
2. Where a project qualifies under Section 1.6.3.2.1:
 - (a) The Conditions of final site plan approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021, and all requirements of the Planning Act; and
 - (b) after the conditions of site plan approval or final site plan approval is received for a project that qualifies under Section 1.6.3.2.1, a building permit for that project may be issued if the project in question and the building permit application for the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021, the site plan approval, and all approved minor variances.

1.6.3.3 ~~1.6.3.3~~ Other Approvals

1. The requirements of this By-~~law~~ do not apply to prevent the approval of ~~applications~~an application for a zoning by-law amendment, ~~minor variance, site plan, plan of subdivision, consent, part lot control exemption or plan of condominium~~ if the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before ~~the effective date of this By-law~~October 20, 2021, and complies with all requirements of the Planning Act.
2. The requirements of this By-law do not apply to prevent the approval of the following applications filed after October 20, 2021 if such application(s), save under (f), are complete and comply with an amendment to Zoning By-law 1-88 that was finally approved and in effect in accordance with Section 1.6.3.3.1, and comply with all requirements of the Planning Act:
 - (a) site plan drawings and conditions;
 - (b) a consent to sever;
 - (c) an approval of draft plan of subdivision;
 - (d) a plan of condominium approval;

- (e) a part-lot control exemption approval pursuant to Section 50 of the Planning Act; or
- (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.

3. Nothing in this By-law shall prevent the erection or use of a building or structure on a lot where the applicable applications under Sections 1.6.3.3.1 and 1.6.3.3.2 have been finally approved and are in effect and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all final approved minor variances.
4. Upon completion of the project for which approvals and permits have been obtained pursuant to Sections 1.6.3.3.1 to 1.6.3.3.3, this exemption shall cease to apply.
5. The requirements of this By-law do not apply to prevent the approval of the following applications where the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before October 20, 2021:
 - (a) a consent to sever;
 - (b) an approval of draft plan of subdivision;
 - (c) a plan of condominium approval; or
 - (d) a part-lot control exemption approval pursuant to Section 50 of the Planning Act.
6. Where a project qualifies under Section 1.6.3.3.5:
 - (a) the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part-lot control exemption approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all requirements of the Planning Act; and
 - (b) a building permit for that project may be issued after final approval is received for the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part-lot control exemption approval, based on an application for a building permit filed after October 20, 2021, if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, and all final approved minor variances.
7. ~~2.~~—The requirements of this By-law do not apply to a lot where the Tribunal has, on or after January 1, 2010 ~~and on or before the effective date of this By-law~~, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, as amended, a provisional consent, or conditional or final site plan approval, but has decided that the final order shall be withheld until such time as the performance of certain terms imposed by the Tribunal have been satisfied.

1.6.4 Duration of Transition Provisions

1. ~~Once a permit or approval has been granted in accordance with Section 1.6, the provisions of Zoning By-law 1-88, as amended, shall cease to be in effect.~~ Nothing in this By-law applies so as to

continue the application of Sections 1.6.1 to 1.6.3 beyond the issuance of the building permit or permits upon which the exemptions are founded.

2. Notwithstanding Section 1.6.4.1 above, the provisions of Section 1.6 shall be repealed ten (10) years ~~from the effective date of this By-law~~ after October 20, 2021. This provision shall not require an amendment to this By-law to take effect.