

## **COMMITTEE OF THE WHOLE MAY 20, 2008**

### **OFFICIAL PLAN AMENDMENT FILE OP.08.006 SITE PLAN CONTROL BY-LAW AMENDMENT FILE 12.28 CITY OF VAUGHAN REPORT #P.2008.18**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.08.006 (City of Vaughan) BE APPROVED, to amend Official Plan Amendment #200, as amended, to require Site Plan Control for new street townhouse dwellings located on public streets.
2. THAT Site Plan Control By-law Amendment File 12.28 (City of Vaughan) BE APPROVED, to amend Site Plan Control By-laws 228-2005 and 237-2007, to:
  - a) require Site Plan Control for new street townhouse developments located on public streets; and,
  - b) include reference in the Site Plan Control By-law to require a "Site Plan Letter of Undertaking" (not registered on title), and provisions authorizing the Mayor and City Clerk to sign Site Plan Letters of Undertaking, and deleting reference to "Site Plan Agreement" (and registration on title).

#### **Economic Impact**

The proposed change to apply site plan control to street townhouse (freehold) developments located on public streets will increase the revenue collected by the Development Planning Department under the authority of the Planning Applications Fee By-law 135-2007. The amount of revenue that could be generated is unknown, as it is dependent on the number of new site plan applications submitted for street townhouse developments.

#### **Communications Plan**

On April 4, 2008, a Notice of Public Hearing was advertised in the Vaughan Today, which satisfies the public notification requirements of the *Planning Act*. As of May 5, 2008, no written comments were received by the Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 5, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting will be ratified by Council on May 12, 2008.

#### **Purpose**

On January 28, 2008, Vaughan Council adopted a new Site Plan Control Process, which requires amendments to the Site Plan Control policies contained within the City's Official Plan Amendment #200 and Site Plan Control By-laws 228-2005 and 237-2007, to implement the following changes to the Site Plan Control Process:

- 1) apply Site Plan Control to street townhouse (freehold) dwellings located on public streets; and,

- 2) include reference in the Site Plan Control By-law to require a "Site Plan Letter of Undertaking" (not registered on title), and provisions authorizing the Mayor and City Clerk to sign Site Plan Letters of Undertaking, and deleting reference to "Site Plan Agreement" (and registration on title).

### **Background - Analysis and Options**

On January 21, 2008, the Committee of the Whole considered a comprehensive staff report from the City Manager and the Commissioner of Planning regarding the Site Plan Control Process Review, which evaluated various options for creating a more streamlined and modernized Site Plan Control Process. On January 28, 2008, Council approved a Site Plan Control Process Model (Option 2 modified) as shown on Attachment #1. It is estimated that the modified Site Plan Control Process will take approximately 31.5 – 32.5 weeks, and can save up to 15 – 16 weeks from the existing site plan process.

The following Council approved recommendations are required to implement the new Site Plan Control Process Model (Option 2 modified), which requires amendments to the existing policies within OPA #200, as amended, and to Site Plan Control By-laws 228-2005 and 237-2007, as follows:

- 1) apply Site Plan Control to street townhouse developments located on public streets; and,
- 2) include reference in the Site Plan Control By-law to require a "Site Plan Letter of Undertaking" (not registered on title), and provisions authorizing the Mayor and City Clerk to sign Site Plan Letters of Undertaking, and deleting reference to "Site Plan Agreement" (and registration on title).

A discussion of these approved recommendations were provided in the January 21, 2008 Committee of the Whole report respecting the Site Plan Control Process Review, which is reiterated below:

1. Amend the Official Plan and Site Plan Control By-law to apply Site Plan Control to Street Townhouse (Freehold) Dwellings located on public streets.

Street townhouse dwellings located on public streets were originally subject to Site Plan Control. Following a review of the City's "Residential Design Standards" in 2001, OPA #200 was amended by OPA #553 to exempt on a City-wide basis, all residential single-detached, semi-detached and street townhouse dwellings and accessory structures from the requirements of Site Plan Control. The reinclusion of street townhouse dwellings located on public streets under Site Plan Control will ensure that this more intensive form of multi-unit dwelling type, which has the potential to impact the appearance and function of a street, can develop within the existing streetscape in terms of appropriate and coordinated placement of garages, landscaping, driveways and utilities. This will ensure an attractive design and compliance with approved architectural control guidelines within the community.

Through Site Plan Control, the City can ensure that the design of this more intensive dwelling type incorporates an appropriate variation in building materials, roof lines, window and door treatments, landscaping elements and streetscaping, to establish and enhance the visual appearance of the community, and to reinforce the pedestrian focus and realm through appropriate and compatible design.

As part of the Site Plan Control Process, a landscape plan will be required for approval by the City to ensure appropriate landscaping and screening of the development from the

street. Review and approval by the Control Architect for each Block Plan area will still apply, and complement the City's review and approval of this housing form through Site Plan Control.

2. Include reference in the Site Plan Control By-law to require a "Site Plan Letter of Undertaking" (not registered on title) and wording authorizing the Mayor and City Clerk to sign Site Plan Letters of Undertaking, and deleting reference to "Site Plan Agreement" (and registration on title).

The implementation of the Letter of Undertaking is modeled from the Letter of Undertaking which is being used successfully in Mississauga and Hamilton. Unlike the existing Site Plan Agreement, which can take an extended amount of time from preparation to registration on title, the proposed Letter of Undertaking in the Council approved Site Plan Control Process (Option 2 modified) is a one page document (but will include additional attachments in the form of conditions and a list of approved drawings as noted below), which is signed by the Owner, and the Mayor and City Clerk, and is not registered on title, thus resulting in time savings in the overall site plan control process. The Letter of Undertaking will require the Owner to undertake all works and construction in accordance with the approved plans, and unlike Mississauga and Hamilton, will include a list of conditions and a list of approved drawings appended to the Letter of Undertaking. It is noted that Mississauga affixes their conditions onto the approved site plan, whereas the Development Planning Department has determined it is more appropriate to attach required conditions to the one page Letter of Undertaking.

The City will be requiring a larger Letter of Credit from the Owner to secure all site plan related works on the property. A Building Permit Application will only be accepted once the Letter of Undertaking has been signed by all parties, and the securities in the form of a larger Letter of Credit and the Liability Insurance Certificate are received by the City.

Upon the amendments to the Official Plan and Site Plan Control By-law taking effect sometime in June 2008 (adoption and enactment of the implementing documents to occur at the Council meeting on May 26, 2008), if there are no appeals to the Official Plan Amendment only, the Letter of Undertaking (not registered on title) will effectively replace the existing Site Plan Agreement (and registration on title).

#### **Relationship to Vaughan Vision 2020**

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

#### **Regional Implications**

The Region of York will not be a signing party to the City's Letter of Undertaking for applications abutting a Regional Road. Instead, the Region's Transportation Services Department has indicated that they will be securing their interests through their own Regional Site Plan Agreement with the Owner.

The Region of York Planning Department has confirmed that the proposed amendment to Official Plan Amendment #200 is of local significance, and is exempt from Regional approval.

#### **Conclusion**

The Development Planning Department has reviewed the proposed amendments to OPA #200 and Site Plan Control By-laws 228-2005 and 237-2007, to improve and streamline the existing Site Plan Approvals Process. The reinclusion of street townhouse dwellings located on public

roads under site plan control will ensure that the development of this more intense dwelling type will promote and reinforce the visual appearance of the streetscape within the community.

The proposed Letter of Undertaking, which is used in Mississauga and Hamilton, will replace the City's existing Site Plan Agreement, which will assist to expedite and streamline the Site Plan Control Process by minimizing the time required to finalize a Site Plan Application. The Letter of Undertaking will be signed by the Owner, and the Mayor and the City Clerk in order to bind the Corporation.

The Development Planning Department recommends approval of the above-noted amendments to Official Plan Amendment #200 and Site Plan Control By-laws 228-2005 and 237-2007, to expedite and improve the site plan control process, as directed by Council on January 28, 2008. The adoption and enactment of the implementing Official Plan Amendment and Site Plan Control By-law, respectively, will occur at the Council meeting on May 26, 2008, thereby facilitating implementation in June 2008, if there are no appeals to the Official Plan Amendment only.

**Attachments**

1. Approved Site Plan Control Process Model (Option 2 Modified)

**Report prepared by:**

Ryan Mino, Planner 1, ext. 8213

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

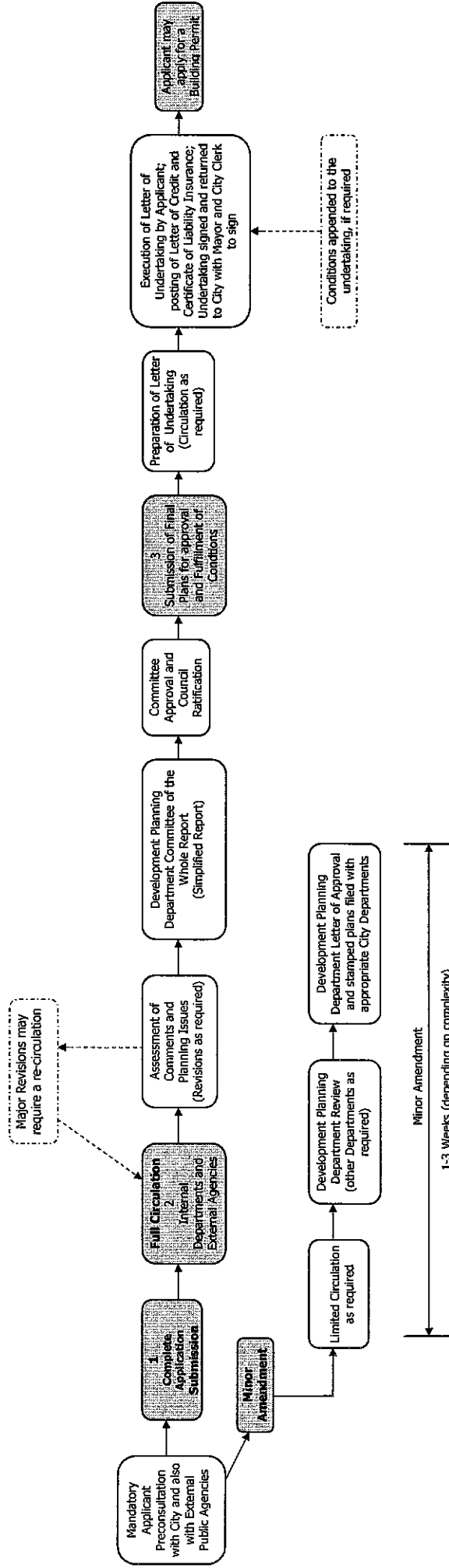
GRANT UYEYAMA  
Manager of Development Planning

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APPROVED SITE PLAN CONTROL PROCESS MODEL (OPTION 2 MODIFIED)



TOTAL TIME = 31.5 - 32.5 WEEKS  
ESTIMATED TIME SAVINGS = 15 - 16 WEEKS



3. It is the responsibility of the applicant to meet the "Conditions of Approval" as imposed by the City and other Agencies.

2. It is recommended that applicant maintain close contact with external agencies to assist in facilitating their application.

1. Ensure that all supporting documents are submitted with application to facilitate review of your application. Refer to Site Development Application for a complete list of submission requirements. Application will not be accepted until it is deemed complete.

NOTES: