

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009**

Item 1, Report No. 52, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

**1 ZONING BY-LAW AMENDMENT FILE Z.09.028  
ROMDOR DEVELOPMENTS INC.  
WARD 1**

**The Committee of the Whole (Public Hearing) recommends that the recommendation contained in the following report of the Commissioner of Planning, dated November 10, 2009, be approved.**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.09.028 (Romdor Developments Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

**Contribution to Sustainability**

The contribution to sustainability will be determined when the technical report is considered.

**Economic Impact**

This will be addressed when the technical report is completed.

**Communications Plan**

- a) Date the Notice of a Public Hearing was circulated: October 19, 2009
- b) Circulation Area: 150 m
- c) Comments Received as of October 27, 2009: None

**Purpose**

To amend the City's Zoning By-law 1-88, specifically Exception 9(1319) to add a day nursery having a maximum gross floor area of 520m<sup>2</sup> as an additional permitted use in the C4 Neighbourhood Commercial Zone within Building "C" (965 Major Mackenzie Drive) of the development currently under construction on the subject lands shown on Attachments #1 and #2. In addition, an accessory outdoor play area is proposed, that is located within a portion of the required landscaped area adjacent to Ilan Ramon Avenue, as shown on Attachment #3, which would require the elimination of 7 parking spaces on the property.

**Background – Analysis and Options**

Location	<ul style="list-style-type: none"> <li>▪ Southwest corner of Major Mackenzie Drive and Ilan Ramon Avenue, being Lot 207, Registered Plan 65M-3985, shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
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Official Plan Designation	<ul style="list-style-type: none"> <li>▪ “Medium Density Residential/Commercial” by OPA #600. The proposal to permit a day nursery use on the subject lands conforms to the Official Plan.</li> <li>▪ OPA #325 also establishes policies to facilitate day nurseries throughout the City of Vaughan. The proposal to permit a day nursery on the property conforms with OPA #325.</li> </ul>
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Zoning	<ul style="list-style-type: none"> <li>▪ C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1319), which specifically prohibits a Day Nursery use on the property. The parking study submitted in support of the original development application did not contemplate a day nursery use and therefore, it was excluded as a permitted use on the site. An amendment to the Zoning By-law is required to permit the proposed day nursery use and the accessory outdoor play area.</li> </ul>
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**Preliminary Review**

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Appropriateness of the Proposed Use	<ul style="list-style-type: none"> <li>▪ The appropriateness of permitting a day nursery use within Building “C”, and the associated outdoor play area within the required landscaped area as shown on Attachments #3 and #4 will be reviewed in the context of the compatibility with the other permitted uses on the property and the surrounding land use context.</li> </ul>
b.	Urban Design	<ul style="list-style-type: none"> <li>▪ The impact the outdoor play area will have on the aesthetics of the site, specifically within the required landscaped area and adjacent to Building “C” facing Ilan Ramon Avenue will be reviewed. In addition, measures to appropriately screen the play area and to provide for adequate shaded spaces in the outdoor play area will be reviewed.</li> </ul>

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c.	Traffic and Site Circulation	<ul style="list-style-type: none"><li>▪ The Owner has submitted an addendum Traffic Study report, prepared by iTrans Transportation Planning and Engineering Consultants, dated September 28, 2009, in support of the application. The minimum required parking for the site under Exception 9(1319) is calculated on a specific rate based on the permitted uses (ie. Business and Professional Offices – 3.5 spaces/100m<sup>2</sup>). The Traffic Study will be reviewed to ensure that the City is satisfied that on-site parking will remain adequate to serve the overall development. The impact of the day nursery use with respect to the overall site circulation and specifically, on the southern driveway access from Ilan Ramon Avenue during the day nursery's peak hours of operation for drop-off and pick-up will be reviewed to ensure its proper operation.</li></ul>
d.	Related Site Plan Application	<ul style="list-style-type: none"><li>▪ The related Site Development Application (File: DA.09.067) will be reviewed to ensure all site plan requirements are adhered to, including: signage details for the proposed day nursery, appropriate or alternative landscape features, and an appropriate site plan.</li><li>▪ The proposed building and site plan changes must conform to the approved Block 11 Architectural Control Guidelines and be approved by the Control Architect for the Block.</li></ul>

**Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

**Regional Implications**

The application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

**Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan

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**Report prepared by:**

Arminé Hassakourians, Planner, ext. 8368

Carmela Marrelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

/CM

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)



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**Background – Analysis and Options**

Location	<ul style="list-style-type: none"> <li>▪ West of Yonge Street, on the south side of Thornridge Drive, municipally known as 11 Thornridge Drive, shown as “Subject Lands” on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>▪ “Low Density Residential” by OPA #210 (Thornhill Community Plan). The proposal to permit a lawyer’s office as a home occupation conforms to the Official Plan.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ R1V Old Village Residential Zone by By-law 1-88.</li> <li>▪ An amendment to the Zoning By-law is required to permit a business or professional office for use by a lawyer, as a Home Occupation use on the property. By-law 1-88 restricts a home occupation use to the office of a regulated health professional.</li> </ul>

**Preliminary Review**

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Appropriateness of the Proposed Use	<ul style="list-style-type: none"> <li>▪ The appropriateness of permitting the proposed lawyer’s office, its hours and days of operation and its location in the garage of the existing residential dwelling on the subject lands, will be reviewed in the context of the compatibility with the main residential use on the property and the surrounding land use context.</li> </ul>
b.	Related Site Plan Application	<ul style="list-style-type: none"> <li>▪ The related Site Development Application (File DA.09.058) will be reviewed in the context of the applicable Zoning By-law 1-88 requirements outlined for a home occupation use, including the required number of parking spaces; no more than 3 persons shall be engaged in the proposed uses; and, no more than 25% of the gross floor area of the entire building is permitted to be devoted to the home occupation use.</li> <li>▪ Any changes to the existing site (e.g. parking, landscaping, etc.) and to the dwelling (including signage) will be reviewed with respect to maintaining the existing character of the surrounding land uses.</li> </ul>

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**Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

**Regional Implications**

The application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

**Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. North & South Elevations
5. East & West Elevations

**Report prepared by:**

Arminé Hassakourians, Planner, ext. 8368  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009**

Item 3, Report No. 52, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

**3**

**OFFICIAL PLAN AMENDMENT FILE OP.06.003  
ZONING BY-LAW AMENDMENT FILE Z.06.006  
AQUATELLA FALLS HOMES LTD.  
WARD 1**

**The Committee of the Whole (Public Hearing) recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 10, 2009, be approved; and**
- 2) That the deputation of Mr. Ferdinand Waigner, Aquatella Falls Homes Ltd., 1681 Langstaff Road, Suite 1, Vaughan, L4K 5T3, on behalf of the applicant, be received.**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.06.003 and Z.06.006 (Aquatella Falls Homes Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

**Contribution to Sustainability**

The contribution to sustainability will be determined when the technical report is considered.

**Economic Impact**

This will be addressed when the technical report is completed.

**Communications Plan**

- a) Date the Notice of a Public Hearing was circulated: October 19, 2009
- b) Circulation Area: 150 m
- c) Comments Received as of October 27, 2009: None

**Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to permit a 2 and 3 storey residential apartment building, comprised of 22 units, as shown on Attachments #3 to #7:

1. An Official Plan Amendment Application (File OP.06.003) to amend the "Low Density Residential" policies in OPA #350 (Maple Community Plan), as follows:

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	<b>Official Plan Policy</b>	<b>Proposed Amendment</b>
a.	The maximum permitted density in a Low Density Residential Area shall be 22 units per net residential hectare.	<ul style="list-style-type: none"> <li>▪ The maximum permitted density in a Low Density Residential Area shall be 105 units per net residential hectare.</li> </ul>
b.	All new housing units which directly abut residential units existing at the date adoption of this Plan (the Maple Community Plan) by Council shall be compatible single detached dwelling units on individual lots.	<ul style="list-style-type: none"> <li>▪ Notwithstanding the policies of Section 1.5 b) i), the lands located on the east side of Keele Street, municipally known as 9589 Keele Street, shall permit a 22-unit residential apartment building.</li> </ul>

2. A Zoning By-law Amendment Application (File Z.06.006) to rezone the subject lands from R1 Residential Zone and A Agricultural Zone to RA2 Apartment Residential Zone (tableland) and OS1 Open Space Conservation Zone (valleylands) as shown on Attachment #3. The proposed rezoning of the tableland will facilitate the development of a 22-unit residential apartment building with the following, but not limited to, site-specific exceptions:

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements (RA2 Zone)</b>	<b>Proposed Site-Specific Exceptions (RA2 Zone)</b>
a.	Minimum Front Yard Setback (Keele Street)	7.5 m	3.5 m from road widening
b.	Minimum Interior Side Yard Setback	4.5 m	1.8 m from south property line
c.	Minimum Parking Spaces	39	28
d.	Minimum Parking Space Size	2.7 m by 6.0 m	2.75 m by 5.8 m
e.	Minimum Landscape Buffer Around Parking Area	3 m	0 m along north property line
f.	Landscape Strip Width along Street Line (Keele Street)	6.0 m	3.5 m

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**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>▪ East side of Keele Street, between Rutherford Road and Major Mackenzie Drive (municipally known as 9589 Keele Street), and shown as “Subject Lands” on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>▪ “Low Density Residential” by OPA #350 (Maple Community Plan), which permits single detached dwellings.</li> <li>▪ Application to facilitate the development of a 22 unit, 2 and 3 storey apartment building does not conform to the Official Plan.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ R1 Residential Zone (single detached dwellings) and A Agricultural Zone by By-law 1-88.</li> <li>▪ Application to facilitate the proposed apartment development does not comply with By-law 1-88.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>▪ Shown on Attachment #2.</li> </ul>

**Preliminary Review**

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> <li>▪ The applications will be reviewed in the context of the applicable Provincial policies, and Regional and City Official Plan policies.</li> </ul>

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b.	Appropriateness of Proposed Use and Zoning Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of permitting the proposed residential apartment building use in consideration of the proposed density will be reviewed with regard to compatibility with the surrounding land uses.</li> <li>▪ The appropriateness of the proposed amendments to the “Low Density Residential” policies, and the proposed rezoning of the subject lands and site-specific zoning exceptions to the RA2 Zone that are required to implement the development proposal will be reviewed in consideration of the conceptual site plan to facilitate a development that is compatible with the surrounding land uses, if appropriate.</li> </ul>
c.	Heritage Issues	<ul style="list-style-type: none"> <li>▪ The proposed development must conform to the Maple Heritage Conservation Plan respecting the design, building materials and landscaping for the subject lands, to the satisfaction of Heritage Vaughan and the Vaughan Cultural Services Division.</li> <li>▪ The Owner must submit a Heritage District Conformity Report prepared by a certified Heritage Consultant, for the review and approval of the City.</li> </ul>
d.	Traffic Impact Study	<ul style="list-style-type: none"> <li>▪ A Traffic Impact Study and Parking Study must be submitted in support of the applications and reviewed and approved by the Region of York and the Vaughan Engineering Department.</li> </ul>
e.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> <li>▪ The property abuts open space lands, and the final development limits and any buffer area must be identified and finalized to the satisfaction of the Toronto and Region Conservation Authority. Lands beyond the established development limit will be zoned OS1 Open Space Conservation Zone consistent with the existing zoning for the adjacent open space lands (east and northeast) and dedicated to the TRCA or the City.</li> </ul>
f.	Region of York	<ul style="list-style-type: none"> <li>▪ The subject lands are located on Keele Street, which is a Regional Road. The Owner will be required to satisfy all requirements of the Region of York including the approval of the access driveway location and design, landscaping along Keele Street and any potential dedication of land for a road widening of Keele Street.</li> </ul>

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g.	Future Related Site Plan Application	<ul style="list-style-type: none"><li>▪ The Owner will be required to submit a future Site Development Application, which will be reviewed to ensure appropriate building and site design, access, internal traffic circulation, parking, landscaping, servicing and grading.</li><li>▪ The proposed development must conform to the Maple Streetscape Urban Design Guidelines including the incorporation of Maple Acorn Lighting along the Keele Street frontage, and be considered by the Maple Streetscape Community Advisory Committee.</li><li>▪ A Phase 1 ESA (Environmental Site Assessment) is required to be submitted in support of the future site plan application and must be approved to the satisfaction of the Vaughan Engineering Department.</li><li>▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, etc, will be reviewed and implemented through the site plan approval process, if approved.</li></ul>
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**Relationship to Vaughan Vision 2020 / Strategic Plan**

The applicability of the applications to the Vaughan Vision will be determined when the technical report is considered.

**Regional Implications**

The applications have been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

**Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**Attachments**

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual West and South Elevation Plan
5. Conceptual East and North Elevation Plan
6. Conceptual North Elevation Plan
7. Perspective from Keele Street

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Item 3, CW(PH) Report No. 52 – Page 6

**Report prepared by:**

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009**

Item 4, Report No. 52, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

4  
**OFFICIAL PLAN AMENDMENT FILE OP.09.005  
SITE PLAN CONTROL AMENDMENT GENERAL FILE 13.6  
CITY OF VAUGHAN  
THE PLANNING AND CONSERVATION LAND STATUTE LAW  
AMENDMENT ACT - BILL 51 AMENDMENTS  
ALL WARDS - CITY WIDE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 10, 2009, be approved; and
- 2) That the presentation material of the Development Planning Department entitled, "Bill 51 Amendments, *The Planning and Conservation Land Statute Law Amendment Act*", be received.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.09.005 and 13.6 (City of Vaughan - Bill 51 Amendments) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

**Contribution to Sustainability**

Bill 51 includes provisions to allow municipalities to require sustainable features in development applications, as identified in this report.

**Economic Impact**

The changes included in the new Planning Act through Bill 51 will result in increased costs to the City including additional notice requirements for complete applications and refusal decisions. Wherever possible, costs can be reduced by coordinating new notification with existing notice requirements, including Notices to the public of Complete/Incomplete Application with a Notice of Public Meeting. The full costs associated with implementing Bill 51 are unknown at this time.

**Communications Plan**

- a) Date the Notice of a Public Hearing was published on the City of Vaughan website (City Page): October 8, 2009
- b) Date the Notice of Public Hearing was published in the Vaughan Citizen and Liberal newspapers: October 15, 2009 (Attachment #1)
- c) Circulation Area: City-wide via the above-noted publications
- d) Comments Received as of October 28, 2009: None

**Purpose**

This report focuses on the amendments to the City's Official Plan and Site Plan Control By-law to implement the new policies contained in Bill 51 as they relate to the processing of Planning Act applications, as follows:

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### EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009

#### Item 4, CW(PH) Report No. 52 – Page 2

- a) to add procedures to Vaughan's Official Plan to evaluate and identify what information constitutes a complete application and pre-application consultation requirements for the following types of planning applications: Official Plan Amendment, Zoning By-law Amendment, Site Development, Consent, and Draft Plan of Subdivision and Draft Plan of Condominium (vacant land and/or common element); and,
- b) to add policies and provisions to Vaughan's Official Plan and Site Plan Control By-law with respect to matters relating to exterior building design (including character, scale, appearance, and sustainable design), and facilities to have regard for accessibility.

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

On February 13, 2006, the Development Planning and Legal Departments jointly reported to Council on the First Reading of Bill 51 "*The Planning and Conservation Land Statute Amendment Act*" and recommended a number of changes to the Act to the Ministry of Municipal Affairs and Housing.

On September 5, 2006, the Development Planning and Legal Departments provided a report to Council on the proposed regulations associated with Bill 51. This report also recommended a number of changes to the regulations to the Ministry of Municipal Affairs and Housing.

Bill 51 received Royal Assent on October 19, 2006. On December 15, 2006, notice was given that *The Planning and Conservation Land Statute Amendment Law Act* (Bill 51) and its associated regulations would come into effect on January 1, 2007.

The Ontario Regulation 548/06, which addresses the transition provisions, provides that in the case of an application for official plan amendment, zoning by-law amendment, site plan approval, consent and subdivision or condominium (vacant land or common element), the date that the applications are considered to have "commenced" is the date that the applications were submitted, provided all fees are paid and the applications are deemed complete. If any of the referenced applications were "commenced" on or after January 1, 2007, they are then subject to the new requirements of the Planning Act. Any application which "commenced" prior to January 1, 2007, shall be continued to be disposed of under the Planning Act as it is read on December 31, 2006.

Under Bill 51, Council, local boards and the Ontario Municipal Board must now make their decisions consistent with the Provincial Policy Statement and Provincial Plans in effect at the time of the decision, and not at the time of the application.

Bill 51 includes various amendments to the Planning Act in order to make the planning process more open and accessible. Bill 51 strengthens the land use planning framework by providing additional tools and processes to municipalities to assist in the implementation of related Provincial initiatives, all aimed at developing stronger and more sustainable communities. It is anticipated that many of the new provisions provided for in Bill 51 that are the subject of this report are expected to be implemented by the Development Planning Department in December 2009.

#### **Preliminary Review**

The Development Planning Department has reviewed the Provincial Planning Act reforms under Bill 51 and has identified the following matters to be reviewed in greater detail:

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### EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009

#### Item 4, CW(PH) Report No. 52 – Page 3

##### a) Required Consultation/Pre-Application Consultation By-law

The Planning Act, as amended by Bill 51, allows applicants to consult with a municipality before submitting an application for an Official Plan or Zoning By-law Amendment, Site Development, Draft Plan of Subdivision or Draft Plan of Condominium (vacant land and/or common element). A municipality must allow applicants to pre-consult, should they request to do so. Although it is Vaughan's practice to encourage pre-application consultation meetings, it is now an option for a municipality through a By-law Amendment, to make pre-application consultation mandatory. Should Vaughan Council decide to make this process mandatory, the Development Planning Department has prepared a draft "Pre-Application Consultation and Complete Application Package", which will provide guidance for applicants as shown on Attachment #2. The Development Planning Department will host the pre-application consultation meetings, which may include representatives from various City Departments involved in the evaluation of Planning Act applications. The purpose of this meeting is for the applicant to present a development proposal to the City and subsequently, for City staff to identify the materials required for a full and complete submission of the development application(s). Any comments generated through this process will not constitute a pre-approval of a development proposal, nor shall it be interpreted to reflect the position of the City of Vaughan.

##### b) Complete Application

Through Ontario Regulation (543/06), the Province has prescribed the minimum information to be provided with various planning applications. The Planning Act, as amended by Bill 51, provides an opportunity for municipalities through Official Plan policies, to identify specific information and material submissions needed in support of applications for Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivision, and Consent applications. Although the Regulation does not refer to Site Plans, the Development Planning Department will continue to require complete applications for Site Plans in the implementing Official Plan Amendment, as was approved for implementation through the recent Site Plan Process Review in January 2008.

This amendment to the Planning Act provides the Municipality with an opportunity to require additional information or material in support of an application, at the beginning of the process. In order to implement this provision, however, Council must adopt an Official Plan (or an Amendment to the Official Plan) that prescribes the submission requirements. The regulations for what information constitutes a complete application have been expanded to include some of the following:

- i) consistency with Provincial Policy Statement (PPS);
- ii) conformity or lack of conflict with Provincial plans;
- iii) considerations related to servicing;
- iv) identification of related Planning applications;
- v) archaeological potential; and,
- vi) ensure zoning by-laws conform to the municipal Official Plan.

In order to ensure a complete application has been submitted, municipalities can pass a by-law requiring applicants to consult with them before submitting an application, as discussed in Section a) above. The City will need to review in detail what information constitutes a complete application as it relates to the specific application submitted. The submission requirements will vary, depending on the type of application submitted and would need to be clarified during the pre-application consultation held with the Development Planning Department and other departments. The type of information that could be required, but not limited to, may include the following:

- i) Planning Justification Study;
- ii) Environmental Impact Study;

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- iii) Flood Plain and Erosion Hazard Study;
- iv) Agricultural Lands Impact Study;
- v) Air Emissions Study;
- vi) Traffic Impact Study;
- vii) Retail Market Study; and,
- viii) Plans including site grading, servicing, landscaping and elevations.

The Municipality may refuse to accept an application until all required information/materials identified in the pre-application consultation have been submitted by the applicant, and the statutory time period for Council to make a decision does not commence until a complete application is received. This would be based on the prescribed requirements outlined in the Official Plan. The City's Official Plan may be amended to determine what constitutes a complete application for each application type.

The Development Planning Department has prepared a draft Submission Requirement Checklist, shown on Attachment #2. This checklist includes the aforementioned studies along with other documents, reports and studies that may be required in support of a Planning Act application. This checklist will be completed by the Development Planning Department, with other City departments and the applicant at the pre-application consultation meeting after discussing the respective development proposal. The checklist will form the basis of whether or not an application is deemed complete by the Development Planning Department, provided that Vaughan's Official Plan is amended to this effect.

c) Site Plan Control

The Site Plan Control provisions (Section 41) of the Planning Act, as amended by Bill 51, now allow municipalities an opportunity through an amendment to the Official Plan, and/or by-law amendment, to include requirements related to the following:

- i) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design;
- ii) the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation: trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, and bicycle parking facilities; and,
- iii) design of facilities to have regard for accessibility for persons with disabilities.

Should Vaughan Council decide to make the noted requirements mandatory, the Development Planning Department will prepare amendments to the City's Site Plan Control By-law and Official Plan to this effect.

d) City Clerks Department - Consent Applications

Bill 51 made minor amendments to the Consent provisions in Section 53 of the Planning Act. The confirmation of a "complete application" is not required. A motion to the OMB, however, may be filed if there is a dispute regarding the completeness of the application.

The consent application also now requires that the applicant provide information regarding conformity with the Provincial Policy Statement and any other relevant Provincial plans, such as the Oak Ridges Moraine Conservation Plan.

e) Bill 51 Notification

Bill 51 now requires the following notification to be provided to the applicant and the public:

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- A Notice of Complete or Incomplete Planning Act Applications (ie. Official Plan, Zoning By-law, Site Plan, Subdivision and Condominium (Vacant Land and Common Element)) must now be sent to the Applicant within 30 days of receipt of the development application by the Development Planning Department. The respective draft notices are shown on Attachments #3 and #4;
- A Notice to the Public of a Complete Application must now be sent by the City Clerk's Department within 15 days of informing the Applicant that the application(s) is deemed complete by the Development Planning Department. A draft notice is shown on Attachment #5; and,
- A Notice of Council's refusal to adopt proposed amendments to the Official Plan and/or Zoning By-law, must now be sent by the City's Clerks Department not later than 15 days after the day of refusal. The respective draft notices are shown on Attachments #6 and #7.

The Development Planning Department has addressed other Bill 51 requirements through the recent initiatives approved in the "Public Notification of Planning Applications" review in early 2009, and through the normal course of processing development applications, as follows:

- Adding new Planning Act Regulations to the standard Notices sent by the City Clerks Department, including the Notice of Public Meeting, as shown on Attachment #8;
- Applying Conditions of Approval for Plans of Subdivision with respect to sustainability and accessibility; and,
- Applying the new definition of "Development" in Bill 51, which excludes the placement of portables on a school site for a district school board, if the school site was in existence on January 1, 2007; thereby exempting school boards from the site plan control requirements for portables for existing schools.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

#### **Regional Implications**

The Official Plan Amendment File OP.09.005 has been circulated to the Region of York Planning and Development Services Department requesting Regional exemption of the application, given it's local significance. Any comments or issues noted by the Region of York will be addressed when the technical report is considered.

#### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of these applications will be considered in the technical review of the applications, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

#### **Attachments**

1. Notice of Public Hearing – Newspaper Advertisement
2. Draft Pre-Application Consultation and Complete Application Package

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3. Notice of Complete Application to Proponent
4. Notice of Incomplete Application to Proponent
5. Notice to Public of a Complete Application
6. Notice of Decision for Official Plan Amendment Application
7. Notice of Decision for Zoning By-law Amendment Application
8. Revised Notice of Public Meeting

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/CM

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)