

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 3, Report No. 21, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on May 14, 2013.

**3 SITE PLAN CONTROL PROCESS - FOLLOW UP REVIEW
CITY OF VAUGHAN
FILE 12.28
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 April 30, 2013, be approved;**
- 2) That the presentation by the Manager of Development Planning, be received;**
- 3) That the deputation by Ms. Sonia Meucci, Weston Downs Ratepayers' Association, Blackburn Boulevard, Woodbridge, be received; and**
- 4) That Communication C2, from Mr. Christopher J. Tanzola, McCarthy Tetrault, PO Box 48, Toronto, dated April 24, 2013, be received.**

Recommendation

1. THAT the Public Hearing report for File 12.28 (City of Vaughan - Site Plan Control Process Follow Up Review) 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

N/A

Communications Plan

- a) Date Notice of Public Hearing was circulated: April 4, 2013 & April 5, 2013
- b) Circulation Area: A Notice of this Public Hearing was placed in the April 4, 2013, editions of the Vaughan Weekly and Vaughan Citizen Newspapers and on the City Page Online. In addition, on April 5, 2013, the Development Planning Department sent a Notice of Public Hearing by email and regular mail to the stakeholders that have participated in the Site Plan Process Review including the Region of York Transportation and Community Planning Department, the Toronto and Region Conservation Authority (TRCA), representatives from the Development Industry that participated in the 2007/2008 review, and the Building Industry and Land Development Association (BILD).
- c) Communications received as of April 19, 2013: None

Purpose

This report has been prepared in response to the resolution adopted by Vaughan Council on January 29, 2013, which approved several changes to the Site Plan approval process, in light of the report prepared by the Development Planning Department to review and evaluate the Site Plan Control Process, to provide a more efficient and streamlined process and procedures. In order to implement some of these changes, a Public Hearing is required to amend certain City policy documents such as OPA #200 (Site Plan Control) as amended, OPA #705 (Complete

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Application Requirements) and City of Vaughan Official Plan 2010 (Volume 1), and in-effect By-laws including By-law 278-2009 (Pre-Application Consultation Meetings) and By-law 228-2005 as amended (Site Plan Control By-law).

Background - Analysis and Options

1.0 Background

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, and was ratified by Vaughan Council on January 28, 2008. A package of changes to the Site Plan approval process was implemented as a result of this review. Vaughan Council's approval also included a direction that a report be brought forward to a future Committee of the Whole meeting to evaluate the changes that were approved and implemented, as follows:

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

On June 21, 2012, the Committee of the Whole (Working Session) considered a follow-up review/evaluation report from the Commissioner of Planning with respect to the Site Plan Review process, which included improvements and new initiatives to further streamline the existing process. The Committee of the Whole (Working Session) recommended the following (in part), which was ratified by Vaughan Council on June 26, 2012.

"That consideration of this matter be deferred to the Committee of the Whole (Working Session) meeting of September 11, 2012."

On September 11, 2012, the Committee of the Whole (Working Session) reconsidered the report from the Commissioner of Planning and made the following recommendation (in part), which was subsequently adopted by Vaughan Council on September 25, 2012:

"That the following report of the Commissioner of Planning, dated June 12, 2012, and all comments be received, and that an updated report with recommendations be brought forward to a Committee of the Whole (Working Session) prior to the end of the year."

On December 4, 2012, the Committee of the Whole (Working Session) considered a further report from the Commissioner of Planning and on December 11, 2012, Vaughan Council deferred consideration of the report to January 15, 2013, in order for the City Clerk to report to Vaughan Council on options for a Council "bump-up" process, where on certain applications, Council may choose to consider an application rather than be processed by way of staff delegation.

On January 15, 2013, the Committee of the Whole considered the recommendations from the Commissioner of Planning dated December 4, 2012, together with Communication C1 from the City Clerk respecting the "bump-up" process, and adopted the following motion:

"1. That the recommendation contained in the following report of the Commissioner of Planning, dated December 4, 2012, be approved; and,

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2. That Option 3, contained in Communication C1 from the City Clerk, dated January 9, 2013, be approved, with the requirement of two signatures of Members of Council.”

The recommendation of the Committee of the Whole of January 15, 2013, was ratified by Vaughan Council on January 29, 2013.

2.0 Requirement to Hold a Public Hearing to Implement Certain Modifications to the Site Plan Control Process

As noted in Section 1.0 above, Vaughan Council adopted a number of recommendations on January 29, 2013, to implement changes to the Site Plan Control process. Certain recommendations can be implemented at an administrative level and the Development Planning Department will commence doing so as soon as possible. However, other modifications to the Site Plan Approval process require that certain City policy documents such as OPA #200 (Site Plan Control) as amended, OPA #705 (Complete Application Requirements) and City of Vaughan Official Plan 2010 (Volume 1), and in-effect By-laws including By-law 278-2009 (Pre-Application Consultation Meetings) and By-law 228-2005 as amended (Site Plan Control By-law), be amended to implement the changes to the Site Plan Control Process as follows:

- a) OPA #200 (Site Plan Control) must be amended to:
 - i) implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate (Director of Development Planning) for street townhouse dwellings located on a Block within an approved plan of subdivision, and new single detached dwellings located within the Kleinburg-Nashville Heritage Conservation District not located within a plan of subdivision;
- b) OPA #705 (Complete Application Requirements), By-law 278-2009 (Pre-Application Consultation Meetings) and the new City of Vaughan Official Plan 2010 (Volume 1) must be amended 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 where the Official Plan and Zoning By-law are in effect;
 - ii) 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 or Site Plan 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;
- c) City of Vaughan Official Plan 2010 must be amended to require that the following classes of development be implemented using a Site Plan Agreement:

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- i) all classes of new development in an Intensification Area including the Vaughan Metropolitan Centre, a Primary Centre, Local Centre, Primary Intensification Corridors, Primary Intensification Corridors within Employment Areas, Regional Intensification Corridors and Regional 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 the existing approval(s);
 - 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 Planning Act Section 37 density bonussing;
 - iv) all classes of development where the Commissioner of Planning or designate (Director of Development Planning) 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) indicate that all other classes of development will continue to be implemented using a Site Plan Letter of Undertaking;
- d) the City's Site Plan Control By-law (By-law 228-2005, as amended) must be amended to:
- i) require Site Plan Control for development on employment lots that abut an Open Space Zone;
 - ii) implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate for:
 - all street townhouse dwellings where the Official Plan and Zoning By-law are in-effect;
 - all commercial/retail corporate rebranding for existing building elevations and signage provided that the building elevations and signage for the first building for each corporate rebranding initiative must be approved by Vaughan Council and there are no or only minor changes to the approved site plan;
 - single detached dwellings in the Kleinburg-Nashville Heritage Conservation District not located within a registered plan of subdivision or subject to architectural control;
 - external modifications to existing buildings including major front façade changes, which do not exceed the gross floor area of the existing building by more than 50%; and,
 - minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking, signage, etc.).

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With respect to the delegation of Site Plan Approval authority to the Commissioner of Planning or designate, Vaughan Council included a requirement that would permit the consideration of a site plan application to be “bumped-up” to Vaughan Council for a decision when a minimum of two (2) Members of Council requested in writing within the circulation period for the application (typically 3 weeks) effectively cancelling the delegated authority for the particular application. The bump-up would include a format for a Communication to be sent to the Commissioner of Planning to provide answers to standard questions such as:

- a) Is there anticipated to be broad or persistent community interest in the issues embodied in this site plan approval?
- b) Is there value in holding a community meeting?
- c) Is there an issue with the application that cannot be reasonably be resolved through informal discussions between the parties involved and City Staff?

In addition, the Development Planning Department will be consolidating By-law 228-2005, the City’s current parent Site Plan Control By-law, with all past amendments including By-laws 34-2007, 237-2007, 127-2008, 214-2008 and 279-2009, together with the amendments approved through this recent review in order to capture all requirements of the Site Plan Approval process in one By-law, thereby simplifying its administration and providing ease of use and clarity for anyone using the By-law.

3.0 Next Steps

As identified above, City of Vaughan Council approved a number of changes to the City’s Site Plan Control process. Implementation of these changes will be undertaken in two parts: those requiring administrative changes at the staff level, which were outlined in the previous reports respecting the Site Plan process review; and, those requiring changes to the Site Plan Control, Complete Application and VOP 2010 Official Plans, Site Plan Control By-law and Pre-Application Consultation By-law, which require that a Public Hearing be held in order to amend these documents and facilitate their implementation.

Following this Public Hearing, a technical report will be brought forward for consideration by the Committee of the Whole and Vaughan Council that will include recommendations to facilitate the proposed changes to the Site Plan Approval process. The required Official Plan and By-law amendments will subsequently be prepared for enactment by Vaughan Council and the final administrative changes required to implement the approved modifications will be fully in place by early Fall 2013.

In addition, on January 29, 2013, Vaughan Council directed the Development Planning Department to report back to Vaughan Council on the effectiveness of the process after it has been implemented and in effect for one year.

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.

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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. The City will continue to execute bi-party Site Plan or Letter of Undertaking Agreements (City and Landowner), and the Region of York will continue to execute their own Site Plan Agreement to secure Regional interests.

Conclusion

The matters identified in this report to implement the amendments and new initiatives to provide a more efficient and streamlined Site Plan Control Process, together with the comments from the public and Council expressed at the Public Hearing or in writing, will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

None

Report prepared by:

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