

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 8, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 25, 2013.

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

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated June 18, 2013, be approved, subject to replacing the fourth bullet in 1. b) i) with:**
- 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 25%; and,**

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT the following amendments to the City's Official Plan and Site Plan Control By-law BE APPROVED, to implement the recommended changes to the Site Plan Approval process approved by Vaughan Council on January 29, 2013:
 - a) that OPA #200 (Site Plan Control) and the new City of Vaughan Official Plan 2010 BE AMENDED, to implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate (Director of Development Planning) in accordance with the specified class of development identified for delegation in the City of Vaughan Site Plan Control By-law;
 - b) that the City of Vaughan Site Plan Control By-law (By-law 228-2005, as amended) BE AMENDED, to:
 - i) implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate (Director of Development Planning) for the following classes of development:
 - 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 a 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,

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- minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking, signage, etc.);
- ii) include a provision to permit any class of development that is delegated for approval to the Commissioner of Planning or designate, to be “bumped-up” to Vaughan Council for a decision when a minimum of two (2) Members of Council request in writing utilizing the “Notice of Application for Delegated Site Plan Approval” as shown on Attachment #1, within the circulation period for the application (typically 3 weeks), thereby effectively cancelling the delegated authority for the particular application as identified in this report; and,
- iii) require Site Plan Control for development on employment lots that abut an Open Space Zone;
- c) that OPA #705 (Complete Application Requirements), By-law 278-2009 (Pre-Application Consultation Meetings) and the new City of Vaughan Official Plan 2010 (Volume 1) 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 (Director of Development Planning) 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 would object 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;
- d) that City of Vaughan Official Plan 2010 BE AMENDED, 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, 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;

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- 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) all other classes of development will continue to be implemented using a Site Plan Letter of Undertaking;
2. THAT the implementing Site Plan Control By-law consolidate the City's current Site Plan Control By-laws (By-law 228-2005, as amended by By-laws 34-2007, 237-2007, 127-2008, 214-2008 and 279-2009) together with the amendments approved by Vaughan Council through the Site Plan Process Review identified in this report.
3. THAT the City of Vaughan Policy Manual, specifically Policy 07.1.02 (Review of Site Plan Approval Process - Industrial Buildings), Policy 07.1.03 (Site Development Process - Consolidated), and Policy 07.1.10 (Site Development Applications - Approval of Proposed Building Elevations for Industrial Sites Along Major Roads) as shown on Attachments #2, #4 and #6, respectively, BE AMENDED, as shown on Attachments #3, #5 and #7, respectively, to reflect the amendments to the Site Plan Approval process identified in this report.

Economic Impact

N/A

Communications Plan

On April 30, 2013, a Public Hearing was held to consider changes to the Site Plan Approval Process recommended in this report. A Notice of the 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 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). On May 30, 2013, a Notice of this subject meeting (June 18, 2013, Committee of the Whole) was sent to the same individuals, agencies and BILD, and to those individuals who appeared at the Public Hearing on April 30, 2013.

At the Public Hearing, one individual addressed Vaughan Council seeking clarification with respect to whether the proposed changes to the Site Plan Approval process will impact residents being notified of future developments. In this respect, the Planning Act does not require notification to the public of Site Development applications. Often, Site Development applications are processed together with Zoning By-law Amendment applications for which, notification is provided to the public in accordance with the Planning Act and City policies respecting public notification. This review will not result in a change to the City's public notification procedures. Furthermore, any development proposed through a Site Development application must comply with the City's Zoning By-law 1-88. If it does not, the public notification procedures relating to either a Minor Variance application process through the Vaughan Committee of Adjustment or for a Zoning By-law Amendment application are required.

The only difference that will occur with respect to Site Development applications is for those classes of development delegated for approval to the Commissioner of Planning or designate

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(Director of Development Planning). Currently, the Development Planning Department prepares a technical report for Vaughan Council's consideration for these classes of development (e.g. townhouse dwellings), which is included in the Committee of the Whole and Council agendas. Under delegated authority, a report will not appear on agendas for Council's consideration for the delegated classes of development as the approval authority will rest with the Commissioner of Planning or designate. However, as discussed later in this report, one of the recommended changes to the Site Plan process will permit any class of development that is delegated for approval to be "bumped-up" to Vaughan Council for a decision when a minimum of two (2) Members of Council request in writing within the circulation period (typically 3 weeks), thereby effectively cancelling the delegated authority for that particular application.

The Development Planning Department also received a letter from McCarthy Tetrault, dated April 24, 2013, solicitors for Blue Water Developments, who have an active Zoning By-law Amendment and Site Development applications (Files Z.08.032 and DA.13.014) for high-rise apartments for lands on New Westminster Drive in Thornhill. The letter states that they have recently received City comments with respect to these applications and that they assume that the proposed changes to the Official Plan and the Site Plan Control By-law will not affect their applications either substantively or in terms of timelines, otherwise, Blue Water would object to the proposed amendments. The proposed changes will not impact the review of the Blue Water applications. The only impact on the Blue Water applications resulting from the proposed changes is that the Site Development application, if approved, may be implemented utilizing a Site Plan Agreement rather than a Site Plan Letter of Undertaking. However, under the City's current Site Plan Control By-law, the City may utilize a Site Plan Agreement when considered appropriate.

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 Vaughan 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 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). The statutory Public Hearing was held on April 30, 2013, and the technical report on implementation of the changes to the Site Plan approval process is the subject of this report.

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."

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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 the Committee of the Whole of January 15, 2013, in order for the City Clerk to report 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,
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.”

Vaughan Council ratified the recommendation of the Committee of the Whole on January 29, 2013.

On April 30, 2013, a Public Hearing was held to consider the proposed changes to the Site Plan Approval process that require amendments to City Official Plan documents and By-laws. At that meeting, the Committee of the Whole received the report and directed that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole. Vaughan Council ratified the recommendation of the Committee of the Whole on May 14, 2013.

2.0 Required Amendments to Vaughan’s Official Plan and Site Plan Control By-law to Implement Recommended Changes 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 City’s Site Plan Control process. Certain recommendations can be implemented at an administrative level and the

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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 following a statutory Public Hearing to implement the changes to the Site Plan Control Process, which is the subject of this report. Specifically the following amendments to the City Official Plans and Site Plan Control By-law are required:

2.1 Amend OPA #200, the New Vaughan Official Plan 2010 and Vaughan's Site Plan Control By-law to Implement Delegated Site Plan Approval Authority to the Commissioner of Planning or Designate (Director of Development Planning)

The implementation of delegated Site Plan approval authority to the Commissioner of Planning or designate (Director of Development Planning) requires that the City's Official Plans, specifically OPA #200 (Site Plan Control) and the new City of Vaughan Official Plan 2010 (Site Plan Control) and the City's Site Plan Control By-law (By-law 228-2005, as amended) be further amended.

As part of the Site Plan Process Review, Vaughan Council approved recommendations to implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate for the following classes of development:

i) All Street Townhouse Dwellings where the Official Plan and Zoning By-law are In-Effect

With respect to street townhouse dwellings, the Development Planning Department rigorously reviews the proposed building designs to ensure high quality front, side and rear building elevations and the proposed landscaping to ensure an attractive streetscape. These projects are also subject to review by a control architect responsible for reviewing building elevations in new community areas. Engineering drawings are reviewed through the subdivision approval process. Accordingly, the Development Planning Department is satisfied that Site Plan Approval for this specific class of development is appropriate for delegation to the Commissioner of Planning or designate.

ii) Commercial / Retail Corporate Rebranding Initiatives

Often, major retailers (e.g. Husky Gas Stations), eating establishments (e.g. McDonalds, Tim Horton's), or chain stores undergo corporate rebranding initiatives which typically entail the upgrading of existing building elevations in order to enhance or change their appearance as part of a corporate marketing strategy. As the City of Vaughan continues to grow, it is common for many retail/commercial operations to have multiple locations in the City of Vaughan and in every instance when an existing building is rebranded, Council considers a report from the Development Planning Department.

The Development Planning Department recommended that Site Plan approval authority for all commercial/retail corporate rebranding for existing building elevations and signage be delegated to the Commissioner of Planning or designate, provided that:

- the building elevations and signage for the first building for each corporate rebranding initiative must be approved by City of Vaughan Council; and,

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- there are either no changes or only minor changes to the approved site plan that result from the corporate rebranding initiative.

iii) Single Detached Dwellings

Single detached dwellings in the Kleinburg-Nashville Heritage Conservation District not located within a registered plan of subdivision or subject to architectural control are subject to Site Plan approval under OPA #200, as amended. This requirement does not apply to other Heritage Conservation Districts (HCD) in the City including the Maple and Thornhill HCDs. The new City of Vaughan Official Plan 2010 identifies that all detached dwellings in a Heritage Conservation District are subject to Site Plan Control.

It is recommended that Site Plan approval authority for single detached dwellings in all Heritage Conservation Districts, including the Kleinburg-Nashville, Maple, Woodbridge and Thornhill Heritage Conservation Districts, be delegated to the Commissioner of Planning or designate. These residential dwellings are already subject to review by Heritage Vaughan Committee, the Cultural Services Division and the Development Planning Department and are subject to strict development policies included within the applicable Heritage Conservation District Plan. Staff is satisfied that the appropriate review procedures are in place to ensure that delegation of site plan approval authority for this class of development will maintain high quality design for detached dwellings in the City's Heritage Conservation Districts.

It is noted that the Public Hearing Notice only identified that this amendment would apply to the Kleinburg-Nashville HCD. However, for the reasons outlined above, the Development Planning Department recommends that single family dwellings in all HCD's be delegated for approval to the Commissioner of Planning or designate, which would be consistent with the policies in the new Official Plan 2010.

iv) External Modifications To Existing Buildings

In January 2013, Vaughan Council approved the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate for 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.). The Development Planning Department is satisfied that the appropriate review procedures are in place to ensure that additions that meet these criteria can be appropriately implemented at a Staff level.

v) Continued Role of Members of Council Respecting Delegation

As noted above, when Vaughan Council approved the delegation of Site Plan Approval Authority for certain classes of development to the Commissioner of Planning or designate in January 2013, it considered a report from the City Clerk (Communication C1) that provided options for a "bump-up" process to facilitate any development application for a delegated class of development to be "bumped-up" to Council for a decision. Specifically, Vaughan Council adopted Option 3 identified in Communication C1, which provides that the Site Plan Control By-law include a provision to permit any class of development that is

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delegated for approval to the Commissioner of Planning or designate, to be “bumped-up” to Vaughan Council for a decision when a minimum of two (2) Members of Council request in writing within the circulation period for the application (typically 3 weeks), thereby effectively cancelling the delegated authority for the particular application. The three (3) week deadline will be strictly enforced.

In order to implement the “bump-up” process, it is recommended that each Member of Council will continue to receive a “Request for Comment” circulation for the delegated application. However, the request will include the following:

- an orange coloured delegation cover sheet (Attachment #1) to flag that approval of the development will be considered by the Commissioner of Planning or designate;
- a coloured elevation and rendering of the proposed development to provide Council members with a better representation of the proposal;
- an opportunity to provide comments with a three (3) week deadline date from the date of circulation of the application;
- an opportunity to request that a meeting be held with the required parties to discuss the application prior to it being considered for approval by the Commissioner of Planning or designate; and,
- an opportunity to request Site Plan Approval by Vaughan Council, instead of the Commissioner of Planning.

Also in accordance with Option 3 of Communication C1, the following questions will appear on the Request for Comments form circulated to Members of Council for delegated classes of development:

- 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?

This implementation process will ensure that Members of Council are made aware of all development proposals that are delegated for approval by the Commissioner of Planning or designate and also maintain the ability for a Member of Council to provide input into the process, arrange any meetings as required or direct that the application be considered for approval by Vaughan Council.

In consideration of the above, the Development Planning Department recommends that the Official Plan, specifically OPA #200 and the new Vaughan Official Plan 2010 be amended to enable delegated Site Plan Approval authority to the Commissioner of Planning or designate (Director of Development Planning) in accordance with the City's Site Plan Control By-law (By-law 228-2005) and that the Site Plan Control By-law be amended to identify the specific classes of development to be delegated for approval as noted above.

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2.2 Amend Vaughan's Site Plan Control By-law to Implement the Requirement for Site Plan Control for Employment Lots that Abut an Open Space Zone

Currently, Site Plan Control applies only to development on employment lots that abut a Provincial Highway or arterial road. On January 29, 2013, Vaughan Council adopted a recommendation to also apply Site Plan Control to all employment buildings located on lots that abut an Open Space Zone. The purpose for applying Site Plan Control to these buildings is to recognize the importance of the investment in public spaces (e.g. trail systems) and the high visibility of employment lots that abut open space areas and to ensure that this interface is appropriately addressed through the Site Plan Approval process.

In order to implement this requirement, it is recommended that the City's Site Plan Control By-law (By-law 228-2005) must be amended to apply Site Plan Control to all employment lots that abut an Open Space Zone.

2.3 Amend OPA #705, the new Vaughan Official Plan 2010 and By-law 278-2009 to Implement an Exemption from Pre-Application Consultation Meetings and Complete Application Requirements for Specific Classes of Development

In-effect OPA #705 establishes the City's policies respecting Complete Planning Applications and Pre-Application Consultation Meeting requirements. These policies are also incorporated into Section 10.1.3 (Volume 1) of the new City of Vaughan Official Plan (VOP 2010). These policies are also currently implemented by way of in-effect By-law 278-2009 (Pre-Application Consultation Meetings and Vaughan's Complete Application Requirements).

On January 29, 2013, Council adopted a recommendation from the Commissioner of Planning to exempt the following classes of development from the requirement to hold a Pre-Application Consultation (PAC) Meeting for the purposes of determining what constitutes the submission of a complete planning application, as follows:

- 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 would object 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.

The application requirements for these classes of development are 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.

In addition, the complete application requirements for street townhouse dwellings will include only the requirement to submit proposed building elevations, site plan, and landscape plans. Grading and servicing plans for street townhouse dwellings will no longer be required to be reviewed by the Development / Transportation Engineering

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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, and by the Development Planning/Urban Design Department to review the proposed building elevations, site layout, and landscaping plan(s).

2.4 Amend Vaughan Official Plan 2010 and Vaughan's Site Plan Control By-law to Implement the Requirement for a Site Plan Agreement

On January 29, 2013, Vaughan Council approved a recommendation from the Commissioner of Planning 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, 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 may be implemented using a Site Plan Letter of Undertaking.

VOP 2010 (Volume 1), Section 10.1 (Site Plan Control) and Vaughan's Site Plan Control By-law must be amended to add the above noted provisions, which identify the classes of development to be implemented by way of Site Plan Agreement (SPA) and Letter of Undertaking (LOU).

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. The Development Planning Department does not recommend that OPA #200 be amended since it currently permits the use of either a Site Plan Agreement or a Letter of Undertaking to implement Site Plan approval and it will be superseded by Vaughan Official Plan 2010 upon it coming into effect, which will include the approved amendments to the Site Plan process. In addition, Vaughan's Site Plan Control By-law will be amended to include these requirements as outlined above.

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2.5 A Consolidated Site Plan Control By-law

The Development Planning Department will be consolidating its Site Plan Control By-law when it forwards an amendment for enactment by Vaughan Council to replace the City's current in-effect 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.

2.6 City of Vaughan Policy Manual

The City of Vaughan Policy Manual includes three specific policies that are affected by the recommendations in this report should they be approved by Vaughan Council, including:

- i) Policy 07.1.02 - Review of Site Plan Approval Process (Industrial Buildings). This old policy (Attachment #2) provides for delegated Site Plan approval to the Director of Planning for the approval of industrial buildings less than 10,000 m² in gross floor area. This policy is out-of-date as it does not recognize the position of the Commissioner of Planning, and the City's current Official Plan and Site Plan Control By-law applies Site Plan Control to all industrial buildings located on Provincial Highways or arterial roads, and exempts all industrial development on internal roads (e.g. local roads) from the requirement for Site Plan Control. In addition, Vaughan Council also recently approved applying Site Plan Control for all development on employment lots that abut an Open Space Zone.

Required Amendment: It is recommended that Policy 07.1.02 be amended by deleting all the policies therein, and substitute them with the delegated site plan approval authority policies recently approved by Vaughan Council, as shown on Attachment #3.

- ii) Policy 07.1.03 - Site Plan Development Process (Consolidated). This outdated policy (Attachment #4) delegates Site Plan Approval authority to the Director of Planning for commercial office buildings on internal subdivision roads and for amendments to existing complex agreements for development that complies with the Zoning By-law and where in the opinion of the Director of Planning, the use and development of the lands provided for by the original agreement remains substantially unaltered and where no municipal department or agency objects to the amendment; and, permits the Directors of Planning and Building Standards to designate in their absence, a person to exercise their authority to approve the Site Development Applications and execute simple Site Plan Agreements, respectively.

Under the current Site Plan Control provisions in the City's Official Plan and Site Plan Control By-law, all commercial office buildings in the City are subject to Site Plan Control, regardless of their location. This old policy also does not recognize the position of the Commissioner of Planning, and references an older obsolete "simple site plan process" that is no longer used by the Building Standards Department to process site plans located internal to employment lands.

Required Amendment: Amend this policy to recognize the current Official Plan and Site Plan Control By-law provisions by deleting paragraphs a) and b) (Attachment #4) requiring Site Plan Control for all commercial office on internal subdivision roads as shown on Attachment #5.

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- iii) Policy 07.1.10 - Site Development Applications. Approval of Proposed Building Elevations for Industrial Sites Along Major Roads. This policy (Attachment #6) provides for Site Plan Approval for all industrial buildings on Major Roads to the Committee of the Whole.

Required Amendment: Amend the last paragraph of Policy 07.1.10 to add to the Policy the requirement for Site Plan Approval for development on employment lots that abut an Open Space Zone as shown on Attachment #7.

2.7 Follow-Up Review

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. The Development Planning Department will prepare a follow-up report in Q4 of 2014.

Relationship to Vaughan Vision 2020 / Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

- i) **Manage Growth & Economic Well Being**

The proposed amendments to the City's Official Plan and Site Plan Control By-law serve to improve the efficiency of the Site Plan Control Process and thereby implement the City's Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

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

In 2007, Council directed that the Vaughan Development Planning Department review the Site Plan Approval process in order to expedite the review 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. A number of changes to the Site Plan Approval process were implemented and Council directed that the Development Planning Department provide an evaluation report with respect to these changes.

On January 29, 2013, Council approved a package of recommended changes to the Site Plan Approval process, following a comprehensive review undertaken in 2012. Certain recommendations can be implemented through administrative changes at a Staff level. This report serves to provide Vaughan Council with the information required to approve those changes requiring amendments to the City's Official Plans and Site Plan Control By-law, which required a statutory Public Hearing to be held in accordance with the requirements of the Planning Act. The Public Hearing was held on April 30, 2013, and the technical report on the implementation of the changes to the Site Plan Approval process is the subject of this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 8, CW Report No. 32 – Page 13

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

Attachments

1. Delegation Circulation Cover Sheet
2. Current City of Vaughan Policy 07.1.02
3. Proposed City of Vaughan Policy 07.1.02
4. Current City of Vaughan Policy 07.1.03
5. Proposed City of Vaughan Policy 07.1.03
6. Current City of Vaughan Policy 07.1.10
7. Proposed City of Vaughan Policy 07.1.10

Report prepared by:

Mauro Peverini, Manager of Development Planning, ext 8407

(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.)

COMMITTEE OF THE WHOLE JUNE 18, 2013

SITE PLAN CONTROL PROCESS - FOLLOW UP REVIEW

CITY OF VAUGHAN

FILE 12.28

ALL WARDS - CITY WIDE

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT the following amendments to the City's Official Plan and Site Plan Control By-law BE APPROVED, to implement the recommended changes to the Site Plan Approval process approved by Vaughan Council on January 29, 2013:
 - a) that OPA #200 (Site Plan Control) and the new City of Vaughan Official Plan 2010 BE AMENDED, to implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate (Director of Development Planning) in accordance with the specified class of development identified for delegation in the City of Vaughan Site Plan Control By-law;
 - b) that the City of Vaughan Site Plan Control By-law (By-law 228-2005, as amended) BE AMENDED, to:
 - i) implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate (Director of Development Planning) for the following classes of development:
 - 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 a 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.);
 - ii) include a provision to permit any class of development that is delegated for approval to the Commissioner of Planning or designate, to be "bumped-up" to Vaughan Council for a decision when a minimum of two (2) Members of Council request in writing utilizing the "Notice of Application for Delegated Site Plan Approval" as shown on Attachment #1, within the circulation period for the application (typically 3 weeks),

thereby effectively cancelling the delegated authority for the particular application as identified in this report; and,

- iii) require Site Plan Control for development on employment lots that abut an Open Space Zone;
- c) that OPA #705 (Complete Application Requirements), By-law 278-2009 (Pre-Application Consultation Meetings) and the new City of Vaughan Official Plan 2010 (Volume 1) 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 (Director of Development Planning) 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 would object 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;
- d) that City of Vaughan Official Plan 2010 BE AMENDED, 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, 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) all other classes of development will continue to be implemented using a Site Plan Letter of Undertaking;

2. THAT the implementing Site Plan Control By-law consolidate the City's current Site Plan Control By-laws (By-law 228-2005, as amended by By-laws 34-2007, 237-2007, 127-2008, 214-2008 and 279-2009) together with the amendments approved by Vaughan Council through the Site Plan Process Review identified in this report.
3. THAT the City of Vaughan Policy Manual, specifically Policy 07.1.02 (Review of Site Plan Approval Process - Industrial Buildings), Policy 07.1.03 (Site Development Process - Consolidated), and Policy 07.1.10 (Site Development Applications - Approval of Proposed Building Elevations for Industrial Sites Along Major Roads) as shown on Attachments #2, #4 and #6, respectively, BE AMENDED, as shown on Attachments #3, #5 and #7, respectively, to reflect the amendments to the Site Plan Approval process identified in this report.

Economic Impact

N/A

Communications Plan

On April 30, 2013, a Public Hearing was held to consider changes to the Site Plan Approval Process recommended in this report. A Notice of the 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 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). On May 30, 2013, a Notice of this subject meeting (June 18, 2013, Committee of the Whole) was sent to the same individuals, agencies and BILD, and to those individuals who appeared at the Public Hearing on April 30, 2013.

At the Public Hearing, one individual addressed Vaughan Council seeking clarification with respect to whether the proposed changes to the Site Plan Approval process will impact residents being notified of future developments. In this respect, the Planning Act does not require notification to the public of Site Development applications. Often, Site Development applications are processed together with Zoning By-law Amendment applications for which, notification is provided to the public in accordance with the Planning Act and City policies respecting public notification. This review will not result in a change to the City's public notification procedures. Furthermore, any development proposed through a Site Development application must comply with the City's Zoning By-law 1-88. If it does not, the public notification procedures relating to either a Minor Variance application process through the Vaughan Committee of Adjustment or for a Zoning By-law Amendment application are required.

The only difference that will occur with respect to Site Development applications is for those classes of development delegated for approval to the Commissioner of Planning or designate (Director of Development Planning). Currently, the Development Planning Department prepares a technical report for Vaughan Council's consideration for these classes of development (e.g. townhouse dwellings), which is included in the Committee of the Whole and Council agendas. Under delegated authority, a report will not appear on agendas for Council's consideration for the delegated classes of development as the approval authority will rest with the Commissioner of Planning or designate. However, as discussed later in this report, one of the recommended changes to the Site Plan process will permit any class of development that is delegated for approval to be "bumped-up" to Vaughan Council for a decision when a minimum of two (2) Members of Council request in writing within the circulation period (typically 3 weeks), thereby effectively cancelling the delegated authority for that particular application.

The Development Planning Department also received a letter from McCarthy Tetrault, dated April 24, 2013, solicitors for Blue Water Developments, who have an active Zoning By-law Amendment and Site Development applications (Files Z.08.032 and DA.13.014) for high-rise apartments for lands on New Westminster Drive in Thornhill. The letter states that they have recently received City comments with respect to these applications and that they assume that the proposed changes to the Official Plan and the Site Plan Control By-law will not affect their applications either substantively or in terms of timelines, otherwise, Blue Water would object to the proposed amendments. The proposed changes will not impact the review of the Blue Water applications. The only impact on the Blue Water applications resulting from the proposed changes is that the Site Development application, if approved, may be implemented utilizing a Site Plan Agreement rather than a Site Plan Letter of Undertaking. However, under the City's current Site Plan Control By-law, the City may utilize a Site Plan Agreement when considered appropriate.

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 Vaughan 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 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). The statutory Public Hearing was held on April 30, 2013, and the technical report on implementation of the changes to the Site Plan approval process is the subject of this report.

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 the Committee of the Whole of January 15, 2013, in order for the City Clerk to report 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,
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.”

Vaughan Council ratified the recommendation of the Committee of the Whole on January 29, 2013.

On April 30, 2013, a Public Hearing was held to consider the proposed changes to the Site Plan Approval process that require amendments to City Official Plan documents and By-laws. At that meeting, the Committee of the Whole received the report and directed that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole. Vaughan Council ratified the recommendation of the Committee of the Whole on May 14, 2013.

2.0 Required Amendments to Vaughan's Official Plan and Site Plan Control By-law to Implement Recommended Changes 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 City's 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 following a statutory Public Hearing to implement the changes to the Site Plan Control Process, which is the subject of this report. Specifically the following amendments to the City Official Plans and Site Plan Control By-law are required:

2.1 Amend OPA #200, the New Vaughan Official Plan 2010 and Vaughan's Site Plan Control By-law to Implement Delegated Site Plan Approval Authority to the Commissioner of Planning or Designate (Director of Development Planning)

The implementation of delegated Site Plan approval authority to the Commissioner of Planning or designate (Director of Development Planning) requires that the City's Official Plans, specifically OPA #200 (Site Plan Control) and the new City of Vaughan Official Plan 2010 (Site Plan Control) and the City's Site Plan Control By-law (By-law 228-2005, as amended) be further amended.

As part of the Site Plan Process Review, Vaughan Council approved recommendations to implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate for the following classes of development:

i) All Street Townhouse Dwellings where the Official Plan and Zoning By-law are In-Effect

With respect to street townhouse dwellings, the Development Planning Department rigorously reviews the proposed building designs to ensure high quality front, side and rear building elevations and the proposed landscaping to ensure an attractive streetscape. These projects are also subject to review by a control architect responsible for reviewing building elevations in new community areas. Engineering drawings are reviewed through the subdivision approval process. Accordingly, the Development Planning Department is satisfied that Site Plan Approval for this specific class of development is appropriate for delegation to the Commissioner of Planning or designate.

ii) Commercial / Retail Corporate Rebranding Initiatives

Often, major retailers (e.g. Husky Gas Stations), eating establishments (e.g. McDonalds, Tim Horton's), or chain stores undergo corporate rebranding initiatives which typically entail the upgrading of existing building elevations in order to enhance or change their appearance as part of a corporate marketing strategy. As the City of Vaughan continues to grow, it is common for many retail/commercial operations to have multiple locations in the City of Vaughan and in every instance when an existing building is rebranded, Council considers a report from the Development Planning Department.

The Development Planning Department recommended that Site Plan approval authority for all commercial/retail corporate rebranding for existing building elevations and signage be delegated to the Commissioner of Planning or designate, provided that:

- the building elevations and signage for the first building for each corporate rebranding initiative must be approved by City of Vaughan Council; and,
- there are either no changes or only minor changes to the approved site plan that result from the corporate rebranding initiative.

iii) Single Detached Dwellings

Single detached dwellings in the Kleinburg-Nashville Heritage Conservation District not located within a registered plan of subdivision or subject to architectural control are subject to Site Plan approval under OPA #200, as amended. This requirement does not apply to other Heritage Conservation

Districts (HCD) in the City including the Maple and Thornhill HCDs. The new City of Vaughan Official Plan 2010 identifies that all detached dwellings in a Heritage Conservation District are subject to Site Plan Control.

It is recommended that Site Plan approval authority for single detached dwellings in all Heritage Conservation Districts, including the Kleinburg-Nashville, Maple, Woodbridge and Thornhill Heritage Conservation Districts, be delegated to the Commissioner of Planning or designate. These residential dwellings are already subject to review by Heritage Vaughan Committee, the Cultural Services Division and the Development Planning Department and are subject to strict development policies included within the applicable Heritage Conservation District Plan. Staff is satisfied that the appropriate review procedures are in place to ensure that delegation of site plan approval authority for this class of development will maintain high quality design for detached dwellings in the City's Heritage Conservation Districts.

It is noted that the Public Hearing Notice only identified that this amendment would apply to the Kleinburg-Nashville HCD. However, for the reasons outlined above, the Development Planning Department recommends that single family dwellings in all HCD's be delegated for approval to the Commissioner of Planning or designate, which would be consistent with the policies in the new Official Plan 2010.

iv) External Modifications To Existing Buildings

In January 2013, Vaughan Council approved the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate for 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.). The Development Planning Department is satisfied that the appropriate review procedures are in place to ensure that additions that meet these criteria can be appropriately implemented at a Staff level.

v) Continued Role of Members of Council Respecting Delegation

As noted above, when Vaughan Council approved the delegation of Site Plan Approval Authority for certain classes of development to the Commissioner of Planning or designate in January 2013, it considered a report from the City Clerk (Communication C1) that provided options for a "bump-up" process to facilitate any development application for a delegated class of development to be "bumped-up" to Council for a decision. Specifically, Vaughan Council adopted Option 3 identified in Communication C1, which provides that the Site Plan Control By-law include a provision to permit any class of development that is delegated for approval to the Commissioner of Planning or designate, to be "bumped-up" to Vaughan Council for a decision when a minimum of two (2) Members of Council request in writing within the circulation period for the application (typically 3 weeks), thereby effectively cancelling the delegated authority for the particular application. The three (3) week deadline will be strictly enforced.

In order to implement the "bump-up" process, it is recommended that each Member of Council will continue to receive a "Request for Comment" circulation for the delegated application. However, the request will include the following:

- an orange coloured delegation cover sheet (Attachment #1) to flag that approval of the development will be considered by the Commissioner of Planning or designate;
- a coloured elevation and rendering of the proposed development to provide Council members with a better representation of the proposal;
- an opportunity to provide comments with a three (3) week deadline date from the date of circulation of the application;
- an opportunity to request that a meeting be held with the required parties to discuss the application prior to it being considered for approval by the Commissioner of Planning or designate; and,
- an opportunity to request Site Plan Approval by Vaughan Council, instead of the Commissioner of Planning.

Also in accordance with Option 3 of Communication C1, the following questions will appear on the Request for Comments form circulated to Members of Council for delegated classes of development:

- 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?

This implementation process will ensure that Members of Council are made aware of all development proposals that are delegated for approval by the Commissioner of Planning or designate and also maintain the ability for a Member of Council to provide input into the process, arrange any meetings as required or direct that the application be considered for approval by Vaughan Council.

In consideration of the above, the Development Planning Department recommends that the Official Plan, specifically OPA #200 and the new Vaughan Official Plan 2010 be amended to enable delegated Site Plan Approval authority to the Commissioner of Planning or designate (Director of Development Planning) in accordance with the City's Site Plan Control By-law (By-law 228-2005) and that the Site Plan Control By-law be amended to identify the specific classes of development to be delegated for approval as noted above.

2.2 Amend Vaughan's Site Plan Control By-law to Implement the Requirement for Site Plan Control for Employment Lots that Abut an Open Space Zone

Currently, Site Plan Control applies only to development on employment lots that abut a Provincial Highway or arterial road. On January 29, 2013, Vaughan Council adopted a recommendation to also apply Site Plan Control to all employment buildings located on lots that abut an Open Space Zone. The purpose for applying Site Plan Control to these buildings is to recognize the importance of the investment in public spaces (e.g. trail systems) and the high visibility of employment lots that abut open space areas and to ensure that this interface is appropriately addressed through the Site Plan Approval process.

In order to implement this requirement, it is recommended that the City's Site Plan Control By-law (By-law 228-2005) must be amended to apply Site Plan Control to all employment lots that abut an Open Space Zone.

2.3 Amend OPA #705, the new Vaughan Official Plan 2010 and By-law 278-2009 to Implement an Exemption from Pre-Application Consultation Meetings and Complete Application Requirements for Specific Classes of Development

In-effect OPA #705 establishes the City's policies respecting Complete Planning Applications and Pre-Application Consultation Meeting requirements. These policies are also incorporated into Section 10.1.3 (Volume 1) of the new City of Vaughan Official Plan (VOP 2010). These policies are also currently implemented by way of in-effect By-law 278-2009 (Pre-Application Consultation Meetings and Vaughan's Complete Application Requirements).

On January 29, 2013, Council adopted a recommendation from the Commissioner of Planning to exempt the following classes of development from the requirement to hold a Pre-Application Consultation (PAC) Meeting for the purposes of determining what constitutes the submission of a complete planning application, as follows:

- 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 would object 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.

The application requirements for these classes of development are 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.

In addition, the complete application requirements for street townhouse dwellings will include only the requirement to submit proposed building elevations, site plan, and landscape plans. Grading and servicing plans for street townhouse dwellings 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, and by the Development Planning/Urban Design Department to review the proposed building elevations, site layout, and landscaping plan(s).

2.4 Amend Vaughan Official Plan 2010 and Vaughan's Site Plan Control By-law to Implement the Requirement for a Site Plan Agreement

On January 29, 2013, Vaughan Council approved a recommendation from the Commissioner of Planning 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, 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 may be implemented using a Site Plan Letter of Undertaking.

VOP 2010 (Volume 1), Section 10.1 (Site Plan Control) and Vaughan's Site Plan Control By-law must be amended to add the above noted provisions, which identify the classes of development to be implemented by way of Site Plan Agreement (SPA) and Letter of Undertaking (LOU).

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. The Development Planning Department does not recommend that OPA #200 be amended since it currently permits the use of either a Site Plan Agreement or a Letter of Undertaking to implement Site Plan approval and it will be superseded by Vaughan Official Plan 2010 upon it coming into effect, which will include the approved amendments to the Site Plan process. In addition, Vaughan's Site Plan Control By-law will be amended to include these requirements as outlined above.

2.5 A Consolidated Site Plan Control By-law

The Development Planning Department will be consolidating its Site Plan Control By-law when it forwards an amendment for enactment by Vaughan Council to replace the City's current in-effect 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.

2.6 City of Vaughan Policy Manual

The City of Vaughan Policy Manual includes three specific policies that are affected by the recommendations in this report should they be approved by Vaughan Council, including:

- i) Policy 07.1.02 - Review of Site Plan Approval Process (Industrial Buildings). This old policy (Attachment #2) provides for delegated Site Plan approval to the Director of Planning for the approval of industrial buildings less than 10,000 m² in gross floor area. This policy is out-of-date as it does not recognize the position of the Commissioner of Planning, and the City's current Official Plan and Site Plan Control By-law applies Site Plan Control to all industrial buildings located on Provincial Highways or arterial roads, and exempts all industrial development on internal roads (e.g. local roads) from the requirement for Site Plan Control. In addition, Vaughan Council also recently approved applying Site Plan Control for all development on employment lots that abut an Open Space Zone.

Required Amendment: It is recommended that Policy 07.1.02 be amended by deleting all the policies therein, and substitute them with the delegated site plan approval authority policies recently approved by Vaughan Council, as shown on Attachment #3.

- ii) Policy 07.1.03 - Site Plan Development Process (Consolidated). This outdated policy (Attachment #4) delegates Site Plan Approval authority to the Director of Planning for commercial office buildings on internal subdivision roads and for amendments to existing complex agreements for development that complies with the Zoning By-law and where in the opinion of the Director of Planning, the use and development of the lands provided for by the original agreement remains substantially unaltered and where no municipal department or agency objects to the amendment; and, permits the Directors of Planning and Building Standards to designate in their absence, a person to exercise their authority to approve the Site Development Applications and execute simple Site Plan Agreements, respectively.

Under the current Site Plan Control provisions in the City's Official Plan and Site Plan Control By-law, all commercial office buildings in the City are subject to Site Plan Control, regardless of their location. This old policy also does not recognize the position of the Commissioner of Planning, and references an older obsolete "simple site plan process" that is no longer used by the Building Standards Department to process site plans located internal to employment lands.

Required Amendment: Amend this policy to recognize the current Official Plan and Site Plan Control By-law provisions by deleting paragraphs a) and b) (Attachment #4) requiring Site Plan Control for all commercial office on internal subdivision roads as shown on Attachment #5.

- iii) Policy 07.1.10 - Site Development Applications. Approval of Proposed Building Elevations for Industrial Sites Along Major Roads. This policy (Attachment #6) provides for Site Plan Approval for all industrial buildings on Major Roads to the Committee of the Whole.

Required Amendment: Amend the last paragraph of Policy 07.1.10 to add to the Policy the requirement for Site Plan Approval for development on employment lots that abut an Open Space Zone as shown on Attachment #7.

2.7 Follow-Up Review

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. The Development Planning Department will prepare a follow-up report in Q4 of 2014.

Relationship to Vaughan Vision 2020 / Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) **Manage Growth & Economic Well Being**

The proposed amendments to the City's Official Plan and Site Plan Control By-law serve to improve the efficiency of the Site Plan Control Process and thereby implement the City's Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

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

In 2007, Council directed that the Vaughan Development Planning Department review the Site Plan Approval process in order to expedite the review 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. A number of changes to the Site Plan Approval process were implemented and Council directed that the Development Planning Department provide an evaluation report with respect to these changes.

On January 29, 2013, Council approved a package of recommended changes to the Site Plan Approval process, following a comprehensive review undertaken in 2012. Certain recommendations can be implemented through administrative changes at a Staff level. This report serves to provide Vaughan Council with the information required to approve those changes requiring amendments to the City's Official Plans and Site Plan Control By-law, which required a statutory Public Hearing to be held in accordance with the requirements of the Planning Act. The Public Hearing was held on April 30, 2013, and the technical report on the implementation of the changes to the Site Plan Approval process is the subject of this report.

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

Attachments

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2. Current City of Vaughan Policy 07.1.02
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5. Proposed City of Vaughan Policy 07.1.03
6. Current City of Vaughan Policy 07.1.10
7. Proposed City of Vaughan Policy 07.1.10

Report prepared by:

Mauro Peverini, Manager of Development Planning, ext 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM

ATTACHMENT NO. 1

**NOTICE OF APPLICATION FOR
DELEGATED SITE PLAN APPROVAL**

To: Mayor and Members of Council

From: John Mackenzie, Commissioner of Planning

The attached circulation is for the approval of a Site Development Application by the Commissioner of Planning or designate (Director of Development Planning).

Please provide your comments as follows:

☐

No objection

☐

Bump-up the approval of this application to Vaughan Council. If so, please respond to the following questions.

1. Is there anticipated to be broad or persistent community interest in the issues embodied in this site plan approval?

2. Is there an issue with the application that cannot be reasonably be resolved through informal discussions between the parties involved and City Staff?

3. Is there value in holding a community meeting?

4. Other Comments (Provide Below or Attach a Separate Sheet)

Please return your comments to _____ (ext. _____ no later than _____). (3 weeks)

Attachments:

Site Plan
Elevation(s)
Coloured Elevation(s) / Rendering

ATTACHMENT NO. 2

CURRENT CITY OF VAUGHAN POLICY 07.1.02

CITY OF VAUGHAN POLICY MANUAL

SECTION: PLANNING	POLICY NO.:07.1.02
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CNL: 88.08.30(8)

DEPARTMENT: COMMUNITY PLANNING	SUBJECT: REVIEW OF SITE PLAN APPROVAL PROCESS (INDUSTRIAL BUILDINGS)
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Council resolved:

That the Director of Planning be delegated approval of site plan applications for industrial buildings less than 10,000 sq.m. in gross floor area, and that this process be monitored for practicality and effectiveness.

ATTACHMENT NO. 3

PROPOSED CITY OF VAUGHAN POLICY 07.1.02

**CITY OF VAUGHAN
POLICY MANUAL**

SECTION: PLANNING	POLICY NO.:07.1.02
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CNL:

DEPARTMENT: DEVELOPMENT PLANNING	SUBJECT: REVIEW OF SITE PLAN APPROVAL PROCESS (DELEGATED SITE PLAN APPROVAL AUTHORITY)
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Council resolved:

THAT the City of Vaughan Site Plan Control By-law (By-law 228-2005, as amended) BE AMENDED, to:

- i) implement the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate (Director of Development Planning) for the following classes of development:
 - 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 a 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.).
- ii) include a provision to permit any class of development that is delegated for approval to the Commissioner of Planning or designate (Director of Development Planning), to be “bumped-up” to Vaughan Council for a decision when a minimum of two (2) Members of Council request in writing utilizing the “Notice of Application for Delegated Site Plan Approval” sheet within the circulation period for the application (3 weeks), thereby effectively cancelling the delegated authority for the particular application.

ATTACHMENT NO. 4

CURRENT CITY OF VAUGHAN POLICY 07.1.03

CITY OF VAUGHAN POLICY MANUAL

SECTION: PLANNING	POLICY NO.:07.1.03
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CNL: 90.12.18(12)

DEPARTMENT: COMMUNITY PLANNING	SUBJECT: SITE PLAN DEVELOPMENT PROCESS (CONSOLIDATED)
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Council resolved:

That the Town of Vaughan Site Plan Control By-law 274-86 as amended by By-laws 12-88, 383-88 and 244-90 be consolidated under one by-law;

That the following provisions be incorporated into the by-law:

- a) That the Director of Planning be delegated the approval authority for commercial office buildings on internal subdivision roads;
- b) That the Director of Planning be delegated the approval authority for amendments to existing complex agreements for all classes of development where the amended agreement does not require an amendment to the zoning by-law, where, in the opinion of the Director of Planning, the use and development of the lands provided for by the original agreement remains substantially unaltered; and where no municipal department or agency objects to the amendment;
- c) That the Directors of Planning and Building Standards be allowed to designate in their absence, person to exercise their authority to approve site development applications and execute simple site plan agreements respectively.

ATTACHMENT NO. 5

CURRENT CITY OF VAUGHAN POLICY 07.1.03

CITY OF VAUGHAN POLICY MANUAL

SECTION: PLANNING	POLICY NO.:07.1.03
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CNL:

DEPARTMENT: DEVELOPMENT PLANNING	SUBJECT: SITE PLAN DEVELOPMENT PROCESS (CONSOLIDATED)
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Council resolved:

That the City of Vaughan Site Plan Control By-law be consolidated under one by-law;

That the following provision be incorporated into the by-law:

- a) That the Commissioner of Planning or designate (Director of Development Planning) be delegated the approval authority for amendments to existing complex agreements for all classes of development where the amended agreement does not require an amendment to the zoning by-law, where, in the opinion of the Commissioner of Planning or designate, the use and development of the lands provided for by the original agreement remains substantially unaltered; and where no municipal department or agency would object to the amendment.

ATTACHMENT NO. 6

CURRENT CITY OF VAUGHAN POLICY 07.1.10

CITY OF VAUGHAN POLICY MANUAL

SECTION: PLANNING	POLICY NO.:07.1.10
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CNL: 99.08.30 (61/31)

DEPARTMENT: COMMUNITY PLANNING	SUBJECT: SITE DEVELOPMENT APPLICATIONS. APPROVAL OF PROPOSED BUILDING ELEVATIONS FOR INDUSTRIAL SITES ALONG MAJOR ROADS
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Council resolved:

That the current procedure for presenting building elevations to the Committee of the Whole be modified to require the applicant to provide reduced colour elevations for each Council member and/or coloured overheads at Committee of the Whole meetings;

That applicants be requested to place street numbers on the highest visible portion of the building elevations; and

That the current procedure for presenting building elevations to the committee of the Whole also be modified to require Staff to bring forward all applications for industrial and commercial developments on all major roads including Regional roads, and major highways.

ATTACHMENT NO. 7

PROPOSED CITY OF VAUGHAN POLICY 07.1.10

CITY OF VAUGHAN POLICY MANUAL

SECTION: PLANNING	POLICY NO.:07.1.10
CNL:	
DEPARTMENT: DEVELOPMENT PLANNING	SUBJECT: SITE DEVELOPMENT APPLICATIONS. APPROVAL OF PROPOSED BUILDING ELEVATIONS FOR INDUSTRIAL SITES ALONG MAJOR ROADS

Council resolved:

That the current procedure for presenting building elevations to the Committee of the Whole be modified to require the applicant to provide reduced colour elevations/renderings for each Council member for Committee of the Whole meetings;

That applicants be requested to place street numbers on the highest visible portion of the building elevations; and,

That the current procedure for presenting building elevations to the Committee of the Whole also be modified to require Staff to bring forward all applications for industrial and commercial developments on all major roads including Regional roads, and major highways and for all development on an employment lot that abuts an Open Space Zone.