

**SITE PLAN CONTROL PROCESS – FOLLOW UP REVIEW  
CITY OF VAUGHAN  
FILE 12.28  
ALL WARDS – CITY WIDE**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT the Site Plan Approval Process be modified to implement the recommended changes identified in this report as summarized on Attachment #1, and that Council provides direction with respect to the following specific recommendations:

- a) the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate as outlined in Section 3.2 of this report, in whole or in part as follows:

- i) Option 1: Status Quo

Maintain the current approval authority structure.

- ii) Option 2: Partial Delegation

Partial delegation of Site Plan Approval including:

1. Delegation authority for site plan approval for certain classes of development; and,
    2. Not requiring Development Planning Department reports for Council approval for those delegated classes of development.

- iii) Option 3: Full Delegation

Full delegation of Site Plan approval including:

1. Full delegation authority to staff for site plan approval of all classes of development; and,
    2. No Staff reports required to be prepared for Council approval;

AND THAT should Council choose Partial or Full delegation of Site Plan Approval Authority to the Commissioner of Planning or designate that a follow-up report be prepared for Council's consideration to recommend specific classes of development for delegated authority, procedures and any amendments to the City's current documents (i.e. Site Plan Control By-law) required to be considered to implement partial or full delegation; and,

- b) the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate as outlined in Section 3.3 of this report, in whole or

in part, for street townhouse dwellings on a block within a registered Plan of Subdivision as follows:

i) Option 1: Full Delegation of Site Plan Approval

Option 1 provides for the delegation of Site Plan Approval to the Commissioner of Planning and/or designate for all street townhouse dwellings proposed on a Block in a Registered Plan of Subdivision.

ii) Option 2 - Streamlined Site Plan Approval Process

Option 2 provides for an expedited approval process for this specific class of development as set out in Recommendation 3.3 of this report.

iii) Option 3: Maintain the Current Site Plan Approval Process

Option 3 maintains the current approval process for street townhouse dwellings on a Block in a registered plan of subdivision including a report to Council and an executed Site Plan Letter of Undertaking / Agreement.

2. THAT a Committee of the Whole (Public Hearing) be held to:

a) consider amendments to OPA #705 (Complete Application Requirements) and By-law 278-2009 (Pre-Application Consultation Meetings) and modifications to the new City of Vaughan Official Plan 2010 (Volume 1) to exempt the following classes of development from the requirement to hold a Pre-Application Consultation Meeting prior to the submission of a planning application:

- i) street townhouse dwellings on a Block within an approved Plan of Subdivision or a registered plan of subdivision;
- ii) minor additions to an existing building which comply with Zoning By-law 1-88, where the Commissioner of Planning or designate is of the opinion that the use and development of the lands provided for in the original Site Plan Letter of Undertaking / Agreement remains substantially unaltered, and where no City Department or Public agency objects to the application;
- iii) minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, etc.); and,
- iv) applications for new signage or changes to existing signage;

b) consider modifications to the City of Vaughan Official Plan 2010, to require that the following classes of development be implemented using a Site Plan Agreement:

- i) all classes of new development in an Intensification Area including the Vaughan Metropolitan Centre, a Primary Centre, Local Centre, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by



Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. Site Plan Agreement or Letter of Undertaking) or as a minor modification to existing approvals;

- ii) all Mid and High Rise buildings as defined by the new City of Vaughan Official Plan 2010 (i.e. buildings over 6 storeys in height);
  - iii) all classes of development utilizing strata parking and/or park arrangements, and/or Section 37 bonussing provisions;
  - iv) all classes of development where the Commissioner of Planning or designate is of the opinion that a Site Plan Agreement is required to secure specific City interests;
  - v) where a public / private partnership funding for community infrastructure is proposed; and,
  - vi) all other classes of development will continue to be implemented using a Site Plan Letter of Undertaking;
- c) amend the City's Site Plan Control By-law to require site plan control for development on employment lots abutting an Open Space Zone;
  - d) enact a consolidated Site Plan Control By-law for the City of Vaughan appended to this report as Attachment #3 and that the Development Planning Department be directed to incorporate any amendments to the Site Plan Control By-law as may be approved by Council through this Site Plan Process review.
3. THAT the Policy Planning Department undertake a review of the City of Vaughan Official Plan 2010 (VOP 2010) with respect to the appropriateness of:
- i) redesignating lands currently designated "Employment Area General" that abut a provincial highway or a future planned highway right-of-way including those "Employment Area General" lands separated from a provincial highway or right-of-way by an intervening land use (e.g. valley lands) that provides high visibility to the employment area, to "Prestige Areas"; and,
  - ii) redesignating those employment areas that are currently designated "Employment Area General" and are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88, to "Prestige Areas".

#### **Economic Impact**

N/A

#### **Communications Plan**

The Development Planning Department has consulted with relevant stakeholders in the Site Plan Process Review including City Departments, the Region of York Transportation and Community Planning Department, the Toronto and Region Conservation Authority

(TRCA), representatives from the Development Industry, and the Building Industry and Land Development Association (BILD) as outlined in more detail later in this report.

On May 15, 2012, the Development Planning Department provided written notice of the consideration of this report by the Committee of the Whole to those building industry representatives that participated in the Stakeholder meetings.

A Public Hearing is required to amend OPA #705 (Complete Application Requirements) and By-law 278-2009 (Pre-Application Consultation Meetings) to implement the changes recommended in this report to exempt certain classes of development from the requirement to hold a Pre-Application Consultation Meeting prior to the submission of a planning application should Council approve the recommendations contained in this report. The appropriate newspaper advertisement(s) would be required to implement the changes outlined in this report.

This specific program review exercise represents the Development Planning Department's commitment towards continuous improvement in the planning review and approval process in order to deliver high quality service to all stakeholders in the development process. The initiatives resulting from this review are intended to streamline the delivery of planning services as they relate to the Site Plan Approval process where possible, while at the same time meeting the needs of all parties involved in the process to the greatest extent possible, and ensuring the City's interests are protected. This exercise was conducted completely by the Development Planning Department, and it required significant staff time to complete, including contribution from several staff members and significant staff time in addition to regular work hours.

### **Purpose**

This report has been prepared in response to the following resolution (in part) adopted by Council on January 28, 2008, in response to a report prepared by the Development Planning Department to review and evaluate the Site Plan Control Process, to provide a more efficient and streamlined process resulting in increased time savings:

"THAT the Development Planning Department prepare an evaluation report on the new Site Plan Process for a future Committee of the Whole."

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

### **1.1 Background**

On November 27, 2007, the Committee of the Whole (Working Session) considered a comprehensive report from the Commissioner of Planning respecting the Site Plan Control Process Review including various options, and resolved the following, which was ratified by Vaughan Council on December 10, 2007:

"That staff bring forward a report to the Committee of the Whole meeting of January 21, 2008 incorporating the comments and concerns expressed by Members of Council and the deputants."

On January 21, 2008, the Committee of the Whole considered a report from the Commissioner of Planning respecting proposed changes to the City of Vaughan's Site Plan Control Process, which included recommendations to provide for a more efficient and streamlined Site Plan approval process and procedures. The report included a recommendation with specific modifications to the Site Plan Control Process including:



- i) implementation of mandatory Pre-Application Consultation (PAC);
- ii) elimination of the Site Plan Review Team (SPRT) Process;
- iii) introduction of the Letter of Undertaking as an instrument to implement Site Plan approval;
- iv) eliminating the tri-party Site Plan Agreement between the City, Region of York and the applicant in favour of a separate City and Regional Letter of Undertaking and Site Plan Agreement, respectively;
- v) implementation of the expiration of Site Plan Approval after 18 months;
- vi) the requirement for a "Complete Application";
- vii) accepting minor red-line revisions on the final site plans being approved by the Development Planning Department, where appropriate;
- viii) utilizing a shorter staff report with emphasis on clear visual report attachments;
- ix) amending the Official Plan and Site Plan Control By-law to apply Site Plan Control to Freehold Street Townhouse development located on public roads; and,
- x) changes to Vaughan's Site Plan Letter of Credit Process.

The changes to the Site Plan Review Process resulting from the review undertaken in 2007/2008 and other recent amendments to the process are outlined in more detail on Attachment #2. A flow chart illustrating the current Site Plan Approval process is shown on Attachment #4.

#### 1.2 Current Site Plan Approval - Official Plan and Zoning By-law

The in-force Official Plan Amendment (OPA) that implements Site Plan Approval in the City of Vaughan is OPA #200, as amended by OPA's #553, #658, and #684. It is noted these amendments are consolidated into Chapter 10 of Volume 1 of the new City of Vaughan Official Plan 2010, which was adopted by Council on September 7, 2010 (as modified September 27, 2011 and April 17, 2012), and is pending approval from the Ontario Municipal Board.

The in-force By-law that implements Site Plan Control in the City of Vaughan is By-law 228-2005, as amended by By-laws 134-2007, 237-2007, 127-2008, 214-2008 and 279-2009. Staff has prepared a consolidated Site Plan Control By-law as shown on Attachment #3. This By-law represents a consolidation of Site Plan Control By-law 228-2005 and all of the subsequent amendments only, and does not incorporate any of the proposed changes outlined in this report. Should Council approve the recommendations in this report, in whole or in part, the draft consolidated By-law shown on Attachment #3 will be amended to incorporate the additional amendments.

#### 1.3 Current Site Plan Review Process

The 2007/2008 Site Plan process review resulted in the model shown on Attachment #4 being adopted by Council as the City's preferred Site Plan Control Process. At the time, it was estimated that this model would result in an average Site Development Application processing time of approximately 31.5-32.5 weeks, saving up to 15-16 weeks from the previous site plan process. The time savings were expected to be achieved throughout the approval process.

#### 1.4 Processing Times - Site Development Applications Since the 2008/2009 Review

Similar to the 2007/2008 review, the Development Planning Department undertook a review of the processing times for Site Development Applications for



the period from mid 2009 to mid 2011, which covers an approximate 2 year time frame, after which the 2007/2008 recommended changes to the Site Plan approval process were implemented. A total of 26 development applications were reviewed that covered four main classes of development being Residential, Commercial, Industrial and Institutional. The results of this review are shown on Attachment #5. Overall, the processing time for a Site Development Application was reduced from an average of 10.7 months in 2007 to 8.5 months in 2009-2011. Residential Site Development Applications on average took 232.1 days to process during this review being approximately 113 days quicker than in 2007/2008 when the average processing time was 345.5 days. Site Development Applications for industrial/employment uses were processed approximately 70 days quicker in 2011 than in 2007 (274.3 days versus 345.8 days). Similarly, Site Development Applications for institutional uses were processed on average in 272.7 days or 72.3 days quicker than the period prior to the 2007/2008 review (345 days).

Attachment #5 illustrates that Site Plan Applications for commercial developments are taking approximately 68 days longer to process in 2011 than in the period prior to 2007/2008 (313.6 and 245.3 days respectively). The additional processing time can be contributed to the increased complexity of the applications, negotiating contentious issues for commercial uses such as drive-through locations and building designs, and delays by applicant providing requested information.

#### 1.5 The Site Plan Approval Process Since 2008

When the Site Plan Review Process was amended in 2007/2008, it was estimated that the changes implemented would save approximately 15 to 16 weeks in processing time. Attachment #5 identifies that based on a survey sample of 26 Site Development Applications, the average overall processing time for processing Site Development Applications was reduced from 10.7 months to 8.5 months, thereby expediting the approval process by 2.2 months or approximately 9.5 weeks.

There are several factors since the 2007/2008 review that contributed to not achieving the estimated 15 to 16 week time savings to process a Site Development Application, including:

- i) the Site Plan review process was already efficient and in order to achieve the estimated 15 - 16 weeks of processing time, every aspect of the suggested changes would have been required to be implemented, which was not the case. For example, the electronic circulation of development applications was not implemented since the additional resource request for a Development Tracking Applications (DTA) Co-ordinator was not approved through the City's budget process. The electronic circulation of development applications, comments and processing would have contributed to an estimated 2 to 3 weeks in time savings alone. This issue is discussed later in this report;
- ii) most Site Development Applications involve one or more external public review and approval agencies such as the Region of York, the Toronto and Region Conservation Authority, or a Ministry of the Provincial government over which, the City has no control over the timing of comments / clearances provided;



- iii) the parameters for comparing the 2007/2008 and the current review would need to have remained unchanged, which is not the case. For example, Council Meetings are currently scheduled every 3 weeks instead of 2 weeks during the 2007/2008 review, thereby adding one week (or sometimes more with statutory holidays or celebrations) to the approval process and fewer Council meetings throughout the calendar year;
- iv) the sample applications analyzed for this review were processed by the Development Planning Department from mid 2009 to mid 2011, after the changes to the 2007/2008 Site Plan Process review were approved and implemented. This review period included both a summer recess period of Council (July 13 to September 7) and an election recess (September 8 to mid December 13) in 2010 resulting in only 11 Council meetings in 2010 of which, only 2 of these Council meetings took place after July 13, 2010. Consequently, the processing time for some Site Development Applications requiring Council approval in 2010 is increased;
- v) an increasing number of development applications that propose intensification, which require more time devoted to public consultation (e.g. Ward community meetings), review, and analysis, and generally longer Ontario Municipal Board hearings if the related Zoning By-law Amendment Application) is appealed;
- vi) increased attention being paid to urban design and built form which resulted in the resubmission of plans and additional review; and,
- vii) the adoption of the new City of Vaughan Official Plan 2010 in September 2010 by Vaughan Council which includes several design related criteria and policies for which the Development Planning Department must have regard.

In consideration of the above, making a direct comparison of the time required to process a Site Development Application between the previous Site Plan Review in 2007/2008 and this review is not possible. However, staff has endeavoured to provide an accounting of the time currently required to process a Site Development Application as discussed further in this report.

## 2.0 Consultation

As part of this update, the Development Planning Department Staff met with the following:

- July 18, 2011: Representatives from the Development Planning Department;
- July 20, 2011: Representatives from the Legal Services, Building Standards, Development / Transportation Engineering and Finance Departments;
- August 18, 2011: Invitations were extended to the same development industry that participated in the site plan review process undertaken in 2008/2009. The meeting included representatives from: Remington Homes; Arista Homes; MAM Group; Intra Architects; History Hill Group; and Solmar Developments. Other industry representatives that participated in the original site plan process review but either chose or were unable to attend included: ZZEN Group; TACC Developments; Metrus Developments; and, A. Baldassarra Architects.

Following the meeting, an email was sent to all invited participants soliciting additional input if they attended the meeting and wanted to provide further comments or if they did not attend the meeting and wanted to provide input. The deadline for providing additional comments was September 7, 2011;

- September 16, 2011: Representatives from the Toronto and Region Conservation Authority;
- October 6, 2011: Representatives from the Region of York Transportation and Community Planning Department; and,
- January 16, 2012: Representatives from the Building Industry and Land Development Association (BILD). It is noted that BILD was not a consulted stakeholder in the 2007/2008 review.

At each meeting, the representatives were asked the same specific questions about the Site Plan Approval process and also offered the opportunity to discuss any additional comments. The Development Planning Department has considered the comments received at these consultation sessions and are proposing a number changes to the Site Plan approval process in order to improve the efficiency of this approval process as outlined in Section 3.0 of this report.

### **3.0 Recommended Amendments to the Site Plan Approval Process**

The following changes to the Site Plan Approval process are recommended for Council's consideration and disposition:

#### **3.1 Use of a Site Plan Agreement (SPA) to Implement Site Plan Approval**

As part of the 2007/2008 Site Plan Process Review, the Letter of Undertaking (LOU) was introduced as an additional document to implement Site Plan approval. The option to use a Site Plan Agreement (SPA) remained in the City's Official Plan and Site Plan Control By-law. As with any approval process, there are strengths and weaknesses associated with particular procedures or aspects of the process.

As a practical matter, experience with both implementation documents has demonstrated strengths and weaknesses associated with each implementation document. In particular, complex development proposals, which required the City to enter into other agreements or require specific conditions to secure interests on title lend themselves to implementation by way of a Site Plan Agreement. For example, development in the Vaughan Metropolitan Centre (VMC) where complex development issues such as specific arrangements respecting the subway, provision of infrastructure for district energy, strata parking and parks arrangements, access and maintenance easements are required to be secured, a Site Plan Agreement registered on title is enabled by legislation in the Planning Act, and is the best option for securing City interests. Less complicated development, such as a neighbourhood commercial development, with fewer associated development issues, is more efficiently implemented using the Letter of Undertaking.

Accordingly, the Development Planning Department is proposing the following recommendation to utilize the current authority provided under the Official Plan and the City's Site Plan Control By-law to utilize a SPA where more complex development warrants such as in the Vaughan Metropolitan Centre (VMC), and a Letter of Undertaking in less complicated development scenarios as follows:



Recommendation:

The Development Planning Department recommends that a Site Plan Agreement be used to implement Site Plan Approval in the following circumstances:

- i) all classes of new development in an Intensification Area including the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by the Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. SPA or LOU) or as a minor modification to existing approvals;
- ii) all Mid and High Rise buildings as defined by the new City of Vaughan Official Plan 2010 (i.e. buildings over 6 storeys in height);
- iv) all classes of development utilizing strata parking and/or park arrangements, and/or Section 37 bonussing provisions;
- v) all classes of development where the Commissioner of Planning or designate is of the opinion that a Site Plan Agreement is required to secure specific City interests; and,
- v) where a public / private partnership funding for community infrastructure is proposed.

All other classes of development will continue to be implemented using a LOU.

As noted, the City's Official Plan and Site Plan Control By-law currently facilitate the use of a SPA and LOU. However, in order to clearly implement the approach outlined above, it is recommended that the City's Site Plan Control By-law be amended and that the new City of Vaughan Official Plan 2010 and the Vaughan Metropolitan Centre Secondary Plan be modified. A condition in this respect is included in the "Recommendation" section of this report.

The Development Planning Department recommends that the City continue to enter into bi-party (City and Owner) Agreements (SPA and LOU) only and that the Region of York continue to enter into a separate agreement with the landowner to secure Regional interests. When a SPA is used to implement a development approval, the document will be circulated to relevant City Departments before it is executed and will be registered electronically by the City's Legal Services Department. The current fee for electronic registration is \$325.00 which is paid by the applicant.

In order to secure Engineering and Landscape works, the Owner is required to post a Letter of Credit (LC). When the LOU was introduced, the formula for calculating the required dollar value amount of the LC was increased to 100% of the landscape cost estimate plus 100% of the estimated Engineering works calculated at \$40,000 per hectare (minimum \$50,000) to a maximum of \$120,000 to cover the Engineering works associated with the proposed development. It is recommended that this formula remain unchanged, and that the same policies respecting the release of the LC also be maintained, as follows.

- require the first inspections for the release of the Letter of Credit by each of the Development Planning and Engineering Departments to commence within 18 months of the issuance of a Building Permit;
- a 100% Letter of Credit release for the Engineering component upon completion of all required servicing works being constructed;
- a two stage Letter of Credit release for the landscaping component, based on:
  - i) a first stage release of 80% of the landscaping component upon completion of all soft and hard landscaping works being constructed; and,
  - ii) a second stage release of the remaining 20% holdback of the landscaping component upon completion of a 12 month warranty period (following the first stage release) for the hard and soft landscaping.

Inspection fees will continue to apply to recover the costs associated with the Letter of Credit inspections process.

It is proposed that the Letter of Credit posted to secure landscaping and engineering works continue to be calculated on this basis whether a development approval is secured using a LOU or SPA. This method of securing and releasing LC's is supported by the development industry and works well from the City's perspective.

It is also recommended that the SPA and LOU be circulated to all relevant City Departments for final review and clearance with each Department provided four (4) business days to respond, after which, if comments are not provided, the SPA or LOU will be executed. It is recognized that this will add time to the approval process, however when considered in the context of the potential implications resulting from inadvertently omitting a City or agency condition of approval, the minimal additional processing time is considered prudent.

### 3.2 Delegation of Site Plan Approval to Staff in Whole or in Part

Site Plan Approval Authority can be delegated to Staff (no staff reports) to the Commissioner of Planning and/or designate (i.e. Director of Development Planning) for all or some classes of development. The City's Site Plan Control By-law currently delegates approval authority to the Commissioner of Planning for the following classes of development:

- employment development, except retail, service commercial and retail warehouse development;
- office buildings located on internal subdivision roads; and,
- amendments to a Site Plan Agreement or Letter of Undertaking where the application conforms to the zoning by-law and where the Commissioner of Planning is of the opinion that the use and development of the lands provided for by the original agreement or undertaking remains substantially unaltered and no City Department or public agency objects to the application.



Delegation will reduce processing times associated with report preparation, Committee and Council schedules, and the review and consideration of the application by the Committee of the Whole and Council.

Delegation to the Commissioner of Planning can occur either partially (certain classes of development) or in full (all classes). The Development Planning Department currently approves minor amendments to existing site plan approvals for matters such as changes to doors, windows, small additions, signage, landscaping, outdoor patios, etc. These amendments are typically processed in one to two weeks. The efficiencies realized through partial or full delegation will expedite the overall process as discussed below.

a) Partial Delegation

Partial delegation of Site Plan Approval to the Commissioner of Planning or designate includes:

1. Delegation authority for site plan approval for certain classes of development; and,
2. Not requiring Development Planning Department reports for Council approval for those delegated classes of development.

Partial delegation of Site Plan Approval authority to the Commissioner of Planning and/or designate for specified classes of development will determine whether or not staff reports are prepared. Council may choose to delegate partial site plan approval authority to the Commissioner of Planning and/or designate, the Director of Development Planning, to approve only certain classes of development such as industrial; office; and, commercial (other than in the Vaughan Metropolitan Centre and historical districts), with the remaining classes (e.g. residential; institutional; and mixed-use) requiring full site plan approval from Council including their consideration of a staff report.

The time saved through partial delegation can be substantial for the classes of development that are delegated due to the elimination of the reporting time required to Committee of the Whole and Council. The actual time saved will vary depending on the classes of development that would be delegated to Staff. It is conceivable that up to 2 months could be saved in the approval process for Site Development Applications simply due to the reporting schedules to the Committee of the Whole and Council. The classes of development that are not delegated approval authority will require staff reports and be processed through the regular Site Plan Approval process.

b) Full Delegation

Full delegation of Site Plan approval to the Commissioner of Planning and/or designate includes:

1. Full delegation authority to staff for site plan approval of all classes of development; and,
2. No Staff reports required to be prepared for Council approval.

Full Delegation of Site Plan Approval to the Commissioner of Planning or designate has the potential to save the most application processing time due primarily to two factors:

- full delegation will eliminate the need to prepare staff reports and the time involved with their preparation and scheduling; and,
- the ability to approve an application at any point in time throughout the calendar year as opposed to scheduling items for consideration by the Committee of the Whole and Council that generally meet every third week and with less frequency during certain periods of the year (i.e. summer months, festive season and election recess).

Full delegation authority to the Commissioner of Planning and/or designate, for site plan approval of all classes of development (industrial, office, commercial, residential, institutional, and mixed use), would not require staff reports to be prepared.

c) Implementation of Partial or Full Delegation

A Public Hearing must be held to consider amendments to OPA #200, as amended, and Site Plan Control By-law 228-2005, as amended, to implement partial or full delegation of Site Plan Approval to the Commissioner of Planning and/or designate by Council. Delegation by By-law is consistent with Policy 1.33, *Delegation of Powers and Duties Policies*, of the City of Vaughan Policy Manual.

If partial delegation of Site Plan Approval to the Commissioner of Planning and/or designate is considered by Council, it is recommended that a follow-up report be prepared to review and examine the classes of development that could be subject to delegated approval authority.

If site plan approval is partially or fully delegated, it is proposed that a member of Council may request that a specific delegated application proceed with a report to the Committee of the Whole.

Partial or full delegation could be implemented within 6-12 months.

Should Council decide not to delegate partial or full Site Plan Approval authority to the Commissioner of Planning or designate, the current approval structure as set out in the City's Site Plan Control By-law will be maintained.

Recommendation:

A recommendation is included in this report (Recommendation 1 a)) requesting that Council provide direction with respect to the partial or full delegation of Site Plan Approval authority to the Commissioner of Planning or designate or maintain the current approval authority structure.



3.3 Amendments to Site Plan Approval for Street Townhouse Dwelling Units Within a Registered Plan of Subdivision

The development industry representatives expressed significant concern with respect to the application of Site Plan Approval to street townhouse dwellings (i.e. freehold dwellings on a public street) within blocks on a registered draft plan of subdivision, where the block(s) is intended for street townhouse dwellings. Through the City's consultation with development industry representatives and BILD, this issue was clearly the most discussed matter during the consultation process. In short, the representatives of the development industry and BILD indicated that Site Plan Approval for Street Townhouse Dwellings within a registered plan of subdivision represents a duplication of effort since engineering related matters are already considered through the subdivision approval process and building design is managed through the architectural control process. The Development Planning Department staff also identified that Site Plan Approval for this class of townhouse dwelling units is time consuming and should be reviewed.

The Development Planning Department has reviewed these concerns and recommends that Site Plan Control continue to apply to all street townhouse dwellings, particularly given Council's recent concerns respecting proposed side and rear elevations and in an effort to ensure that attractive streetscapes are developed wherever street townhouse dwellings are proposed in the City. However, the Development Planning Department is recommending the following two Options proposing amendments to the Site Plan Approval process for street townhouse dwellings for consideration and direction by Council in order to create an expedited review process for this specific class of development:

a) Option 1 - Delegation of Site Plan Approval For Street Townhouse Dwellings to the Development Planning Department

Option 1 provides for the delegation of Site Plan Approval to the Commissioner of Planning and/or designate (i.e. Director of Development Planning) for all street townhouse dwellings proposed on a Block in a Registered Plan of Subdivision.

Full Delegation of Site Plan Approval to Staff for street townhouse dwellings has the potential to save the most application processing time since it will eliminate the need to prepare staff reports and the time involved with their preparation and scheduling and applications can be approved at any point in time throughout the calendar year without consideration for Council schedules and recess periods (e.g. summer, festive and election periods).

A Public Hearing must to be held to consider amendments to OPA #200 and Site Plan Control By-law 237-2007, as amended, to implement this option. Amendments are also required to the new City of Vaughan Official Plan 2010 to implement changes resulting from the delegation of Site Plan approval to Staff, if approved by Council.

It is also proposed that should Council delegate Site Plan Approval authority to the Development Planning Department for this specific class of development that amendments i), ii), iv), v), vi) and vii) identified in Option 2 discussed next will also apply to Option 1. When a Site Development Application for street townhouse dwellings is approved, the Development Planning Department would send a letter to the Building

Standards Department (and copied to the applicant) together with a copy of the approved plans advising of the approval. The letter would take the form of Attachment #6, with the reference to Council's approval date being removed.

If site plan approval for street townhouse dwellings is delegated to staff, it is proposed that a member of Council may request that a specific delegated application proceed with a report to the Committee of the Whole.

This Option could be implemented within 6-12 months.

b) Option 2 - Streamlined Site Plan Approval Process for Street Townhouse Dwellings on a Block Within a Registered Plan of Subdivision

Should Council deem that the delegation of Site Plan approval for street townhouse dwellings located on a block within a Registered Plan of Subdivision is not desirable, the Development Planning Department recommends the following expedited approval process for this specific class of development:

- i) a pre-application consultation (PAC) meeting is not required. The application requirements for street townhouse dwellings is fairly routine and eliminating this step in the process will save both staff time and the need for the developer/land owner to attend or send representatives to a PAC meeting;
- ii) the complete application requirements will include only the proposed building elevations, site plan, and landscape plans (grading and servicing plans will no longer be required to be reviewed by the Development / Transportation Engineering Department as these matters were previously reviewed through the Subdivision Approval process); the application will only be reviewed by the Building Standards Department to determine compliance to Zoning By-law 1-88, as amended, and by the Development Planning/Urban Design Department to review the proposed building elevations, site layout, and landscaping plan(s);
- iii) the Development Planning Department will prepare a short-form report to Council providing a review of only the proposed site plan, building elevations and landscape plan(s) with appropriate graphics;
- iv) the Owner will not be required to execute a Letter of Undertaking to implement Site Plan approval for street townhouse dwellings on a Block within an approved plan of subdivision. The Development Planning Department (Commissioner of Planning, or designate - Director of Development Planning) will forward an approval letter (Attachment #6) to the Building Standards Department (and copied to the applicant) advising of the date when Council approved the Site Development Application together with a copy of the approved site plan, building elevations, and landscaping plan(s) and advising that the Owner may apply for a Building Permit;



- v) the Owner will be required to enter into a Landscape Letter of Credit Agreement (Attachment #7) with the City of Vaughan to secure the required landscaping component of the development. The Agreement identifies basic information about the file such as the Owner's name, municipal property address and Parcel Identification Number and provides for the requirement to post the LC and the conditions related to the release of the LC. The draft Agreement was drafted in consultation with the Legal Services Department. In order to expedite the approval process, it is recommended that this Agreement be signed by the Owner only. The Mayor and/or City Clerk will not be required to execute the Agreement given that its only purpose is to secure the LC for the landscape works associated with the street townhouse development. If approved, the Agreement will be circulated to the Finance and Reserves Department for review prior to implementing the final version.

In order to further expedite the approval process, the Urban Design Division of the Development Planning Department has advised that the LC amount required to secure landscape works may be calculated on a fixed rate of \$5,000 per unit, thereby eliminating the time required for the Owner's consultant to prepare a landscape cost estimate and the City to review and approve the estimate;

- vi) It is proposed that the landscape package for street townhouse dwellings remain a requirement for approval for street townhouse dwellings. The landscaping package will contribute to a higher quality streetscape, screen foundation walls and utilities such as hydro metres, and provide visual relief of the building elevations for street townhouse units, which are often comprised of up to 6 units.
- vii) It is proposed that upon approval by Vaughan Council of a Site Development Application that the Landscape Letter of Credit Agreement is signed by the Owner, the LC is posted and then the Development Planning Department will forward the above-noted Letter of Approval (Attachment #6) and approved drawings to the Building Standards Department advising of Vaughan Council's approval of the application and that a Building Permit may be issued.

These recommended changes will provide the Development Planning Department and Council the opportunity to continue to review the building elevations and landscaping, while at the same time it is expected to significantly reduce the time required to obtain a Building Permit for townhouse dwelling units on Blocks within a registered plan of subdivision.

No changes to the Official Plan or Site Plan Control By-law are required to implement this Option 2. However, minor changes to the City's Pre-Application Consultation (PAC) and Complete Application Package (CAP) Guidelines will be required. The recommended changes could be implemented in 1-2 months.

Should Council deem that neither of these two options are desirable, the current Site Plan Approval process for street townhouse dwellings on a block within a registered plan of subdivision will continue to apply (i.e. approval by Council and



an executed Site Plan Letter of Undertaking used to implement the development).

Proposals for street townhouse dwellings that represent infill development in existing areas not planned for townhouses or where land is proposed to be redeveloped (e.g. single family lot being redeveloped for townhouses) shall remain subject to the full site plan approval process and requirements.

Recommendation:

The Development Planning Department recommends that Council provide direction with respect to these proposed options, including maintaining the status quo as set out in Recommendation 1b) of the "Recommendation" of this report. The Development Planning Department supports Option 1 given that it facilitates review of a Site Development Application to ensure City objectives are achieved while at the same time providing the potential to shorten approval time flexibility with respect to dealing with a Site Development Application for street townhouse dwellings throughout the year.

3.4 Permit the Land Owner to Apply for a Building Permit Earlier in the Site Plan Approval Process

During the consultation with the development industry representatives, a suggestion was made to implement a process whereby the Building Standards Department would be allowed to accept a Building Permit application upon receipt of a letter from the Development Planning Department advising that the Site Plan Application is substantially complete and that no changes are anticipated to the location of a building(s). It was suggested that this approach can advance construction up to 2 months prior to the execution of the final Site Plan Letter of Undertaking / Agreement. Currently, the landowner must wait until the LOU or SPA is executed and the LC security and certificate of liability insurance are posted before an application for a Building Permit can be filed with the Building Standards Department.

The Development Planning Department has reviewed this suggestion with the Building Standards Department and recommends that a process be implemented to allow landowners to apply for a building permit when the Site Development Application is substantially complete and that no changes are anticipated to a building(s) location. For example, if a Site Development Application has been approved by Council and the Development Planning Department is satisfied with the proposed building location, however, are working on landscape details or minor building elevation changes, or finalizing the drafting of the LOU or SPA, the Development Planning Department will forward a letter (Attachment #8) signed by the Director of Development Planning allowing the applicant to apply for a Building Permit. The Owner will be required to submit all fees and securities required for a Building Permit Application, however, the final Letter of Credit to secure the engineering and landscape works and the Certificate of Liability Insurance for the site plan works will be submitted together with the executed Site Plan Letter of Undertaking or Site Plan Agreement.

This will allow the Building Permit review to commence while the Site Plan is being finalized and facilitate earlier issuance of the Building Permit. The Building Permit will only be issued once the final Site Plan Letter of Undertaking / Site Plan Agreement is executed by the landowner and the City. It is noted that a conditional foundation permit may be issued by the Building Standards



Department prior to the execution of the Site Plan Letter of Undertaking / Agreement in order to further expedite the process.

This amendment can be implemented within 1 month as no changes to the Site Plan Control Official Plan or By-law is required. The revised process would only require administrative changes on behalf of the Development Planning and Building Standards Departments.

This change will increase Vaughan's competitiveness in the GTA with respect to facilitating the release of a Building Permit on a timelier basis and is consistent with Vaughan Vision 2020, particularly "Economic Vitality".

Recommendation:

The Development Planning Department recommends the process outlined above be implemented to allow landowners to apply for a building permit when the Site Development Application is substantially complete and that no changes are anticipated to a building(s) location.

3.5 Elimination of Pre-Application Consultation (PAC) Meetings for Minor Applications

Council adopted Official Plan Amendment #705 and enacted By-law 278-2009 to implement the requirement for a Pre-Application Consultation (PAC) meeting prior to a Site Development Application being submitted to the City. The purpose of the PAC meeting is solely to identify the necessary requirements for submission of a complete Site Development Application. The Development Planning Department concurs with the suggestion made by staff to eliminate the requirement for a PAC meeting for a Site Development Application proposing development that is considered either routine or minor in nature including the following:

- street townhouse dwellings within an approved Draft Plan of Subdivision or a registered plan of subdivision (as discussed earlier);
- minor additions to an existing building that comply with Zoning By-law 1-88 where the Commissioner of Planning or designate is of the opinion that the use and development of the lands provided for in the original Site Plan Letter of Undertaking / Agreement remains substantially unaltered, and where no City Department or Public agency objects to the application;
- minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking arrangement, etc.) to an existing or approved building elevation(s) or site plan, not including heritage districts; and,
- proposals for new signage or changes to existing signage.

The Site Development Application submission requirements for these classes of development are routine and can be identified by a Planner via email, over the counter or phone without the need to convene a full PAC meeting with all relevant City Department representatives, thereby making more efficient use of staff time, and time and cost savings for the landowner.

Amendments to OPA #705 and By-law 278-2009 are required in order to exempt the above classes of development from the requirement for a PAC meeting. The appropriate modifications to the City of Vaughan Official Plan 2010 are also required to recognize these amendments in the final approved plan. A condition of approval is included in the recommendation of this report that Council direct the Development Planning Department to hold a Public Hearing to consider the required amendments to OPA #705 and By-law 278-2009 to implement this change, if approved by Council.

Recommendation:

The Development Planning Department recommends that OPA #705 and By-law 278-2009 be amended to exempt the above noted classes of development from the requirement for a PAC meeting.

3.6 Circulation of Pre-Application Consultation (PAC) request to the Toronto and Region Conservation Authority and the Region of York

Under the current process, applicants are to pre-consult directly with the Toronto and Region Conservation Authority (TRCA) and the Region of York, however, both the TRCA and the Region have expressed to the City an alternative consultation approach. Both the TRCA and the Region of York advised that they do not have the required staff to attend all PAC meetings, however, suggested that all PAC meeting requests be circulated to them and if the application is of significant interest to either agency, that respective staff would attend the PAC meeting. The Development Planning Department concurs with this request. PAC meeting requests are sent by email and therefore, adding both the TRCA and Region to the circulation list is easily accommodated and in the event that either party is of the opinion that there are requirements for a Site Development Application that needs to be identified at the beginning of the application process, appropriate staff can attend the PAC meeting. This would facilitate the identification of all application requirements early in the process with the intent of streamlining the timing of the application approval. This change can be implemented immediately and does not require any amendments to the Official Plan or Site Plan Control By-law.

Recommendation:

The Development Planning Department recommends that the Toronto and Region Conservation Authority (TRCA) and the Region of York be advised electronically (email) of all PAC meetings.

3.7 Increase Certificate of Liability Insurance from \$2,000,000 to \$5,000,000

The City currently requires the Owner to provide a Certificate of Public Liability Insurance in the amount of \$2,000,000 wherein the City is named as a co-insured, which remains in effect until such time as the Letter of Credit is released by the City. The purpose of this insurance certificate is to confirm that insurance is available to cover any damage to public infrastructure (e.g. roads, sidewalks, sewers, watermains, etc.) during construction of an approved development.

With the increased number of development applications proposing higher density projects with buildings located close to the street line, and the potential for strata title arrangements in the future, the \$2,000,000 insurance amount was reviewed to determine if it is sufficient to insure City infrastructure. The \$2,000,000 figure



has also been used for several years and was not reviewed as part of the Site Plan process review in 2007/2008.

The Development Planning Department reviewed this matter with Staff of the City Clerk's Department, which advised that the Canadian Construction Documents Committee currently recommends that the minimum public liability insurance in the amount of \$5,000,000 be provided by the landowner. This is the same amount currently being secured by the Region of York. Accordingly, it is recommended that the LOU and SPA documents will be amended to reflect this change.

Recommendation:

The Development Planning Department recommends that the minimum public liability insurance amount provided in support of a Site Plan Letter of Undertaking or Agreement be increased from \$2,000,000 to \$5,000,000.

3.8 Application of Site Plan Approval for Employment Lots in the Vicinity of an Existing or Planned Provincial Highway

The City's Site Plan Control By-law currently requires that the development of employment lots abutting arterial roads and a Provincial Highway are subject to site plan control. Employment lots abutting internal roads are not subject to Site Plan Control.

The industrial, manufacturing, and warehousing sectors have been a major component to Vaughan's economic success. These employment lands will continue to play a critical role in Vaughan's economic base. The City of Vaughan's employment area structure is established by OPA #450 (Employment Area Plan) and is carried through to the new City of Vaughan Official Plan 2010, which generally provides for Prestige Employment Areas along the City's arterial roads and Provincial Highways forming the edges of the employment areas with General Employment Areas located to the interiors of these areas. This structural plan is implemented by Zoning By-law 1-88.

Prestige Employment areas are intended for those employment uses that are required to be located on key transportation routes that provide for locational opportunities, high visibility and an attractive work environment. The Prestige Employment areas are typically characterized by a high level of urban design, which establishes a positive image for the City's employment areas. Maintaining a positive image of the City's employment areas and establishing a high quality of urban design and architecture, particularly where employment areas are visible from major transportation corridors such as Provincial Highways or other open space areas (e.g. valley lands) is critical to the promotion of the employment areas as the location of choice for businesses and industry in the Greater Toronto Area.

In consideration of the above, the Development Planning Department recommends that the City's Site Plan Control By-law continue to apply to all employment lots abutting an existing Provincial Highway. Through the Site Plan review process, the City can ensure that high quality design and architecture will be achieved along these critical transportation corridors and highly visible areas and that site plan details such as appropriate landscaping, buffering/screening, site layout, rooftop screening and signage will be reviewed by the Development Planning Department and approved by Council prior to a building permit being issued for development on these lands.



However, there may be instances where an intervening land use (e.g. valley lands, other open space corridor) lies between a highway or highway right-of-way and an employment area, and therefore, the employment lot(s) does not directly abut a Provincial highway or right-of-way, and therefore, Site Plan Control will not apply to development on the lot, but the lot may be visible from the Provincial highway or right-of-way.

In order to address this situation and ensure that development that may be visible from an existing or planned highway remains subject to site plan control, it is recommended that the Site Plan Control By-law be amended to apply to any employment lot that abuts an intervening land use (e.g. valley land, hydro corridor, parkway belt lands) which is adjacent to an existing or planned Provincial highway. Therefore, if a valley or hydro corridor lies between an employment lot and a Provincial Highway, that lot would be subject to site plan control.

On April 17, 2012, Council adopted the following recommendation of the Committee of the Whole (in part) respecting high quality development in the vicinity of highways:

“AND THAT in the current review of the City’s site plan policies and future secondary plans as part of the Vaughan Official Plan review and in the future review of the Comprehensive Zoning By-law to implement the Official Plan that consideration be given to the best means of achieving the design and development objectives of the City for these critical high profile areas.”

Site plan control only enables the City to review matters relating to the design of development on employment lands. The Official Plan and Zoning By-law 1-88 regulate the use of land. OPA #450 utilizes the “Employment Area General” designation to provide locational opportunities for uses that do not require high profile locations and may require outside storage. This designation is implemented by the “EM2 General Employment Area Zone” of Zoning By-law 1-88, which permits a wide range of general employment uses such as a truck terminal, building supply outlet and open storage. General employment uses would be permitted on any lands abutting a Provincial highway, which are designated and zoned for general employment area purposes. The site plan control process will only enable the City to review matters such as the design of the building, the screening of open storage areas, signage and on-site circulation.

In order to prohibit general employment uses from highly visible areas such as those in the vicinity and visible from an existing or planned Provincial highway, the appropriate planning response to achieve this objective is to amend the Official Plan and Zoning By-law 1-88 to designate and zone all lands abutting an existing or planned Provincial Highway or potentially other corridors of high visibility (e.g. valley lands, hydro corridors, parkway belt, etc.) for prestige employment purposes. As noted earlier, the structural land use plan in OPA #450 already implements this land use regime in the City’s employment areas. A detailed review must be undertaken to more specifically identify those employment areas where an intervening land use such as a valley exists to ensure that employment lands that abut the intervening land use and are therefore highly visible, are designated and zoned for prestige employment uses.



In addition, there are employment areas in the City (e.g. west of Regional Road 27 and south of Langstaff Road, and east of Keele Street and north of Steeles Avenue) where lands are designated "Employment Area General" by the Official Plan but are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88. Consequently, there is an inconsistency between the Official Plan designation and Zoning By-law. This creates a situation whereby a landowner wishing to file an application to amend Zoning By-law 1-88 to rezone lands for general employment (i.e. EM2 Zone) purposes (e.g. open storage) in an area zoned for prestige employment uses, but designated Employment Area General by the Official Plan, and conforms to the Official Plan. This matter should be reviewed in greater detail through the comprehensive Official Plan review currently being undertaken by the City. A recommendation in this respect is included in this report.

As part of the approval process for all employment area subdivisions, urban design and architectural control guidelines are prepared for all employment areas and approved through Council. Employment lots abutting arterial roads and Provincial highways are subject to Site Plan Control and therefore, a Site Development Application must be filed by the Owner which is reviewed by the appropriate City Departments and approved through Council. In cases where significant development such as an office building is proposed in an employment area, the development may be subject to review by the Design Review Panel depending on the location and surrounding land use context. Zoning By-law 1-88 establishes development standards to regulate the development of land including the location of loading areas, providing minimum landscape buffers, etc. The City and the Ministry of Transportation also regulate signage along Provincial Highways. The Development Planning Department is satisfied that there is sufficient review processes and regulation in place in order to achieve the development objectives for the employment areas abutting 400 series and other highways in the City of Vaughan.

Recommendation:

The Development Planning Department recommends that the Policy Planning Department review the City of Vaughan Official Plan 2010 (VOP 2010) with respect to:

- i) the appropriateness of designating employment lands that are adjacent to an existing or planned provincial highway but separated by an intervening land use (e.g. valley lands) that may provide high visibility to the employment area, for prestige employment purposes; and,
- ii) employment lands that are designated in the Official Plan as "General Employment" but zoned "Prestige Employment Area" Zone.

Should it be determined that this is appropriate, modifications to VOP 2010 can be incorporated into the Plan.

3.9 Application of Site Plan Approval for Employment Lots Abutting Open Space Lands

The Development Planning Department recommends that Site Plan Approval apply to all employment lots abutting an Open Space Zone. Open space areas such as storm water ponds, valley lands, woodlots and parks are important community facilities that increasingly are playing a role in providing amenity areas within an urbanizing city. As the City continues to develop trail systems,

connections and amenity areas through the open space lands it is important that their interface with abutting employment uses remains attractive and encourage the safe use of open space connections. By requiring site plan approval for these employment lots, opportunities for the development of trail systems through open spaces for passive use can be implemented as conditions of approval for the development. City facilities in open space lands represent a significant investment to construct and maintain, and therefore, it is in the public interest to ensure that the interface with abutting land uses be developed in a manner to complement these valuable community resources. In certain cases, employment lands zoned EM2 General Employment Area Zone, which permits open storage areas at the rear of the lot, abut valley systems. The City's Site Plan Control By-law requires Site Plan Approval for employment buildings abutting arterial roads and existing or planned highways in order to maintain and enhance the streetscape and urban design realm along these corridors. Applying Site Plan Control to employment lots abutting lands zoned for open space purposes will serve a similar purpose.

An amendment to the City's Site Plan Control By-law is required in order to implement this recommendation, which will require a Public Hearing. This amendment can be implemented within 6 months.

Recommendation:

The Development Planning Department recommends that Site Plan Approval apply to all employment lots abutting an Open Space Zone.

3.10 Increase the Expiration Date for Site Plan Approval

As noted earlier, currently upon the execution of a Site Plan Letter of Undertaking the Owner has 18 months to obtain a Building Permit, otherwise Site Plan Approval will expire. The intent of including the expiration date clause in the Letter of Undertaking is to ensure that Site Development Approvals remain appropriate in the context of current land use policies and permissions within the vicinity of the subject lands. The development industry representatives suggested that the 18 month expiration date be increased because often phased development (e.g. a multi-building commercial development) that includes more than one building could take more than 18 months to obtain a Building Permit.

The Development Planning Department recommends that the expiration date to obtain a Building Permit for Site Plan Approval be increased from 18 to 36 months. The suggested 36 month time frame is consistent with the lapsing period provided for a Draft Plan of Subdivision approval in the Planning Act and is not expected to materially alter the intent of originally implementing this requirement. Accordingly, it is recommended that the expiration date for Site Plan Approval be increased from 18 to 36 months in the Site Plan Letter of Undertaking and Site Plan Agreement.

The development industry representatives also recommended that a process be implemented at a staff level to extend the expiration date of Site Plan Approval in the event that the 36 month period is not achieved. The Development Planning Department is supportive of providing extensions to Site Plan approval, provided the reason for the extension is appropriate.

The Development Planning Department recommends that the Owner be required to submit a letter providing reasonable justification for the request to extend Site Plan approval to the Commissioner of Planning, or his designate the Director of



Development Planning. The request will be reviewed to ensure the approved plan(s) conform to current Official Plan policies, comply with all in-force Zoning By-law standards and complies with all current City requirements (e.g. servicing). Should the approved site plan meet these requirements, and the reason for extension is reasonable and appropriate, an extension will be granted for a maximum of 1 (one) year. Subsequent extension requests would be reviewed on the same basis and also granted for a maximum 1 (one) year period. If the approved site plan cannot meet these criteria at the time that the extension request is made, the Owner will be required to submit the appropriate planning application (e.g. Official Plan or Zoning By-law Amendment Application or a Committee of Adjustment Application) in order to remedy the non-conformity/compliance, which will be reviewed on its merits. If the Amendment or Committee of Adjustment Application is approved, a maximum 1 (one) year extension to Site Plan approval will be granted. If the application is not approved, Site Plan approval shall lapse. Site Development applications that meet all of the requirements but where the justification to extend site plan approval is inappropriate, Site Plan approval shall lapse.

Recommendation:

The Development Planning Department recommends that the expiration date to obtain a Building Permit for Site Plan Approval be increased from 18 to 36 months.

3.11 Amendments to Registered Tri-Party Site Plan Agreements

At the meeting with the Region of York, representatives from Regional Staff identified that when the City amended the Site Plan Approval process in 2009 to utilize a bi-party (City and Landowner) Letter of Undertaking (LOU) in place of a tri-party (City, Region and Landowner) Site Plan Agreement that a mechanism was not implemented to administer amendments to executed and registered tri-party Site Plan Agreements initiated by landowners for works within the regional right-of-way for a property. Regional Staff identified an example where a land owner initiated changes to already approved works within the Regional right-of-way and where an existing tri-party Site Plan Agreement is registered on title. The Region approved the proposed changes and when an amending Site Plan Agreement was circulated, the City of Vaughan (party to the agreement) chose not to execute the amendment, as it did not affect City interests. The City was previously responsible for drafting and executing the said tri-party agreements. Today, the City and Region draft their own respective Undertakings / Agreements to address their respective interests. That is, the applicant should enter into a LOU where only City interests are being secured; a Regional Site Plan Agreement where only Regional interests must be secured; and, both an LOU and a Regional Site Plan Agreement where both City and Regional interests must be secured.

Recommendation

The Development Planning Department recommends that going forward, that any amendment(s) to a registered Site Plan Agreement wherein the City is a party, will be reviewed on a case-by-case basis and the appropriate action will be taken. Should it be necessary to amend the registered Site Plan Agreement, the Development Planning Department will facilitate the amendment process at a Staff level.

### 3.12 Accessibility for Ontarians With Disabilities Act, 2005

As of January 1, 2010, Ontario municipalities and other public sector organizations were required to comply with the legislation that was passed in 2005 as the Accessibility for Ontarians with Disabilities Act, Ontario Regulation 429/07 Accessibility Standards for Customer Service. The Act requires that every municipality having a population of not less than 10,000 establish an accessibility advisory committee that shall (in part):

“advise the Council about the requirements and implementation of accessibility standards and the preparation of accessibility report and such other matters for which Council may seek its advice; and,

review in a timely manner the site plans and drawings described in Section 41 of the Planning Act that the Committee selects.”

The City of Vaughan has established an Accessibility Advisory Committee (AAC) with the following Terms of Reference:

“The Accessibility Advisory Committee shall assist in the preparation and implementation of an Accessibility Plan by providing guidance insofar as the removal and prevention of barriers in policies, practices, programs and services.”

On March 27, 2012, the Accessibility Advisory Committee adopted the following resolution (in part):

“That Council direct staff to seek comments from the Vaughan Accessibility Advisory Committee on site plans related to commercial, retail and live/work units as part of the development application process.”

On April 24, 2012, the Committee of the Whole considered a report from the City Clerk, which included this resolution (in part) adopted by the Accessibility Advisory Committee noted above.

In response to the Accessibility Advisory Committee's resolution, the Development Planning Department prepared a Communication (C6) to the April 24, 2012 Committee of the Whole meeting, indicating the following:

- i) a brief overview of the requirements respecting accessibility and Site Development Applications under the Accessibility for Ontarians with Disabilities Act, 2005, the Planning Act, R.S.O. 1990, c.P.13, and the Building Code Act;
- ii) that the Development Planning Department Staff (Planners and Urban Designers) proactively review Site Development applications to ensure developments are accessible for persons with disabilities including (but not limited to) the provision of ramps, appropriate grades, and handrails in accordance with the requirements of the Ontario Building Code Act. The Building Standards Department also reviews all Building Permit applications with regard to accessibility under the Ontario Building Code Act;



- iii) buildings in Heritage Conservation Districts are reviewed by the Cultural Services Division with regard to accessibility;
- iv) streetscape and urban design studies provide detailed designs that are accessible for persons of all ages and abilities in accordance with the Ontario Accessible Built Environment Standards, such as (but not limited to) tactile warning strips, depressed curbs and directional pavers;
- v) the City of Vaughan Official Plan 2010 includes policies addressing accessibility;
- vi) future changes to the Ontario Building Code Act are expected to enhance accessibility requirements;
- vii) the number of Site Development Applications received by the Planning Department and the potential workload for the Accessibility Advisory Committee and the requirement for timely review and comments; and,
- viii) the report presented a potential alternative to reviewing all Site Development Applications being the preparation of an accessibility checklist for consideration when the City reviews Site Development applications.

On May 8, 2012, Council adopted the following resolution (in part) of the Committee of the Whole, as recommended by the Development Planning Department:

“THAT this matter be referred to staff for a report to a future Committee of the Whole Meeting.”

Recommendation:

On May 15, 2012, Development Planning Department Staff met with representatives of the Accessibility Advisory Committee to discuss and address accessibility as it relates to Site Development applications and will report back to a future Committee of the Whole meeting. Representatives from the Development Planning/Urban Design and Building Standards Departments will be attending the June 26, 2012, meeting of the Accessibility Advisory Committee to further discuss this issue with the Committee members. The outcome of these meetings with the ACC and any additional changes to the Site Plan Approval process will be addressed in a future separate report to the Committee of the Whole.

#### **4.0 Related Site Plan Approval Process Issues**

There are other issues relevant to the Site Plan Approval process that either currently, or in the future, will play a role in the processing, review and disposition of Site Development Applications, as follows:

##### **4.1 Investment in the Development Tracking Application (DTA) Software**

One item addressed in the 2007/2008 Site Plan Process Review was the feasibility to enhance the existing Development Tracking Applications (DTA) System used by the Development Planning Department to manage and track

development applications. The anticipated potential for DTA upgrades, particularly the electronic circulation of development applications to City Departments and commenting agencies was an important factor in the Site Plan Approval processing time reductions estimated in 2007/2008. The DTA has the capability to facilitate the instant electronic circulation of applications, and faster receipt of comments and approvals from all involved parties. Time and financial savings could be realized through electronic communication.

However, since the 2007/2008 review, the Development Planning Department and the Information Technology Department have submitted Additional Resource Requests to obtain a staff complement (DTA Co-coordinator) with the necessary expertise to enable the electronic circulation capability and enhance existing functions of the DTA software. This request was unsuccessful through the operating budget process on three separate occasions and therefore, to date, the electronic circulation feature of the DTA remains unutilized and the software has not been upgraded. Other valuable software features such as the integration of the DTA with the City's GIS software also remains unused. Until the appropriate staff complement is approved, or alternatively adequate funding is provided to retain the consultants required to undertake DTA improvements, the electronic circulation and other DTA software capabilities will not be implemented. The Cities of Brampton and Niagara, which also use the same DTA software, each employ a DTA co-coordinator to enhance the system's functionality and respond to each City's business process and needs. It is also noted that the City's Information and Technology Management Department has recently initiated "DTA Roadmap" meetings with the Development Planning Department and other City Department users of the DTA to determine a future course of action with respect to the DTA.

#### 4.2 Digital and Physical Modeling of the Vaughan Metropolitan Centre

The Development Planning Department has investigated opportunities for creating a digital and physical model of the Vaughan Metropolitan Centre (VMC) as planning and urban design tools to evaluate development proposals and as marketing and educational tools to showcase the City's future downtown. The funding associated with the implementation of these models has been approved in the City's 2012 Capital Budget. The Development Planning Department envisages that the implementation of these models will have an impact on the Site Plan Approval process with respect to the application submission requirements as follows:

##### a) Digital Model

A base digital model of the VMC is proposed that will represent existing, proposed and potential development in the VMC and will provide many benefits to the City including:

- a highly effective model that can assist the public, Council and staff to better understand the nature of proposed development, what it will look like, and its relationship to surrounding developments, and consequently to make better and more informed decisions; the software delivers photorealistic renderings and walk and fly-through animation of the proposed development at an accurate scale;
- a tool that will allow trained staff to undertake more detailed analysis of development applications and their potential impacts.



The electronic modeling will allow staff to undertake “what if?” scenarios through 3D height and massing demonstration plans. If for example, a development is proposed at a significant density and height, staff could analyze the impacts of lowering, or redistributing density in a different built form and understanding shadow and transition impacts; and,

- a highly effective and portable tool to market the VMC to potential investors in a manner that demonstrates the potential of this area.

This digital model is expected to provide the highest quality 3D modeling capabilities for the VMC to be used by the Development Planning Department.

In addition, representatives from the Development Planning Department, Information Technology Management Department, Development Transportation/ Engineering Department and the Economic Development Department met representatives from the Region of York on January 10, 2012. The purpose of the meeting was to investigate the 3D Modeling capabilities of the Geomatics Services Division of the Region of York. Through the Yorkinfo Partnership, the City of Vaughan has entered into a Partnership Agreement to participate in the Region’s 3D program which has currently collaborated with the Towns of Aurora, East Gwillimbury, Markham, Newmarket and Richmond Hill.

The initial phases of the 3D digital model with the Region of York will focus on the following areas of the City:

- the Vaughan Metropolitan Centre;
- the Vaughan Hospital lands;
- Regional Intensification Corridors (Regional Road 7 and Yonge Street);
- the Vaughan Mills Secondary Plan Area; and,
- the Maple Highway #400 bridge crossing.

The software enables users to generate and view 3D visualizations (e.g. video clips, fly-throughs and stills) in a three-dimensional (3D) representation of buildings and landscapes that can be used for analysis and presentation of the City’s urban environments. The 3D visualization model will also be used as a consultation tool for the public and an analytical tool by staff to understand the most appropriate typologies for growth within the city’s future urban structure. This model includes the VMC area but also other areas of the City such as the Vaughan Mills Secondary Plan Area, Yonge Street corridor, and the Hospital lands. The City has recently executed a Project Charter and a Partnership Agreement with the Region of York.

b) Physical Model

The development of a VMC scaled physical model base for display in the new City Hall will create a comprehensive contextual integrated land use vision, which can be used as a tool to help develop, guide and implement future development projects and promote private sector investment in the VMC. This base model will include low detailed painted finish massing of contextual buildings based on the development policies in the VMC

Secondary Plan. However, as development proceeds in the VMC all land Owners will be required as a condition of Site Plan Approval to provide a 1:500 scale detailed model of the final approved development which can be installed onto the model base. The model base will consist of the following: 1:500 model scale; 5.5 m X 3.0 m (18" X 10") size model base; plywood construction topped with a 25mm (1") rigid foam (to facilitate future excavations) clad with plexiglas; and, landscape pods (i.e. curbs, sidewalks) to be fixed in place semi-permanently to better facilitate future changes, roads, concrete paving and grass.

c) Site Development Application and Letter of Credit Respecting Models

Implementing both these models will require that the electronic and physical base for each model be created. Upon completion, it is proposed that the appropriate planning applications be amended to add the submission requirement for each model.

In the case of the digital model, it will be expected that the Owner proposing development will be required to submit in support of a planning application a digital model of the proposed development in a format compatible with the City's software. This will allow City staff to electronically insert the proposed development into the base digital model. In order to implement this initiative it is important that all electronic data submitted to the City in support of a development application be properly geo-referenced to accurately incorporate new development into the base model.

In the case of the physical model, the Owner will be required to produce a physical scaled model meeting City specifications to be inserted into the base model, once the project is final approved. The model will be to scale and represent the appropriate building materials, colours and location on the site.

In both cases, the Development Planning Department is proposing that the Owner be required to post a separate Letter of Credit to secure the delivery of the final electronic and physical models. In addition, the application submission requirements for the various planning applications must be updated.

It is not expected that the requirement for materials to populate the proposed digital and physical models will add to the time required to obtain site plan approval.

4.3 Design Review Panel

On September 27, 2011, Council approved a report from the Commissioner of Planning which initiated the Design Review Panel (DRP). The DRP was established as an advisory body to the Development Planning Department, and takes place as an additional stream of consultation within the existing framework of development review. As an advisory group, the DRP makes recommendations only. It is not a decision making body and does not have the authority to approve or refuse a development application. Council remains the decision making body on any recommendation brought forward by the Development Planning Department.



The functions of the DRP are as follows:

- to assist Council in fulfilling Official Plan objectives related to urban design and sustainability by providing City staff, the applicant and their consultants with independent design advice on public and private development within the Vaughan Metropolitan Centre and other areas of intensification within the City of Vaughan;
- to aid development proponents to deliver design excellence through the development approvals process, including high quality architecture, landscape architecture, urban design and environmental sustainability;
- to promote understanding of design excellence and the importance of good design to the City of Vaughan; and,
- to foster an effective working relationship with the development industry.

It is expected that in the case where a landowner provides preliminary development information to the City prior to formally submitting a development application that the DRP will expedite the time required to process a development application since the landowner will have the benefit of the DRP's comments very early in the development approval process and can modify their development proposal before an application is submitted. The DRP is a two year pilot project with reports to be prepared for Council's consideration at the end of the first and second year with respect to the future direction of the DRP.

#### 4.4 PowerStream – Site Plan and Building Permit Submission Guideline

PowerStream, in consultation with the City including the Development Planning Department and the Building Standards Department has prepared the *Site Plan and Building Permit Submission Guideline* to assist the applicant, consultant and contractor to achieve approval from PowerStream for the integration of proposed development into PowerStream's existing electrical distribution system. The Guidelines clearly identifies PowerStream's submission requirements in support of a Site Development application. Applicants will be directed to meet with PowerStream prior to filing a Site Development Application to understand and fulfill the necessary requirements. The Guideline will be attached to the Site Development application available at the Development Planning Department and on the City's website.

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

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Pursue Excellence in Service Delivery", "Ensure Financial Sustainability", and "Plan & Manage Growth & Economic Well Being".

#### **Regional Implications**

The recommended changes in this report will not affect the current arrangement with the Region of York as it relates to Site Plan Approval. It is recommended that the City continue to execute bi-party Agreements (City and Landowner) and that the Region of York continue to execute its' own Site Plan Agreement to secure Regional interests. The City will invite Regional staff to PAC meetings as requested and this report outlines a process for amendments initiated by a landowner for works within the Regional right-of-way to be reviewed on a case-by-case basis to determine the appropriate action to be taken as identified earlier in this report.

## **Conclusion**

In 2007, Council directed that the Development Planning Department review the Site Plan Approval process in order to expedite the process where possible and to prepare an evaluation report respecting the initiatives taken. In 2008/2009 the Development Planning Department responded with a report and recommendations. At that time, the most significant changes recommended to the Site Plan Approval process were that a Letter of Undertaking (LOU) was introduced as a document used to secure Site Plan Approvals in addition to a Site Plan Agreement, and that the City enter into a bi-party (City and Landowner) agreement instead of a tri-party agreement (City, Region and landowner). In addition, Site Plan Approval was applied to street townhouse dwellings on public roads.

The Development Planning Department and all other involved City Departments and commenting agencies have worked with the revisions to the Site Plan approval process for the last 2-1/2 years. Development Planning Department Staff conducted meetings with City Staff (i.e. Building Standards Department, Development / Transportation Engineering Department, Legal Services Department and Finance Department), representatives from the building industry (including BILD) and public commenting agencies (Region of York and the Toronto and Region Conservation Authority) in an effort to assess the effectiveness of the changes implemented in 2009.

In consideration of the comments made by stakeholders in the Site Plan Approval process, the experience working with the current process, and a review of the process since the changes to the Site Plan Approval process were implemented in 2009, the Development Planning Department recommends further amendments briefly identified as follows:

- utilize a Site Plan Agreement to implement the following classes of development:
  - i) all classes of new development in an Intensification Area including the VMC, Primary Centres, Local Centres, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by the Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. Site Plan Agreement or Letter of Undertaking) or as a minor modification to existing approvals;
  - ii) all Mid and High-Rise Residential and High-Rise Mixed-Use development as defined by the new City of Vaughan Official Plan 2010 (i.e. buildings over 6 storeys in height);
  - iv) all classes of development utilizing strata parking and/or park arrangements, and/or Section 37 bonussing provisions with the City;
  - v) all classes of development where the Commissioner of Planning or designate is of the opinion that a Site Plan Agreement is required to secure specific City interests; and,
  - vi) where a public / private partnership funding for community infrastructure is proposed.

All other classes of development will continue to be implemented using a Letter of Undertaking;



- implement a streamlined process for Site Plan Approval for townhouse dwelling units on a block within a registered plan of subdivision. In this respect, the Development Planning Department has proposed two options for Council's consideration and direction including the delegation of Site Plan approval for this class of development to the Commissioner of Planning or designate (i.e. Director of Development Planning) or alternatively, a streamlined approval process as outlined in this report;
- permit a landowner to apply for a Building Permit earlier in the approval process;
- eliminate Pre-Application Consultation (PAC) meetings for routine development applications (e.g. minor amendments to building elevations, street townhouse dwellings on block in a registered plan of subdivision, approval or changes to signage, single family dwellings in Heritage Districts);
- circulate Pre-Application Consultation Meeting requests to the Region of York and the Toronto and Region Conservation Authority; and,
- increase the expiration date for Site Plan Approval from 18 to 36 months.

The Development Planning Department also identified options for partial and full delegation of authority to approve Site Development Applications to the Commissioner of Planning or designate, which both option could expedite the site plan approval process. Should Council consider delegation to be appropriate, it is recommended that a report outlining the delegation process(es) and classes of development subject to delegation be prepared for consideration at a future Committee of the Whole meeting. The Development Planning Department further recommends that Site Plan Approval be applied to employment/industrial lots abutting an Open Space Zone.

The Development Planning Department has also recommended that the Policy Planning Department review City of Vaughan Official Plan 2010 (VOP 2010) with respect to the appropriateness of:

- i) redesignating lands currently designated "Employment Area General" that abut an existing or planned Provincial highway, including those "Employment Area General" lands separated from a provincial highway by an intervening land use (e.g. valley lands) that provides high visibility to the employment area, to "Prestige Areas"; and,
- ii) redesignating those employment areas that are currently designated "Employment Area General" but are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88, to "Prestige Areas".

The recommended changes, if approved by Council, can be implemented relatively soon. However, the proposal to exempt certain classes of development from the requirement to hold a Pre-Application Consultation (PAC) meeting, if approved by Council, will require a Public Hearing to amend the Official Plan and Site Plan Control By-law. Also, the review of the Official Plan with respect to redesignating lands for Prestige Employment purposes will take time to be implemented, if determined to be appropriate. At the same time, the Development Planning Department has prepared a consolidated Site Plan Control By-law that will be considered together with the proposed changes to the PAC requirements, should Council approve the recommendations in this report.

In addition, the City of Vaughan Accessibility Advisory Committee (AAC) has adopted a resolution with respect to the relationship of the Committee's mandate and the site plan approval process. In response, the Development Planning Department prepared a Communication to the Committee of the Whole, which was adopted by Council, recommending that the matter be referred back to Staff for a future report to the Committee of the Whole. The report identified that City Departments including the Development Planning / Urban Design and Building Standards Departments and the Cultural Services Division all proactively review Site Development Applications to ensure new development is designed to be accessible and meet all legislated requirements (e.g. Ontario Building Code Act). The Development Planning Department and other City Staff met with representatives of the Accessibility Advisory Committee on May 15, 2012 with respect to this issue. City Staff, including representatives from the Development Planning / Urban Design and Building Standards Departments will be attending the June 26, 2012, meeting of the AAC to engage in further dialogue on this issue and a report will be prepared for Council's consideration and direction at a future date.

In consideration of the review undertaken, comments received from stakeholders in the process, and in an effort to streamline the Site Plan Approval process, the Development Planning Department recommends approval of the amendments to the Site Plan Approval process identified in this report.

#### **Attachments**

1. Summary of Proposed Changes to the Site Plan Approval Process
2. Recent History of Amendments to the Site Plan Control Process
3. Consolidated Site Plan Control By-law
4. Flow Chart: Existing Site Plan Control Process
5. Comparative Average Application Processing Time Per Use 2007 and 2011
6. Memorandum to the Building Standards Department for the Approval of Street Townhouse Dwellings
7. Draft – Landscape Letter of Credit Agreement
8. Memorandum to Building Standards Department to Permit an Application for Building Permit

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Respectfully submitted,

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Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

/LG



## ATTACHMENT # 1

### Summary of Proposed Changes to the Site Plan Review Process

<u>Summary of Proposed Changes to the Site Plan Review Process</u>			
<u>Item</u>		<u>Current Process</u>	<u>Proposed Changes</u>
a)	Circulation of Letter of Undertaking (LOU)	LOU not currently circulated to City Departments prior to execution.	Circulate LOU to City Departments prior to execution by email with a 4 day response time.
b)	Use of a Site Plan Agreement and Letter of Undertaking to Implement Site Plan Approval	<p>Letter of Undertaking is used to implement Site Plan approval, however, where site-specific circumstances warrant, a Site Plan Agreement is used.</p> <p>all classes of new development in an Intensification Area including the VMC, Primary Centres, Local Centres, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by the Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. SPA or LOU) or as a minor modification to existing approvals;</p>	<p>A Site Plan Agreement be used to implement Site Plan Approval in the following circumstances:</p> <ul style="list-style-type: none"> <li>i) all classes of new development located in an Intensification Area including the VMC, Primary Centres, Local Centres, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by the Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. SPA or LOU) or as a minor modification to existing approvals;</li> <li>ii) all Mid and High Rise buildings as defined by the new City of Vaughan Official Plan 2010 (i.e. buildings over 6 storeys in height);</li> <li>iii) all classes of development utilizing strata parking and/or park arrangements, and/or Section 37 bonussing provisions with the City;</li> <li>iv) all classes of development where the Commissioner of Planning is of the opinion that a Site Plan Agreement is required to secure specific City interests; and,</li> <li>v) where a public / private partnership funding for community infrastructure is proposed; and,</li> </ul>

## ATTACHMENT # 1

### Summary of Proposed Changes to the Site Plan Review Process

<u>Summary of Proposed Changes to the Site Plan Review Process</u>			
<u>Item</u>		<u>Current Process</u>	<u>Proposed Changes</u>
			vi) All other classes of development implemented using a Letter of Undertaking.
c)	Site Plan Approval Authority	Site plan approval authority rests with Council for most classes of Development.	<p>Delegation of Site Plan Approval Authority to the Commissioner of Planning or designate as outlined in Section 3.2 of this report, in whole or in part as follows:</p> <p><u>Option 1: Maintain Status Quo</u></p> <p>Site plan approval in accordance with the City's current Site Plan Control By-law.</p> <p><u>Option 2: Partial Delegation</u></p> <p>Partial delegation of Site Plan Approval to the Commissioner of Planning or designate includes:</p> <ol style="list-style-type: none"><li>1. Delegation authority for site plan approval for certain classes of development; and,</li><li>2. Not requiring Development Planning Department reports for Council approval for those delegated classes of development.</li></ol> <p><u>Option 3: Full Delegation</u></p> <p>Full delegation of Site Plan approval to the Commissioner of Planning or designate includes:</p> <ol style="list-style-type: none"><li>1. Full delegation authority to staff for site plan approval of all classes of development; and,</li><li>2. No Staff reports required to be prepared for Council approval;</li></ol> <p>AND THAT should Council choose Partial or Full delegation of Site Plan</p>



## ATTACHMENT # 1

### Summary of Proposed Changes to the Site Plan Review Process

<u>Summary of Proposed Changes to the Site Plan Review Process</u>			
<u>Item</u>		<u>Current Process</u>	<u>Proposed Changes</u>
			Approval Authority to the Commissioner of Planning or designate that a follow-up report be prepared for Council’s consideration to recommend classes of development for delegated authority, procedures and any amendments to the City’s current documents (i.e. Site Plan Control By-law) and any other matters required to be considered to implement partial or full delegation.
d)	Freehold Townhouse Dwellings in Blocks located on a public street within a Registered Plan of Subdivision	<ul style="list-style-type: none"><li>• Currently Subject to Site Plan Control and must:<ul style="list-style-type: none"><li>- submit engineering plans in support of the application;</li><li>- approval implemented using a Letter of Undertaking; and,</li><li>- full report to the Committee of the Whole.</li></ul></li></ul>	<p><u>Option 1 – Delegation of Site Plan Approval</u></p> <p>Delegate Site Plan Approval to the Commissioner of Planning or designate, as discussed in this report.</p> <p><u>Option 2 – Expedited Site Plan Approval Process</u></p> <ul style="list-style-type: none"><li>• No requirement for engineering drawings.</li><li>• A short form report to Council to consider the proposed site plan, building elevations and landscaping only.</li><li>• No Letter of Undertaking or Site Plan Agreement executed.</li><li>• Landscaping secured through a separate Site Plan (Landscaping) Letter of Credit Agreement (Attachment #7) with the LC amount calculated at a fixed rate of \$5000 per unit.</li><li>• Development Planning Department to send a letter (Attachment # 6) to the Building Standards Department after Council’s consideration of the report advising of an approval and allowing the Owner to submit a building permit.</li></ul> <p>A third option is to maintain the status quo</p>

## **ATTACHMENT # 1**

### **Summary of Proposed Changes to the Site Plan Review Process**

<b><u>Summary of Proposed Changes to the Site Plan Review Process</u></b>			
<b><u>Item</u></b>		<b><u>Current Process</u></b>	<b><u>Proposed Changes</u></b>
			(i.e. Site plan approval and an executed Letter of Undertaking to implement approval)
e)	Certificate of Liability Insurance	\$2,000,000 certificate of public liability insurance posted by the land owner.	Increase certificate of public liability insurance amount to \$5,000,000.
f)	Application for Building Permit	Owner can apply for a Building Permit when the Letter of Undertaking has been executed by the Owner and the City Clerk and Mayor, and a Letter of Credit and Certificate of Liability Insurance is received by the City.	Development Planning Department to send a letter to the Building Standards Department (Attachment #8) advising that the Site Plan Application is substantially complete and the Owner may apply for a Building Permit (including all securities required for a Building Permit) and the City commence review. The Building Permit will not be issued until a Site Plan Letter of Undertaking / Agreement has been executed and all required securities (Letter of Credit and Certificate of Liability Insurance) are received by the City.
g)	Pre-Application Consultation (PAC)	All development applications subject to a PAC meeting (Note: The Planning Act only requires PAC meetings for Official Plan, Zoning By-law Amendment, Site Development, and Draft Plan of Subdivision applications).	The following classes of development to be exempt from a PAC meeting: <ul style="list-style-type: none"><li>- Street townhouse dwellings within an approved Draft Plan of Subdivision or a registered plan of subdivision;</li><li>- Minor additions to an existing building or site alterations;</li><li>- Minor changes to existing or approved building elevations or site plan; and,</li><li>- Proposals for new signage or changes to existing signage.</li></ul>
h)	Pre-Application Consultation (PAC) Notification	PAC meeting notifications are not currently circulated to the Region of York and the Toronto and Region	Electronically circulate PAC meeting notifications to the Region of York and the Toronto and Region Conservation



## ATTACHMENT # 1

### Summary of Proposed Changes to the Site Plan Review Process

<u>Summary of Proposed Changes to the Site Plan Review Process</u>			
<u>Item</u>		<u>Current Process</u>	<u>Proposed Changes</u>
		Conservation Authority.	Authority (if applicable).
i)	Site Plan Approval for Employment Lots Abutting Open Space Lands (e.g. valley, woodlot, etc)	Currently, Site Plan Approval may apply to Employment lots abutting open space lands depending on the proposed use.	Site Plan Approval shall apply to all Employment Lots abutting an Open Space designation or Zone.
j)	Expiration of Site Plan Approval	Currently an 18 month expiration date.	Increase the expiration date to 36 months with potential for subsequent one (1) year extensions approved at a Staff level through the Development Planning Department provided the justification to extend Site Plan approval is appropriate. Otherwise, Site Plan approval will lapse.
k)	Owner Initiated changes to works in the Regional Right-of-Way requiring an Amendment(s) to Registered Site Plan Agreement	The City (Development Planning Department) has chosen not to execute amendments to existing registered Site Plan Agreements to which the City is a party and a land owner has initiated a change(s) to works within the Regional right-of-way, which serves Regional interests only.	The applicant should enter into an Letter of Undertaking / Site Plan Agreement where only City interests must be secured; a Regional Site Plan Agreement where only Regional interests must be secured; and, both a Letter of Undertaking and a Regional Site Plan Agreement where both City and Regional interests must be secured.
l)	Digital Information Application Requirement	Digital information (e.g. copies of plans and elevations) is currently required in support of Planning Applications.	Detail the digital information standards required to meet the necessary City standards to implement the Development Planning Department's 3D digital modelling initiative.
m)	Physical Model Requirements	A physical model is not currently required in support of any Site Development application.	Implement the requirement for a detailed physical model at 1:500 scale to be provided by the applicant, upon approval, to be inserted into the City's Vaughan Metropolitan Centre area base model. A Letter of Credit will be required to be posted by the Owner to secure delivery of the model.

## **ATTACHMENT #2**

### **Recent History of Amendments to the Site Plan Control Process**

#### **1. Bill 51 Changes Implemented**

As a result of the changes to the Planning Act initiated through Bill 51, the City of Vaughan adopted the following changes to the Site Plan Control process:

- i) OPA #705 – Vaughan Council on December 14, 2009, enacted By-law 276-2009 to adopt OPA #705 (subsequently approved by the Region of York on February 23, 2010) to implement mandatory Pre-Application Consultation prior to the submission of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium (common element/vacant land), and Site Plan. OPA #705 also sets out the requirements for a “Complete Application”. The policies of OPA #705 were also implemented through Vaughan Council's enactment of By-law 278-2009 (By-law to adopt City-wide procedures for Pre-Application Consultation) on December 14, 2009.
- ii) OPA #706 – Vaughan Council on December 14, 2009, enacted By-law 277-2009 to adopt OPA #706 (subsequently approved by the Region of York on February 23, 2010) to expand the matters the City can review under the Site Plan Review process to include: matters related to exterior design (e.g. character, scale, appearance of buildings); sustainable design elements (e.g. landscaping, permeable paving materials, etc.); and, that facilities have regard for accessibility for persons with disabilities). By-law 228-2005, as amended (the City's Site Plan Control By-law) was further amended by By-law 279-2009 (amendment to the Site Plan Control By-law) to implement the policies of OPA #706.

#### **2. Changes Implemented Resulting From the 2007 - 2008 Site Plan Process Review**

##### **i) Pre-Application Consultation Implemented**

One of the recommendations resulting from the 2007-2008 Site Plan Process Review was that Pre-Application Consultation pursuant to Bill 51 be implemented. As noted above, this was undertaken through the approval of OPA #705 and the enactment of By-law 278-2009. An applicant is now required to meet with the City and the external public agencies, prior to a Site Plan Application being filed. This facilitates the applicant obtaining all necessary information to finalize their site plan submission and supporting documents, and to undertake any necessary actions (such as top-of-bank site walk), which will allow for a thorough and complete initial application submission, and therefore, minimize the number of submissions and circulations/commenting periods. The Development Planning Department has also prepared a Pre-Application Consultation Application Package guideline to facilitate this process that is provided together with the Site Development Application form and available on the City's website.

##### **ii) Site Plan Review Team (SPRT) Process Eliminated**

As a result of the implementation of Pre-Application Consultation and the requirement to submit a complete application, the Site Plan Review Team (SPRT) was eliminated since the first application submission should include and address the requirements identified earlier by the City Departments and external public agencies.



## **ATTACHMENT #2**

- iii) Introduce the Site Plan Letter of Undertaking (not registered on title) as a Mechanism to Implement Site Plan Approval

A Site Plan Letter of Undertaking was introduced as a mechanism to implement Site Plan approval. The Letter of Undertaking is signed by the Owner and City Officials (i.e. the Mayor and City Clerk), and is not registered on title. The Letter of Undertaking requires the applicant to undertake all site plan works in accordance with the approved site plan drawings, and is accompanied by a larger Letter of Credit amount to ensure that the approved site works are completed. A Building Permit Application will only be accepted by the Building Standards Department, once the Letter of Undertaking has been signed by the applicant and they have posted securities in the form of a Letter of Credit and Liability Insurance Certificate.

The Region of York is not a party to the City's Letter of Undertaking for those applications abutting a Regional Road. Previously, the Region of York was a party to the City's Site Plan Agreement. Currently, a land owner proposing development on a Regional road is required to enter into a separate Site Plan Agreement with the Region.

- iv) An 18 month Expiration Period for Site Plan Approval was Implemented

The City implemented an 18 month expiry date for Site Plan approval. Previously, in Vaughan, site plan approval was indefinite. The implementation of an expiry date (e.g. when a Building Permit has not been issued within 18 months of the signing of the Letter of Undertaking) will prevent older approved site plans that were never constructed, and which may now be inconsistent with existing surrounding development or current policies, from being constructed.

An expiry date will also ensure that all securities filed with the City are up to date and sufficient in dollar amount to address current costs.

- v) "Complete Application" Requirement Implemented

One of the recommendations resulting from the 2007-2008 Site Plan Review was that the requirement for a "Complete Application" be implemented pursuant to Bill 51. As noted earlier, this was undertaken through the approval of OPA #705 and the enactment of By-law 278-2009. A Site Development Application will only be accepted by the Development Planning Department when it is deemed to be "complete" meaning that all the information necessary to process the application (e.g. studies, drawings, fees, etc.) is received. The goal is to receive a complete application with all the required information in order to review the application, and to minimize the number of submissions and the number of circulations/commenting periods, which extend the length of the site plan process. The known application requirements are determined at the Pre-Application Consultation meeting. The process allows for additional studies or information to be provided during the review of the application. The Development Planning Department has also prepared a Pre-Application Complete Application Package guideline to facilitate this process that is provided together with the Site Development Application form and available on the City's website.

## **ATTACHMENT #2**

- vi) Accept Minor red-line revisions on the final site plans being approved by the Development Planning Department, where appropriate

Minor changes are being "red-line" approved in order to reduce the number of resubmissions by the applicant, and expedite the approvals process. A copy of the final red-lined and/or revised approved plan is forwarded to appropriate City Departments for their records.

- vii) A shorter 1-1/2 page staff report with emphasis on clear visual report attachments is being used.

Shorter staff reports that contain only pertinent information with reliance on clear attachments to provide visual information is being used for many Site Development Applications. Although the staff report preparation and review and Committee of the Whole/Council consideration periods remain the same, the shorter report format allows reports to be completed earlier so that staff time can be spent productively elsewhere.

- viii) The Official Plan and Site Plan Control By-law were Amended to apply Site Plan Control to Freehold Street Townhouse development located on public roads

Site plan control was re-instated for freehold street townhouse development located on public roads to ensure that this multiple-unit housing form can develop and interface with the streetscape in terms of appropriate and co-coordinated placement of garages, driveways, landscaping and utilities, and to ensure attractive building facades in accordance with the approved architectural design guidelines for each community. Through site plan review, the City can ensure that townhouse designs incorporate a variation in roof lines, materials, window and door treatment, and use approved colours, that will provide for a more interesting streetscape, and variations within and between adjacent street townhouse blocks. In addition, the Development Planning Department requires applicants to submit a landscape package for approval, to ensure that there will be sufficient and appropriate planting in front of each dwelling unit, and to adequately screen utilities (i.e. meters) attached to the front building facade. 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. This requirement was implemented through the approval of OPA #706 and the enactment of By-law 279-2009.

- ix) Changes to Vaughan's Site Plan Letter of Credit Process

The Letter of Credit process was revised to better address issues related to landscape/streetscape works and warranty periods as it was recognized that Site Development Applications are more complex with regard to urban design and landscape architecture, and this results in the Development Planning Department (Urban Design Section) dedicating more staff resources to perform Letter of Credit inspections. As such, the following changes were implemented:

- a) A combined Letter of Credit (LC) for Landscaping and Engineering works was maintained, however, the calculation method to determine the dollar value of the LC was changed by increasing the landscape component to 100% and adding the Engineering and Landscape components together. The calculation for the Engineering component of the LC was not changed (i.e. \$40,000/ha (minimum \$50,000; maximum \$120,000),



## **ATTACHMENT #2**

however, the Landscaping component is based on 100% of the approved cost estimate (rather than 50%), and the two components are added together, rather than taking the greater of the Engineering or Landscaping (50%) components. There is no maximum LC amount and the minimum LC amount remains at \$50,000.

The provision of an LC based on 100% of the estimated hard and soft landscape works will better secure the City against deficient landscape works in case the applicant defaults in fulfilling all landscape obligations as identified on the approved landscape plan and stipulated in the Letter of Undertaking.

b) The following changes to the Site Plan Letter of Credit Release and Inspections Process were implemented:

- require the first inspections for the release of the Letter of Credit by each of the Development Planning and Engineering Departments to commence within 18 months of the issuance of a Building Permit;
- a 100% Letter of Credit release for the Engineering component upon completion of all required servicing works being constructed;
- a two stage Letter of Credit release for the Landscaping component, based on:
  - i) a First stage release of 80% of the Landscaping component upon completion of all soft and hard landscaping works being constructed; and,
  - ii) a Second stage release of the remaining 20% holdback of the Landscaping component upon completion of a 12 month warranty period (following the First stage release) for the hard and soft landscaping.

The procedure for release of the LC is as follows:

- The City requires each development application to include a section located on the drawings that reads "Letter of Credit Release Conditions", and indicate the conditions for the release of the Letter of Credit below the title.
- The Letter of Undertaking includes a section that requires the first inspections for the release of the Letter of Credit by the Development Planning and Engineering Departments to commence within 18 months of the issuance of a Building Permit.
- The inspections request is initiated by the applicant through a request to the Finance Department. If after 18 months following the issuance of the Building Permit for the first required inspections, or following the 12 month warranty period for the second landscape inspection, the applicant has not applied to

## ATTACHMENT #2

the Finance Department to initiate these inspections, a letter will be sent to the applicant by the Development Planning Department to contact the Finance Department to initiate the required inspections by the Development Planning and Engineering Departments.

- The Development Planning Department has created a standard Letter of Credit Calculation Worksheet that is used to breakdown the respective Engineering and Landscape component dollar amounts of the LC, and the 20% warranty holdback dollar amount of the Landscape component, which it will then forward to the Finance Department as reference for the later release of the respective LC amounts.
- The inspection of the landscape works following a 12 month warranty period (after the First stage release) for the hard and soft landscaping will allow the City to confirm that all deficient work is satisfactorily completed. Also, the provision of a time limit for the completion of the engineering and landscape works will provide an appropriate monitoring system to ensure that the works are completed within a specified time frame.

x) Inspection Fees were Introduced to Administer the Letter of Credit Inspections Process

Inspection fees were introduced to cover the costs of conducting site inspections for the release of Site Plan Letters of Credit. The current fees under the City's Consolidated Fees and Charges By-law 396-2002, as amended by By-law 53-2011 are as follows:

- \$475 for the first inspection for the release of the Letter of Credit by the Development Planning Department, and this fee will also include the second landscaping inspection for the release of the 20% landscape warranty holdback;
- \$350 for the first inspection for the release of the Letter of Credit by the Engineering Department; and
- \$125 for each additional inspection to be performed by these respective Departments, to address deficiencies.

3. Letter of Credit and Delegation - 1996

The site plan control process was reviewed by the Development Planning Department and Council on February 26, 1996, in light of comments voiced by the development industry at a Council meeting held on October 23, 1995, regarding letters of credit and the site plan process. At the February 1996 meeting, Council resolved that the method of calculating letters of credit be changed (Landscape Component to be lower – from 100% to 50% of the Landscape Cost Estimate; and to take the greater of the Engineering versus Landscaping components, rather than the sum of the two amounts), and that the City's site plan control by-law be amended to delegate authority to the Commissioner of Planning and the Director of Development Planning to approve the following additional types of complex site plan applications:



## **ATTACHMENT #2**

- a) industrial buildings greater than 10,000 m<sup>2</sup> (100,000 ft<sup>2</sup>) GFA, in order to expedite industrial development; and,
- b) street townhouse units, and single and semi-detached units having less than 9m frontage (this was not implemented at the time, as an amendment to the Site Plan Control Official Plan was later deemed to be necessary).

### **4. Residential Exemptions – 2001 & 2007**

On October 11, 2001, Council adopted OPA #553 and enacted By-law 210-2001, to amend the Site Plan Control Official Plan and By-law to exempt residential detached, semi-detached and street townhouse dwellings with frontages less than 9m from having to obtain site plan approval, given that there are architectural design guidelines approved by Council and in place through the subdivision approvals process, and a Design Control Architect reviewing and approving the house designs prior to building permit submission.

On May 7, 2007, Council adopted OPA #658 (approved by the Region of York on June 28, 2007) and enacted By-law 134-2007 to amend the Site Plan Control Official Plan and By-law, respectively, to require site plan approval for all new single detached dwellings (not within a subdivision) located within the Kleinburg-Nashville Heritage Conservation District.

### **5. Employment Lands – 1999 to 2007**

On July 12, 1999, Council requested a report from the Development Planning Department, which was considered on August 30, 1999, in which it was resolved that Council approve elevations for all industrial buildings located adjacent to Regional roads and major highways, and that Council receive coloured elevations when considering the staff reports. The information required to be included in a staff report was a description of the building's massing, exterior building materials and colour, and signage.

Over the last few years, Council has requested additional information to be provided in the industrial elevation reports, including Official Plan designation and conformity, Zoning By-law category and compliance, and discussion of landscaping and inclusion of a landscape plan in the staff report.

The process has evolved from full staff delegation of site plan approval for industrial development in 1996, requiring a staff report initially reporting on building elevations and which has since been lengthened by adding more details pertaining to the development.

### **6. Site Plan Review Team (SPRT) - 2002**

In January 2002, the Development Planning Department implemented a new review feature into the site plan process, in response to comments made by the development industry. In an effort to streamline the site plan review process, a Site Plan Review Team (SPRT) consisting of staff from the Department's of Development Planning, Building Standards, Economic Development, Parks Development, Engineering, and Public Works, was created. The SPRT met every two weeks and prepared preliminary comments on the site plan and elevation drawings for new site plan applications, which were then forwarded to the applicant within a few days after the meeting. The intent was to ensure that the preliminary comments were reflected in the full application submission, in order to avoid redesign and several resubmissions of plans, which lengthens the site plan process.

## **ATTACHMENT #2**

The SPRT process typically took 4 weeks. The applicant subsequently made any necessary revisions and submitted a complete set of drawings (Site Plan, Landscape Plan, Elevation Plans, Engineering Plans, and supporting consultant reports) for full circulation and review by all appropriate City Departments and external public agencies. The applicant was encouraged to initiate pre-consultation meetings prior to the submission of the site plan application, including any relevant external agencies such as the Region of York, and Toronto and Region Conservation Authority (TRCA).

In 2007 / 2008 applicants began to by-pass the SPRT process (approximately 50% decline) in favour of a full submission and circulation.

### **7. Elimination of Simple Site Plan Process - 2005**

On June 27, 2005, Council enacted Site Plan Control By-law 228-2005 to eliminate the Simple Site Plan process for industrial development located within the interior of an employment area in response to Bill 124 (New Building Code Act), whereby the circulation of site plan applications by the Building Standards Department to the Development Planning Department for review and comments was eliminated. An applicant for development would instead file a Building Permit application to the Building Standards Department, and provided the proposal met all zoning requirements and any other requirements such as architectural and urban design guidelines, if applicable, a building permit was issued.

The elimination of the Simple Site Plan process has reduced the Permit processing time and freed up valuable staff resources in both the Building Standards and Development Planning Department's.

## **ATTACHMENT #3**

### **Consolidation Site Plan Control By-law**

#### **BY-LAW NUMBER -2012**

**A By-law to designate the whole of the City of Vaughan as a Site Plan Control Area, and to adopt site development guidelines and rules of procedure for processing site development applications, and to rescind By-law 210-2001.**

**WHEREAS** the Minister of Municipal Affairs approved Amendment Number 200 to the Official Plan of the Vaughan Planning Area which describes the whole of the City of Vaughan as a Site Plan Control Area, pursuant to Section 41 of the Planning Act, 1983 (Planning Act);

**AND 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 Official Plan adopted by Council and not approved at this time, with which the matters herein set out are in conformity;

**AND WHEREAS** Subsection 41(2) of the Planning Act authorizes Council to enact a By-law establishing a Site Plan Control Area;

**AND WHEREAS** it is deemed appropriate to adopt by by-law site development guidelines and rules for processing site development applications;

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

1. The whole of the City of Vaughan is hereby designated as a Site Plan Control Area pursuant to Subsection 41(2) of the Planning Act to be known as the "Vaughan Site Plan Control Area".



## **ATTACHMENT #3**

2. a) Prior to development being undertaken within the Vaughan Site Plan Control Area, Council, or the Ontario Municipal Board where a referral has been made under Subsection 41(12) of the Planning Act, may require and shall approve one or both of the following:
- i) site plans showing the location of all buildings and structures existing or to be erected and all facilities and works to be provided in accordance with Paragraph 41(7)(a) of the Planning Act; including facilities designed to have regard for accessibility for persons with disabilities;
  - ii) “drawings showing plans, elevations and cross-section views for each building to be erected, including; massing and conceptual design; the relationship of the building to adjacent buildings, streets and exterior public areas; the provision of interior walkways, stairs, elevators, and escalators to which the public has access; matters to exterior design, including without limitation the character, scale appearance, colour, and design features of buildings and their sustainable design, but only to the extent that it is a matter of exterior design; the sustainable design elements on any adjoining highway under Vaughan’s jurisdiction, including without limitation trees shrubs, hedges, plantings or ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and facilities designed to have regard for accessibility for persons with disabilities. Such drawings shall be required for all residential buildings, including those containing less than 25 units.”
- b) For the purpose of this by-law "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size of the building or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers or mobile homes. “Development” does not include the placement of a portable classroom on a school site of a District School Board if the school site

### **ATTACHMENT #3**

was in existence on January 1, 2007.

- c) Although the whole of the Vaughan Site Plan Control Area is designated as an area wherein the drawings referred to in Paragraph 2(a)(ii) hereof may be required for a building to be used for residential purposes containing less than twenty-five (25) dwelling units, this requirement is subject to the following exceptions:
    - i) detached and semi-detached dwellings;
    - ii) residential buildings of less than twenty-five (25) units in areas designated as Heritage Conservation Districts pursuant to Part 5 of the Ontario Heritage Act since drawings may be required by Council pursuant to Subsection 43(1) of the Ontario Heritage Act.
  - d) Notwithstanding (c) above, where an official plan amendment specifically provides for site plan approval of residential dwellings, the drawings required by 2(a)(i) and (ii) shall be submitted for approval, in accordance with the requirements of the amendment.
3. In reviewing applications for site plan approval, Council shall consider certain specific objectives to ensure good site and urban design. Council's review shall include, but not be restricted to, the following:
- a) new development shall be compatible in conceptual design, scale and massing with existing buildings and the overall streetscape;
  - b) conflicts in land use with any adjacent sensitive uses shall be minimized by appropriate orientation and screening;
  - c) access routes, internal driveways, pedestrian walkways and parking configurations shall adhere to the design guidelines of the Vaughan Fire, Engineering and Development Planning Departments, and the relevant zoning by-law, including appropriate curbing and landscaped islands;
  - d) the access points from the public road system to the site shall be approved by the appropriate City, Regional or Provincial road authority;
  - e) suitable parking areas, including those for the handicapped, shall be provided;

### **ATTACHMENT #3**

- f) availability of services and utilities, including sanitary and storm sewers, watermains, provisions for storm water management and hydro, service easements for their construction, maintenance or improvements shall be provided;
  - g) grading shall satisfy the requirements and standards of the City's Building Standards and Engineering Departments;
  - h) fencing shall be of uniform design and be an integral part of the landscaping format, and will delineate areas, confer privacy or provide a noise barrier, and will conform to the fence by-law; acoustic walls shall be provided, as required by the City in consultation with the Ministry of the Environment;
  - i) all lighting, both decorative and utilitarian, shall be oriented internally to the site, away from adjoining developments and shall not constitute a traffic hazard;
  - j) signs shall form an integral part of the building design and site layout; approval of any sign under the site plan process shall take precedence over the City of Vaughan Sign By-law;
  - k) the size, type and planting details of deciduous and coniferous trees, shrubs, ground covers and vines, shall have regard to the City's guidelines, and be co-ordinated with the building and surrounding streetscape;
  - l) vaults, central storage and collection areas, etc. for garbage shall be appropriately provided on-site.
4. The dedication free of all charges and encumbrances to the appropriate authority of the widenings needed to achieve the standard road allowances of the City of Vaughan and the Region of York may be required along the frontage of the development as a condition of site plan approval. Standards for road allowances and sight triangles are specified in Amendment No. 200 to the Vaughan Official Plan, or as identified in subsequent Amendments to the Official Plan.
5. The following classes of development may be undertaken without the approval of plans and drawings otherwise required under Subsections 41(4) and 41(5) of the Planning Act:
- a) All buildings erected for the use of any Public Utility Commission, Transportation Commission,



### **ATTACHMENT #3**

Public Library Board, Board of Parks Management, Board of Health, Board of Commissioners of Police, Planning Board or other Board or Commission or Committee of a local authority under any general or special statute of Ontario with respect of any of the affairs or purposes of a municipality or a portion thereof, and includes any committee or local authority established by by-law of the Council and any Department or Ministry of the Province of Ontario or the Government of Canada.

6. The powers of the Council of The Corporation of the City of Vaughan under Section 41 of the Planning Act, other than those conferred by Paragraph 41(13)(a), are hereby delegated to:
  - a) The Commissioner of Planning in respect of applications which meet the criteria set out in Schedule "1" hereto under "Complex Procedures" for:
    - i) All Employment Area development, except retail, service commercial and retail warehouse development;
    - ii) Office buildings located on internal subdivision roads;
    - iii) Amendments to complex agreements for all classes of development where the application conforms to the zoning by-law, where the Commissioner of Planning is of the opinion that the use and development of the lands provided for by the original agreement remains substantially unaltered, and where no City Department or public agency objects to the application.
    - iv) Amendments to site plan letters of undertaking for all classes of development where the application conforms to the zoning by-law, where the Commissioner of Plan is of the opinion that the use and development of the lands provided for by the original site plan letter of undertaking remains substantially unaltered, and where no City Department or public agency objects to the application.
7. In the event that the terms and conditions set by the Commissioner of Planning for the approval of any delegated application are not agreed to, or for any other reason, the application may be referred to

### **ATTACHMENT #3**

Council.

8.
  - a) The City Clerk is hereby authorized to execute Site Plan Agreements on behalf of the Municipality, which have been approved by Council or by the Commissioner of Planning under "Complex Procedure" pursuant to Subsection 6(a).
  - b) In the absence of the Commissioner of Planning, the Director of Development Planning or his designate, may assume the authority of the Commissioner of Planning.
  - c) The Mayor and City Clerk are hereby authorized to execute Site Plan Letters of Undertaking on behalf of the municipality which have been approved by Council or by the Commissioner of Planning under "Complex Procedure" pursuant to subsection 6(a).
9. All development applications which may have a potential environmental impact may be required to proceed by "Complex Procedure". For the purposes of this paragraph, an application which may have a potential environmental impact shall be defined as development to permit a use which requires a Certificate of Approval from the Ministry of the Environment or the approval of the Environmental Assessment Board.
10. Schedules "1" and "2" shall be and hereby form part of this By-law.
11. By-laws 228-2005, 134-2007, 237-2007, 127-2008, 214-2008 and 279-2009 are hereby rescinded.

## **ATTACHMENT #3**

### **SUMMARY TO BY-LAW -2012**

The purpose of this By-law is to consolidate the City of Vaughan Site Plan Control By-law 228-2005 as amended by By-laws 134-2007, 237-2007, 127-2008, 214-2008, and 279-2009.

### **SUMMARY TO BY-LAW 134-2007**

The lands subject to this By-law are located within a portion of the Kleinburg-Nashville Community, being Lots 20 to 26, Concession 8, Part of Lots 22 to 26, Concession 9 and Part of Lots 25 and 26, Concession 10, City of Vaughan.

The purpose of this By-law is to amend Schedule "1" to the City's Site Plan Control By-law (#228-2005) to require Site Plan Control for new individual (excluding new single-detached residential dwelling development(s) required to proceed through the plan of subdivision approval process) single-detached dwellings that are to be constructed with the Kleinburg-Nashville Heritage Conservation District, by adding a new Footnote No. 7 to the said Schedule "1".

### **SUMMARY TO BY-LAW 237-2007**

The lands subject to this By-law are located north of Major Mackenzie Drive and east of Keele Street and north of the future McNaughton Road, in Part of Lots 22 to 24 inclusive, Concession 3, City of Vaughan, and comprise Blocks 10 to 12 inclusive and Blocks 17 to 19 inclusive in Plan of Subdivision 19T-05V05(N).

Site Plan Control is required in order to ensure the appropriate screening and location of the open storage and contractors' yard uses. The City's Site Plan Control By-law (228-2005) must be amended to require site plan control for these Blocks in accordance with OPA No. 666. The amendments to the Site Plan Control By-law will require that:

- i. the landscaping, screening and fencing of the open storage and contractors' yard uses be in accordance with City approved McNaughton Community Commercial /Industrial Landscape Master Plan, and McNaughton Community Plan-North Portion Urban Design Guidelines.
- ii. The access routes and driveway (public and private) shall be to the satisfaction of the Vaughan Fire, Engineering and Development Planning Departments, and appropriate authorities, in accordance with the minimum requirements of the Zoning By-law.

### **SUMMARY TO BY-LAW 127-2008**

This Amendment applies to all of the lands within the corporate boundaries of the City of Vaughan.

The purpose of this by-law is to implement the following changes to the Site Plan Control Process:

- b) apply Site Plan Control to street townhouse dwellings located on public streets; and
- c) include reference in the Site Plan Control By-law to require a "Site Plan Letter of Undertaking", and authorizing the Mayor and City Clerk to sign Site Plan Letters of Undertaking.



## **ATTACHMENT #3**

This By-law will amend the existing Site Plan Control By-law Number 228-2005

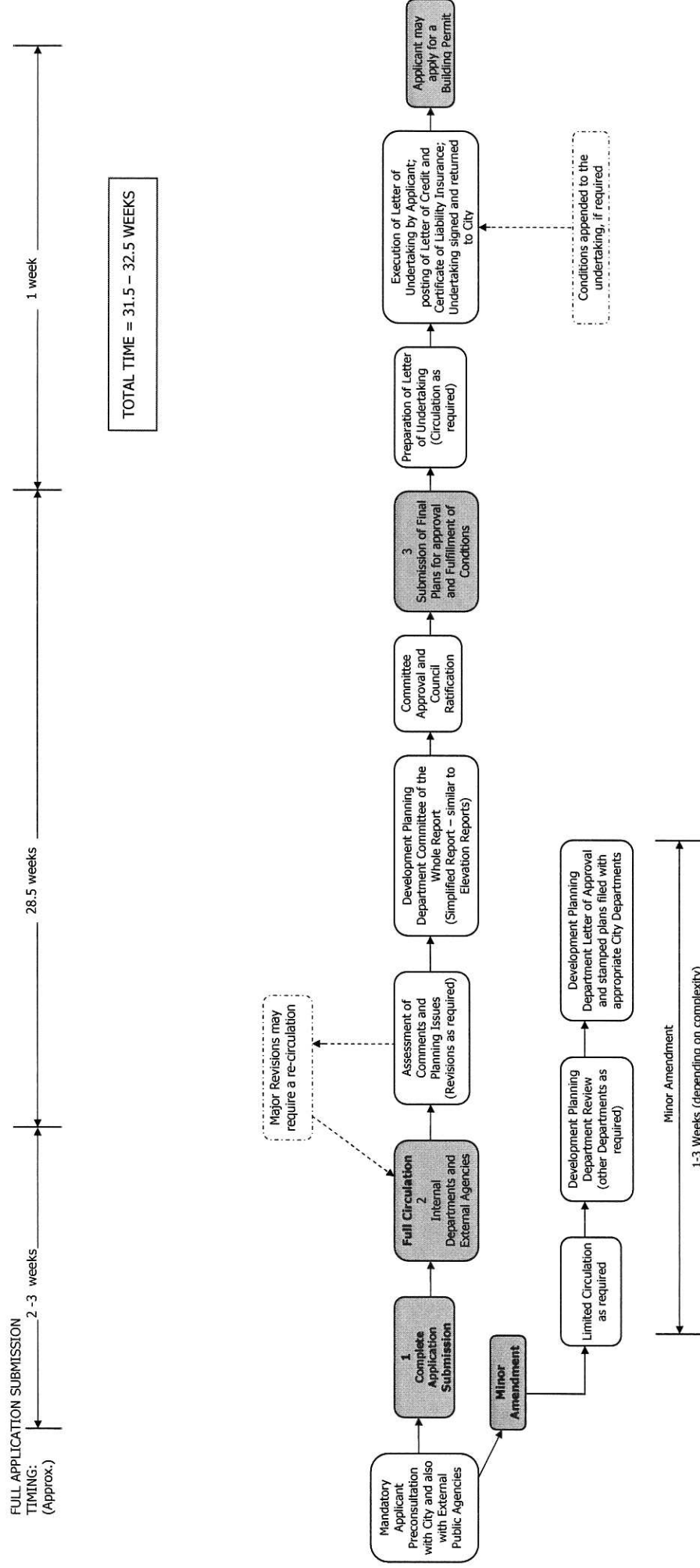
### **SUMMARY TO BY-LAW 214-2008**

This Amendment applies to all of the lands within the corporate boundaries of the City of Vaughan.

On May 26, 2008, By-law #127-2008 was enacted to amend the City of Vaughan's Site Plan Control By-law 228-2005 to require Site Plan Control for street townhouse dwellings. However, Subparagraph 2.c)i) of Site Plan Control By-law 225-2008 includes a provision which exempts street townhouses from Site Plan Control, resulting in a conflict with the recently approved By-law #127-2008. The purpose of this By-law is to remove the words "and street townhouse dwellings" from Subparagraph 2.c)i), which was inadvertently omitted in the recently approved By-law #127-2008.

This By-law constitutes an administrative correction to Site Plan Control By-law Number #228-2005, as amended.

# **ATTACHMENT #4 - FLOW CHART** **EXISTING SITE PLAN CONTROL PROCESS**



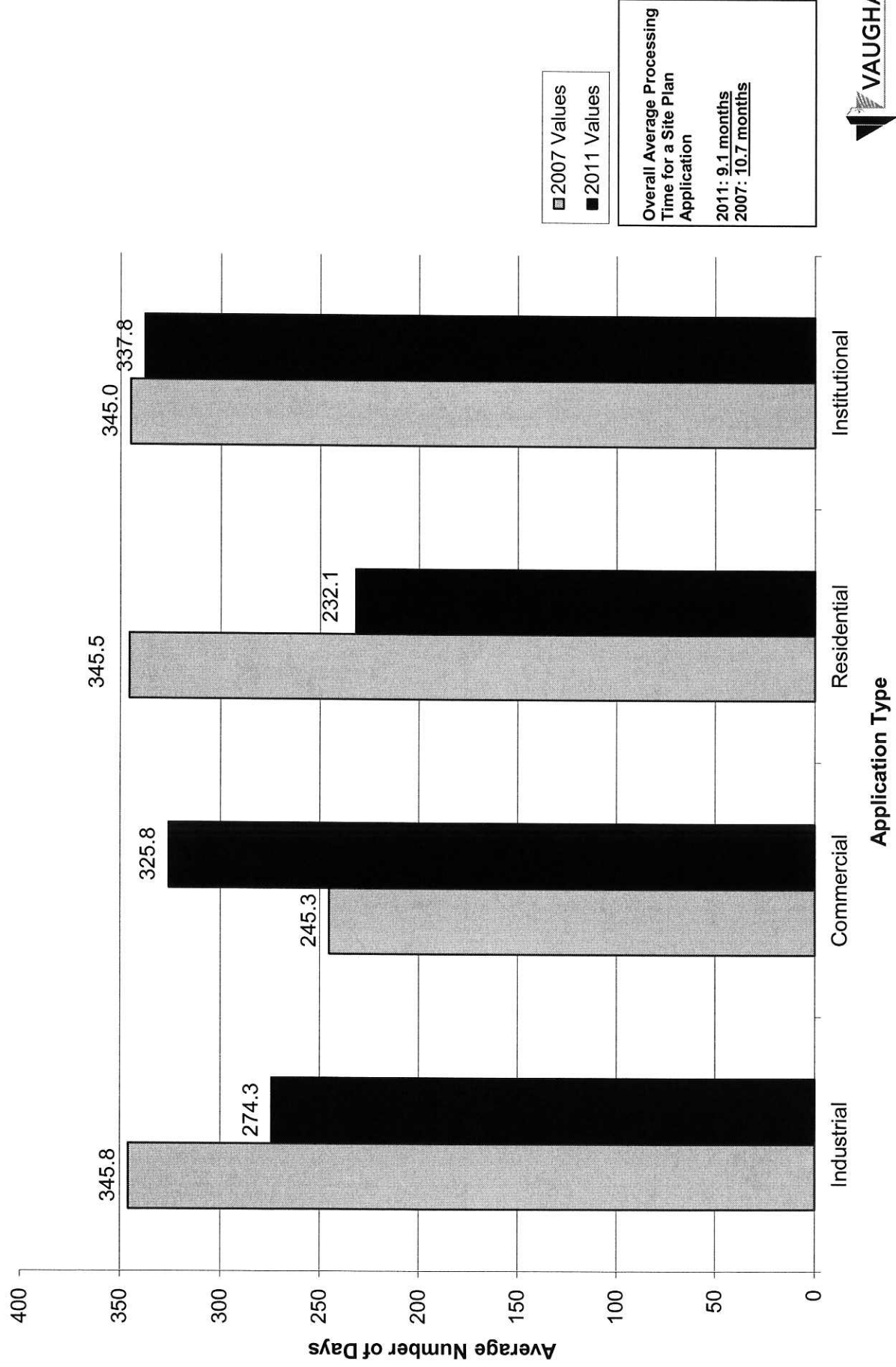
## **NOTES:**

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.

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

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

## Attachment #5



## COMPARATIVE AVERAGE PROCESSING TIME PER USE 2007 and 2011



**ATTACHMENT #6**

**Memorandum to the Building Standards Department for the  
Approval of Street Townhouse Dwellings**



memorandum

**DATE:**

**TO:** Building Standards Department

**FROM:** Development Planning Department

**RE:** Application for Site Plan Approval  
Street Townhouse Dwelling In an Approved Draft Plan of Subdivision  
File Name:  
File Number: DA.

---

Please be advised that on (date) Vaughan Council approved the above noted Site Development Application for the approval of (number of units) street townhouse dwelling in registered Plan of Subdivision 65M-\_\_\_\_\_ (File Number 19T-\_\_\_\_\_). The following drawing(s) are approved and a copy attached for your records:

Drawing Number and Latest Revision Date	Drawing Prepared By	Development Planning Department Approval Date

Furthermore, the Development Planning Department advises that it has no objection to the application.

Accordingly, we have no objection to your acceptance of a Building Permit Application for the above reference Site Development Application. Attached for your information is a copy of the Council minutes, approved site plan, building elevations and landscape plan(s).

Should you require additional information, please contact (name of Planner managing the file) at ext. \_\_\_\_\_.

---

Grant Uyeyama  
Director of Development Planning

**Attachments**

1. Approved Drawing(s) – Site Plan, Building Elevations and Landscape Plan(s)
  2. Council Minutes
- Copy: Applicant



Development Planning Department  
 2141 Major Mackenzie Drive  
 Vaughan, ON L6A 1T1  
 Tel: (905) 832-8585  
 Fax: (905) 832-6080

## Landscape Letter of Credit Agreement

TO: THE CORPORATION OF THE CITY OF VAUGHAN ("Vaughan") REGARDING:

File Number (the  
 "Application"):

General Location:

Municipal Address of the  
 Lands Proposed for  
 Development:

Brief Legal Description of  
 the Lands Proposed for  
 Development:

Property Identification  
 Number (PIN):

I/WE (Planner Insert Owner's Name)

the owner (the "Owner") of the above-noted lands (the "Lands") hereby acknowledge(s) that Vaughan Council has enacted By-law Number 228-2005, as amended, designating the whole of the municipality as a Site Plan Control Area, and that site plan approval has been applied for from Vaughan under the Application. As a condition of such approval being granted, the Owner hereby undertakes and agrees as follows:

- (a) To provide and satisfy the conditions for the release of the Letter of Credit, attached hereto, as Schedule "B" (the "Landscape Letter of Credit Agreement – Conditions of Approval");

The Owner further undertakes and agrees to be governed by the following terms and conditions:

- It is understood that site plan approval is valid for 36 months from the date this Agreement is signed and that if a Building Permit has not been issued during this period, then site plan approval shall lapse and no development of the Lands shall be undertaken until a further site plan approval has been granted by Vaughan.
- Installation and/or construction of the landscaping works, (the "Site Works") on the Approved Plans shall be completed within 36 months from the date of issuance of a Building Permit relating to the Lands (the "Completion Date"). The Owner shall also adhere to the Letter of Credit Conditions identified on Schedule "B" of this Agreement, respecting an additional 12 month warranty period, following the First Stage Landscape Release of the Landscape component of the Irrevocable Letter of Credit, for the soft and hard landscaping.
- It is understood that an Irrevocable Letter of Credit in connection with the Application is required to be delivered to Vaughan as security to enable Vaughan to provide, complete and maintain any of the Site Works on the Approved Plans where the Owner has failed to do so. Vaughan may draw upon and use the funds from the irrevocable Letter of Credit delivered in connection with the Application in the event any of the Site Works on the Approved Plans have not been or are not being provided, completed or maintained to Vaughan's satisfaction during the installation and/or construction of the Site Works or in the event any of the Site Works have not been provided, completed, or maintained by the Completion Date. Vaughan shall not, however, be obligated to provide, rectify, remediate, maintain or complete the Site Works, or any part of them. The security for the Application is in the amount described on Schedule "B" to this Agreement.
- The Owner hereby irrevocably authorizes and consents to Vaughan, and its authorized agents, servants or employees, entering upon the Lands at any reasonable time to carry out inspections and in Vaughan's absolute discretion to provide, complete and maintain to Vaughan's satisfaction any Site Works which the Owner has failed to provide, complete and maintain in accordance with the Approved Plans.  
 Date: \_\_\_\_\_  
 Year \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_  
 (Planner – insert Owner Name)  
 Name of Owner \_\_\_\_\_
- This Agreement shall be binding upon the Owner and the Owner's heirs, executors, administrators, successors and assigns.  
 Authorized Signature \_\_\_\_\_

The Owner understands and acknowledges that this Agreement shall be considered to be of the same force and effect as an Agreement entered into with Vaughan under the authority of clause 41(7)(c) of the Planning Act, R.S.O. 1990, c.P.13, as amended (the "Planning Act"). Further the Owner understands and acknowledges that in addition to any other remedies that may be pursued by Vaughan for non-compliance by the Owner with this Agreement, Vaughan may exercise the powers and authority under Section 446(1) of the Municipal Act, 2001, S.O. 2001, c.25 as amended (the "Municipal Act, 2001"), to enter upon the Lands, to provide, complete and maintain the Site Works and to recover Vaughan's costs of such action by, among other means, adding the costs to the tax roll and collecting them in the same manner as property taxes.

(Please print name)

Title

Telephone

FAX

☐ I/WE have the authority to bind the corporation with respect to this application

Corporate Seal (for corporation)

The personal information on this form is collected under the authority of the Planning Act, and will be used in conjunction with the application for site plan approval only. For the purpose of public access to information, a limited amount of information will be displayed on the City's web site. Questions about the collection of personal information should be directed to Ray Barber, Records Management Supervisor, City Clerks Department, Civic Centre, 2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1, (905) 832-8585.

# **SCHEDULE "A"**

## **Approved Landscape Plan(s)**



**Development Planning Department**  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1  
Tel: (905) 832-8585  
Fax: (905) 832-6080

The Owner undertakes and agrees to provide, complete and maintain the Lands in accordance with the following  
Approved Landscape Plan(s):

	Drawing (Name and Company)	Drawing No.	Revision No.	Revision Date
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				



ATTACHMENT # 7

## **SCHEDULE "B"**

### **Landscape Letter of Credit Agreement - Conditions of Approval**

The Owner undertakes and agrees to provide complete and maintain the Lands in accordance with the list of Approved Plans identified on Schedule "A", attached hereto, and the following conditions of approval (the "Conditions of Approval"):

- 1) The Owner shall provide an Irrevocable Letter of Credit in a format satisfactory to the Vaughan Finance Department in the amount of \$\_\_\_\_\_.
- 2) The Owner shall provide confirmation that cash-in-lieu of parkland dedication, in accordance with the Planning Act, has been paid by certified cheque.
- 3) The Owner shall provide, complete and maintain the grading, sodding, landscaping, fencing, parking, and curbing shown on the Approved Plans listed on Schedule "A", attached hereto, within three (3) months of the date of the first occupancy of the building(s). If occupancy occurs between November 1 and April 30, completion is required within two (2) months of April 30. The Vaughan Engineering Department in conjunction with the Vaughan Development Planning Department may waive the provision with regard to sodding and landscaping if adverse weather conditions or material shortages exist.
- 4) Prior to the release of the Letter of Credit, the Owner shall ensure completion of all conditions referenced on Schedule "C", attached hereto.
- 5) If any notice is required to be given by Vaughan to the Owner with respect to this Agreement, such notice shall be delivered, mailed or faxed to: \_\_\_\_\_ ATTENTION: \_\_\_\_\_ FAX: \_\_\_\_\_.  
Or such other address as the Owner has given the City Clerk in writing or notice may be given to the Owner by prepaid registered mail and any such notice shall be deemed to have been delivered on the third business day after mailing or same day if by fax. If notice is to be given by the Owner to Vaughan it shall be similarly given to: The Corporation of the City of Vaughan, 2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1, ATTENTION: MR. JEFFREY A. ABRAMS, CITY CLERK, FAX 905-832-8535.
- 6) The Owner shall provide, complete and maintain all of the Site Works required to be done, as set out in this Agreement, to the satisfaction of Vaughan and if in default thereof the provisions of Section 446 of the Municipal Act, 2001, shall apply.

## SCHEDULE "C"

### Landscape Letter of Credit Agreement - Letter of Credit Conditions



Development Planning Department  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1  
Tel: (905) 832-8585  
Fax: (905) 832-6080

Upon completion of all Site Works required by this Agreement and rectification of all deficiencies, to the satisfaction of the City Departments noted in this Schedule, the Irrevocable Letter of Credit may be released by the Vaughan Reserves and Investments Department, subject to any adjustment for outstanding inspection fees. The conditions which must be fulfilled by the Owner are as follows:

**1. Vaughan Development Planning Department:**

- a) The Owner shall provide, complete and maintain all landscaping in accordance with the Approved Plans listed on Schedule "A" of this Agreement and shall maintain all landscape work in a healthy and growing state. The Owner shall replace any unsatisfactory landscape components and/or plant material not in a healthy or growing state as soon as possible and prior to any inspection by the Vaughan Development Planning Department.
- b) The Owner agrees to protect existing trees to be retained and maintained during construction. All tree protection measures are to be in accordance with the Approved Plan listed on Schedule "A" of this Agreement and the Owner shall replace any trees that have died on a "per caliper basis", to the satisfaction of the Vaughan Development Planning Department.
- c) The Owner shall ensure that any above-ground hydro facilities and appurtenances shall be in a location satisfactory to the Vaughan Development Planning Department.
- d) Prior to any landscape inspection by the Vaughan Development Planning Department, for the purpose of the release of the Irrevocable Letter of Credit, the Owner shall submit a complete set of As-Built Landscape Drawings signed and sealed by the Landscape Architect, certifying that all landscape work has been completed in accordance with the Approved Plans listed on Schedule "A" of this Agreement.

The Owner undertakes and agrees to comply with the Irrevocable Letter of Credit Conditions identified herein. Prior to the release of the Irrevocable Letter of Credit, the Owner shall fulfill the conditions of each Department as set out above in this Schedule to the satisfaction of Vaughan. The Owner shall arrange for an inspection of the Lands through the Vaughan Reserves and Investments Department. The Inspection Fee for the release of the Irrevocable Letter of Credit shall be as stipulated in Schedule "A" (Inspections) to Vaughan's Consolidated Fees and Charges By-law, in effect at the time of the inspection request to the Vaughan Reserves and Investments Department and is payable by cash or cheque. The Owner acknowledges and agrees that the Irrevocable Letter of Credit will be released in stages, as follows:

- a) the Landscaping component of the Irrevocable Letter of Credit shall be released in two stages as follows:
  - i) 80% of the Landscaping component of the Irrevocable Letter of Credit shall be released (the "First Stage Landscape Release") following the submission of a complete set of As-Built Landscape Drawings and a Certificate by a Licensed Landscape Architect certifying all work(s) are complete; and,
  - ii) the Owner warrants all soft and hard landscaping for a period of 12 months after the date of the First Stage Landscape Release (the "Landscape Warranty"). Provided all identified deficiencies have been rectified to the satisfaction of the Vaughan Development Planning Department, the remaining 20% holdback of the Landscaping component of the Irrevocable Letter of Credit shall be released upon completion of the 12 month Landscape Warranty period.

In the event that the owner has not requested inspections for the release of the Irrevocable Letter of Credit by each of the Vaughan Development Planning within 24 months of the issuance of a Building Permit, then a notice letter will be sent to the Owner, from the Vaughan Development Planning Department, informing the Owner to contact the Vaughan Reserves and Investments Department to initiate the required inspections by the Vaughan Development Planning Department.

**SCHEDULE \_\_\_\_ THE "LANDS" – LOCATION MAP  
LANDSCAPE LETTER OF CREDIT AGREEMENT**

NOT TO SCALE

FILE NO.  
LOCATION:  
APPLICANT:

RELATED FILE:

CITY OF VAUGHAN

SUBJECT LANDS



**ATTACHMENT #8**

**Memorandum to Building Standards Department to Permit an Application  
for Building Permit**



**memorandum**

**DATE:**

**TO:** Building Standards Department

**FROM:** Development Planning Department

**RE:** Application for Site Plan Approval – Building Permit Acceptance  
File Name:  
File Number: DA.

---

Please be advised that the site plan review for the above referenced Site Development Application is substantially complete and the Development Planning Department does not anticipate any changes to the location of the proposed building(s).

Accordingly, the Development Planning Department has no objections to the Building Standards Department accepting an application for a Building Permit for this Site Development Application.

**By copy of the memorandum to the applicant, the Development Planning Department is advising that this memorandum does not constitute final Site Plan Approval and that the applicant must submit all required information to complete the site plan approval process as soon as possible. The applicant is also advised that the final Building Permit and Site Plan Approval drawings must be identical prior to the issuance of a Building Permit. All applicable Building Permit fees and security(ies) must be submitted together with the Building Permit Application.**

**A Letter of Credit in an amount to be determined by the Development Planning Department and a Certificate of Liability Insurance in the amount of \$5,000,000.00 must be submitted to the Development Planning Department together with the final executed (by applicant) Site Plan Letter of Undertaking or Site Plan Agreement.**

---

Grant Uyeyama,  
Director of Development Planning