

**8. ZONING BY-LAW AMENDMENT FILE Z.06.042
 AMENDMENT TO BY-LAW 1-88 (MUNICIPAL SERVICES)
 (CITY OF VAUGHAN)**

P.2006.53

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Zoning By-law Amendment File Z.06.042 (City of Vaughan) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Purpose

This City-initiated Zoning By-law Amendment proposes to provide a general amendment to By-law 1-88 in order to prohibit the use of land or the erection or use of residential buildings or structures unless municipal water and sanitary sewer servicing capacity is available and has been allocated for the development. The proposed amendment will be effective City-wide, and serves to implement the requirements of the Regional Municipality of York with regard to the Water and Wastewater Protocol.

Background - Analysis and Options

On May 25, 2006, a Notice of Public Hearing was advertised in the Vaughan Citizen as the proposed amendment is City-wide. To date, no comments have been received.

Preliminary Review

The Council for the Region of York has adopted a Water and Wastewater Capacity Servicing Assignment Protocol, which outlines how much servicing capacity would be distributed to each local area municipality for residential development, and conditions for using the capacity. A component of this Protocol established criteria for issuing Regional conditions of draft plan of subdivision approval on local subdivision applications. The Protocol requires that the local area municipalities have adopted a local sewer and water allocation policy; and enacted a municipal-wide by-law under Section 34(5) of the *Planning Act* to prohibit building permits if servicing is not available. The Region will not issue conditions of draft plan of subdivision approval without these tools in place.

On November 14, 2005, Council passed the City's Strategy for Reservation/Allocation of Servicing Capacity, thereby satisfying one of the requirements of the Region of York. In order to complete the requirements of the Region of York, this general amendment to By-law 1-88 is being proposed.

The proposed amendment to By-law 1-88 would ensure that building permits are only issued when servicing is available. Section 34(5) of the *Planning Act* gives the authority for such an amendment, and states: "A by-law ... may prohibit the use of land or the erection or use of buildings or structures unless such municipal services as may be set out in the by-law are available to service the land, buildings or structures, as the case may be".

It is proposed that the Section 3.0 "General Provisions" of 1-88 be amended to reflect the requirements of the Region of York, and the above noted section of the *Planning Act*.

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

- i) the suitability of this amendment to the general provisions of By-law 1-88, in relation to the provisions of Section 34(5) of the *Planning Act* and the City's Strategy for Reservation/Allocation of Servicing Capacity will be reviewed; and
- ii) the provisions contained within Sections 3.23.a "Thornhill-Vaughan Service Area" and 3.23.b "Urban Service Area" of By-law 1-88 will be reviewed to ensure that there are no conflicts with the proposed new amendments to the Zoning By-law.

Relationship to Vaughan Vision 2007

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

Conclusion

The above issues, but not limited to, will be considered in the technical review of the proposed general amendment to By-law 1-88, together with comments from the public and Council expressed at the Public Hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

N/A

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Respectfully submitted,

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