

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 29, 2013

20

The Committee of the Whole recommends:

- ## Recommendation

Committee of the Whole (Working Session) recommendation of December 4, 2012:

- Report of the Commissioner of Planning, dated December 4, 2012.

Recommendation

The Commissioner of Planning recommends:

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- i) all new development in an Intensification Area including the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by the Vaughan Official Plan 2010. Additions, expansions, and alterations to an 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 an existing approval;
 - 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 development utilizing strata parking and/or park arrangements, and/or Planning Act Section 37 density bonussing; and,
 - iv) where a public/private partnership funding for community infrastructure is proposed;
- b) that all other classes of development continue to be implemented using a Site Plan Letter of Undertaking;
- c) that an Owner be permitted to apply for a Building Permit when the Site Development Application is substantially complete and that no changes are anticipated to a building(s) location(s) to the satisfaction of the Commissioner of Planning or designate;
- d) that the following classes of development be exempted from the requirement for a Pre-Application Consultation (PAC) meeting:
 - i) street townhouse dwellings on a Block within an approved Draft Plan of Subdivision or a registered plan of subdivision planned for townhouse dwellings;
 - 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/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, parking arrangement, etc.), or to an existing or approved building elevation(s) or site plan, not including development located in a Heritage Conservation District; and,
 - iv) proposals for new signage or changes to existing signage;
- e) that the minimum public liability insurance amount provided in support of a Site Plan Letter of Undertaking or Site Plan Agreement be increased from \$2,000,000 to \$5,000,000;
- f) that the City's Site Plan Control By-law (By-law 228-2005, as amended) be further amended to apply Site Plan Control to all employment lots that abut an Open Space Zone;

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- g) that the expiration date to obtain a Building Permit for Site Plan Approval be increased from 18 to 24 months, with the ability for a landowner to obtain one (1) year extensions of Site Plan approval to be approved by the Commissioner of Planning or designate (the Director of Development Planning) provided:
 - i) the Owner shall submit a letter providing reasonable justification for the proposed one (1) year extension;
 - ii) the request must conform to the in force Official Plan and comply with the Zoning By-law at the time of the request;
 - iii) the request satisfies all current city requirements (e.g. servicing remains available); and,
 - iv) subsequent extension requests would be reviewed on the same basis and also granted for a maximum 1 (one) year period.
- 2. THAT a streamlined approval process for street townhouse dwellings be approved as discussed in this report, which includes the following:
 - i) the elimination of a Pre-Application Consultation meeting;
 - ii) reduced Complete Application requirements (no requirement for Engineering drawings);
 - iii) no requirement for a Site Plan Letter of Undertaking;
 - iv) utilizing a Landscape Letter of Undertaking and a Landscape Letter of Credit to secure landscape works at a rate of \$5000.00 per unit (for Blocks within a Registered Plan of Subdivision);
 - v) use of a short form staff report to Council providing a review of only the proposed site plan, building elevations and landscape plan(s) with appropriate graphics; and,
 - vi) a standard letter from the Development Planning Department advising the Building Standards Department of the approved plans.
- 3. THAT Site Plan Approval Authority be delegated to the Commissioner of Planning, or designate (the Director of Development Planning) for the following classes of development:
 - i) all street townhouse dwellings where the Official Plan and Zoning By-law are in-effect;
 - ii) 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;
 - iii) single detached dwellings in the Kleinburg-Nashville Heritage Conservation District not located within a registered plan of subdivision or subject to architectural control;

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- iv) 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,
 - v) minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking, signage, etc.).
4. THAT the Development Planning Department be directed to schedule a Committee of the Whole (Public Hearing) to consider the necessary amendments to OPA #705 (Complete Application Requirements) and By-law 278-2009 (Pre-Application Consultation Meetings) and modifications to the new City of Vaughan Official Plan 2010 (Volume 1) as follows:
- a) consider amendments to OPA #705 (Complete Application Requirements) and By-law 278-2009 (Pre-Application Consultation Meetings) and modifications to the new City of Vaughan Official Plan 2010 (Volume 1) to exempt the following classes of development from the requirement to hold a Pre-Application Consultation Meeting prior to the submission of a planning application:
 - i) street townhouse dwellings where the Official Plan and Zoning By-law are in effect;
 - ii) minor additions to an existing building which comply with Zoning By-law 1-88, where the Commissioner of Planning or designate is of the opinion that the use and development of the lands provided for in the original Site Plan Letter of Undertaking 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;
 - b) consider modifications to the City of Vaughan Official Plan 2010, to require that the following classes of development be implemented using a Site Plan Agreement:
 - i) all classes of new development in an Intensification Area including the Vaughan Metropolitan Centre, a Primary Centre, Local Centre, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. Site Plan Agreement or Letter of Undertaking) or as a minor modification to 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 (the Director of Development Planning) is of the opinion that a Site Plan Agreement is required to secure specific City interests;

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- v) where a public/private partnership funding for community infrastructure is proposed; and,
 - vi) all other classes of development will continue to be implemented using a Site Plan Letter of Undertaking;
 - c) amend the City's Site Plan Control By-law to:
 - 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 street townhouse dwellings on a block in an approved plan of subdivision; corporate rebranding initiatives; detached dwellings in the Kleinburg-Nashville Heritage Conservation District; 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,
 - iii) minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, etc.).
 - d) enact a consolidated Site Plan Control By-law for the City of Vaughan and that the Development Planning Department be directed to incorporate any amendments to the Site Plan Control By-law as may be approved by Vaughan Council through this Site Plan Process review.
5. 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 Plan Development Process - Consolidated); and, Policy 07.1.10 (Site Development Applications - Approval of Proposed Building Elevations for Industrial Sites Along Major Roads) be amended in accordance with any amendments that may be approved by Vaughan Council through this Site Plan Process review.

Economic Impact

N/A

Communications Plan

The Development Planning Department has consulted with relevant stakeholders in the Site Plan Process Review including City Departments, the Region of York Transportation and Community Planning Department, the Toronto and Region Conservation Authority (TRCA), representatives from the Development Industry, and the Building Industry and Land Development Association (BILD).

On November 2, 2012, the Development Planning Department provided written and email notice of the consideration of this report by the Committee of the Whole to the representatives of the public agencies and those building industry representatives that participated in the Stakeholder meetings.

A Public Hearing is required to amend OPA #705 (Complete Application Requirements) and By-law 278-2009 (Pre-Application Consultation Meetings) to implement the changes recommended

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in this report to exempt certain classes of development from the requirement to hold a Pre-Application Consultation Meeting prior to the submission of a planning application should Council approve the recommendations contained in this report. The appropriate newspaper advertisement(s) is required to implement the changes outlined in this report.

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

Purpose

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

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

1.0 Background - Analysis and Options

1.0 Background

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

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

On January 21, 2008, the Committee of the Whole considered a report from the Commissioner of Planning respecting proposed changes to the City of Vaughan's Site Plan Control Process, which included recommendations to provide for a more efficient and streamlined Site Plan approval process and procedures. Vaughan Council's approval also included a direction that an evaluation report be brought forward with respect to the changes that were approved and implemented to the Site Plan Review process.

On June 21, 2012, the Committee of the Whole (Working Session) considered a follow-up review report from the Commissioner of Planning with respect to the Site Plan Review process. The Committee of the Whole (Working Session) recommended the following (in part):

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

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The Committee's recommendation was subsequently adopted by Vaughan Council on June 26, 2012.

On September 11, 2012, the Committee of the Whole (Working Session) reconsidered the report (Attachment #3) 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.”

2.0 Consensus Recommendations - Committee of the Whole Working Session September 11, 2012

At the September 11, 2012, Committee of the Whole (Working Session) there was consensus amongst the Committee Members with respect to a number of the recommendations considered in the report from the Commissioner of Planning, including:

2.1. Use of a Site Plan Agreement (SPA) to Implement Site Plan Approval

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

- i) all classes of new development in an Intensification Area including the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by the Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. SPA or LOU) or as a minor modification to an existing approval;
- 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; and,
- iv) where a public/private partnership funding for community infrastructure is proposed.

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

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

The Development Planning Department recommended that a process be implemented to allow landowners to apply for a building permit when the Site Development Application is substantially complete and that no changes are anticipated to a building(s) location(s) to the satisfaction of the Commissioner of Planning or designate.

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

The Development Planning Department recommended that OPA #705 and By-law 278-2009 be amended to exempt the following classes of development from the requirement for a Pre-Application Consultation (PAC) meeting.

- i) street townhouse dwellings on a Block within an approved Draft Plan of Subdivision or a registered plan of subdivision that is planned for street townhouse development (i.e. lands are either designated in the Official Plan or zoned for street townhouse dwellings);
- ii) minor additions to an existing building that comply with Zoning By-law 1-88;
- iii) minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking arrangement, etc.) to an existing or approved building elevation(s) or site plan, not including heritage districts; and,
- iv) proposals for new signage or changes to existing signage.

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

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

2.5 Application of Site Plan Approval for Employment Lots that Abut an Open Space Zone

The Development Planning Department recommended that Site Plan Control apply to all employment lots that abut an Open Space Zone.

2.6 Accessibility for Ontarians With Disabilities Act, 2005

On September 11, 2012, the Committee was advised that the Development Planning Department met with the Accessibility Advisory Committee and will be undertaking the development of an Accessibility Design Standards Checklist, expected to be completed in 2 to 3 months. Any potential changes approved by Vaughan Council to the Site Plan approval process that may result from the development of the checklist will be discussed in a future report to the Committee of the Whole and implemented as required.

2.7 Summary – General Consensus Recommendations

As noted above, there was consensus from the Committee of the Whole members with respect to the above noted items and a recommendation for approval of these changes to the Site Plan process are included in the recommendation of this report.

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3.0 Proposed Changes to the Site Plan Process Directed for Further Review

At the September 11, 2012, Committee of the Whole (Working Session) meeting, Staff was directed to provide further consideration of the following matters:

3.1 Delegation of Site Plan Approval to the Commissioner of Planning or Designate (the Director of Development Planning)

The report from the Commissioner of Planning considered at the September 11, 2012, Committee of the Whole (Working Session) meeting included a request for direction from the Committee with respect to the concepts of “full” and “partial” delegation of Site Plan Approval authority to the Commissioner of Planning or designate (the Director of Development Planning).

During the Committee of the Whole (Working Session) Meeting it was clear that full delegation of Site Plan Approval authority was not considered appropriate by the Committee members. However, there was interest in advancing the concept of the “partial” delegation of Site Plan Approval authority for specific classes of development to the Commissioner of Planning or designate.

Classes of development for the potential consideration of delegation include residential (high and mid-rise buildings, and block, stacked and street townhouse dwellings), commercial and retail, office, industrial (abutting a provincial highway or arterial road) and institutional (e.g. schools, places of worship). The Development Planning Department does not recommend the delegation of Site Plan approval for high and mid-rise buildings, or stacked and block townhouse development, as these forms of development are complex in nature, can make significant contributions to the community and typically represent infill development and the intensification of land, and therefore, should be reviewed by City staff and approved by Vaughan Council. Similarly, commercial, retail and office development are typically located on arterial roads that demand high quality building elevations and require consideration of many issues such as loading, garbage removal, signage and landscaping. Similarly, employment buildings located on lots that abut an arterial road or Provincial Highway must achieve high quality design. In addition, institutional uses can be located at the centre of or adjacent to, an existing or planned community and can take a variety of different building forms, and therefore, should remain subject to Vaughan Council approval.

In consideration of the discussion at the Committee of the Whole Working Session Meeting, the Development Planning Department recommends that the following specific classes of development be delegated for approval by the Commissioner of Planning or designate:

a) Street Townhouse Dwelling Units

It is recommended that Site Plan Approval authority for street townhouse dwelling units on a block within an approved registered plan of subdivision, where townhouse units are planned (i.e. designated by the in-effect Official Plan and zoned by Zoning By-law 1-88) be delegated to the Commissioner of Planning or designate.

With respect to this specific class of development, the Development Planning Department rigorously reviews the proposed building designs to

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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.

b) 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 recommends 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:

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

This will eliminate the need for Council to consider the same building elevations on multiple sites and expedite the approval process. All new buildings will remain subject to Site Plan Control and approved by Vaughan Council.

c) Single Detached Dwellings in the Kleinburg – Nashville Heritage Conservation District

It is recommended that Site Plan approval authority for single detached dwellings (that are not located within a registered plan of subdivision with approved architectural design guidelines) in the Kleinburg-Nashville Heritage Conservation District be delegated to the Commissioner of Planning or designate. These dwellings are currently subject to Site Plan Control, and 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 Heritage District Conservation 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 Kleinburg-Nashville Heritage Conservation District.

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d) Minor Additions to Existing Buildings

It is recommended that Site Plan approval authority for minor additions or changes (e.g. changes to windows and doors, landscaping, site alterations, etc.) to existing buildings for all classes of development are delegated to the Commissioner of Planning and/or designate. Delegation of this class of development would only be permitted when the proposed addition meets the following criteria:

- i) the addition does not exceed 50% of the gross floor area of the existing building; and,
- ii) the addition maintains the same building design (e.g. materials, built form, rhythm, etc.) of the existing building.

It is also recommended that Site Plan Approval authority for external changes to the façade, including changes to the front façade of an existing building for all classes of development be delegated to the Commissioner of Planning or designate.

The Development Planning Department is satisfied that the appropriate review procedures are in place to ensure that additions and proposed façade changes meet these criteria and can be appropriately implemented at a Staff level.

3.2 Implementation of Delegation to the Commissioner of Planning or Designate (the Director of Development Planning)

At the September 11, 2012, Committee of the Whole (Working Session) meeting, the Committee members were concerned about their ability to continue to provide input and represent the community's interest in the Site Plan Approval process for any delegated class of development and about the role of the person(s) receiving the delegated authority.

i) Continued Role of Members of Council

With respect to the continued participation of Council members in the site plan approval process for delegated classes of development, it is recommended that each member of Council will continue to receive a "Request for Comment" circulation. 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 and/or designate;
- a coloured elevation and/or rendering of the proposed development to provide Council members with a better representation of the proposal;
- an opportunity to provide comments with a deadline date; and,
- 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.

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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 Council member to provide input into the process.

ii) Delegation to the Commissioner of Planning or Designate (the Director of Development Planning)

As noted above, the Development Planning Department is recommending that Site Plan Approval for these specific classes of development be delegated to the Commissioner of Planning or designate, (i.e. the Director of Development Planning). At the Committee of the Whole Working Session Meeting, members requested clarification about the role of the Commissioner of Planning and designate in the approval process.

It is recommended that all delegated Site Plan approvals will be signed by the Commissioner of Planning. However, there are instances where the Director of Development Planning may approve the plans including during holidays, absences, or in the event that the Commissioner of Planning is unavailable for an extended period of time (e.g. out of town seminar). The Director of Development Planning is currently approving minor site plan amendments and will continue to approve these types of revisions.

It is noted that the City of Vaughan Policy Manual currently permits delegation to the Director of Planning for industrial buildings less than 10,000 m² in gross floor area; 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. Policy 07.1.03 (Site Plan Development Process - Consolidated) also 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. The policies however are not included in the Site Plan Control By-law, as amended, and may be outdated in terms of the current process used.

Amendments to the City's Site Plan Control By-law are required to implement any of the proposed changes respecting delegation that may be approved by Vaughan Council.

3.3 Streamlined Site Plan Approval Process for Street Townhouse Dwellings

The Development Planning Department recommends that a streamlined process for street townhouse dwellings be implemented for street townhouse proposals on a block within an approved plan of subdivision that are planned for street townhouse dwellings regardless of delegation, which includes:

- i) eliminating the requirement for a Pre-Application Consultation (PAC) meeting. The application requirements for street townhouse dwellings is fairly routine and eliminating this step in the process will save both staff time and the need for the developer/land owner to attend or send representatives to a PAC meeting;

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- ii) for proposed street townhouse dwellings on a Block within a registered plan of subdivision, where the Block was planned for street townhouse dwellings, the complete application requirements will include only the proposed building elevations, site plan, and landscape plans (grading and servicing plans will no longer be required to be reviewed by the Development/Transportation Engineering Department as these matters were previously reviewed through the Subdivision Approval process); the application will only be reviewed by the Building Standards Department to determine compliance to Zoning By-law 1-88, as amended, and by the Development Planning/Urban Design Department to review the proposed building elevations, site layout, and landscaping plan(s).

For street townhouse dwellings that represent infill or intensification projects on a Block that was not planned for a street townhouse development, an Engineering submission including all required engineering drawings and reports must be submitted by the applicant in addition to the Complete Application requirements outlined above.

- iii) the Owner will not be required to execute a Site Plan Letter of Undertaking to implement Site Plan approval for street townhouse dwellings on a Block within an approved plan of subdivision. The Development Planning Department (Commissioner of Planning, or designate - Director of Development Planning) will forward an approval letter to the Building Standards Department (and copied to the applicant) advising of the date when Council approved the Site Development Application together with a copy of the approved site plan, building elevations, and landscaping plan(s) and advising that the Owner may apply for a Building Permit;
- iv) the Owner will be required to enter into a Landscape Letter of Credit Agreement with the City of Vaughan to secure the required landscaping component of the development. The Agreement identifies basic information about the file such as the Owner's name, municipal property address and Parcel Identification Number and provides for the requirement to post the Letter of Credit (LC) and the conditions related to the release of the LC. In order to expedite the approval process, it is recommended that this Agreement be signed by the Owner only. The Mayor and/or City Clerk will not be required to execute the Agreement given that its only purpose is to secure the LC for the landscape works associated with the street townhouse development. If approved, the Agreement will be circulated to the Reserves and Investments Department for review prior to implementing the final version; and,
- v) It is proposed that the landscape package for street townhouse dwellings remain a requirement for approval for street townhouse dwellings. The landscaping package will contribute to a higher quality streetscape, screen foundation walls and utilities such as hydro metres, and provide visual relief of the building elevations for street townhouse units, which are often comprised of a minimum of 6 units. However, in order to further expedite the approval process, the Urban Design Division of the Development Planning Department has advised that the LC amount required to secure landscape works may be calculated on a fixed rate of \$5,000 per unit (for street townhouse units on a Block within a registered plan of subdivision), thereby eliminating the time required for the Owner's consultant to prepare a landscape cost estimate and the City to review and approve the estimate.

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3.4 Increase the Expiration Date for Site Plan Approval

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

In the report considered by the Committee of the Whole on September 11, 2012, the Development Planning Department recommended that the expiration date to obtain a Building Permit for Site Plan Approval be increased from 18 to 36 months. At the Committee Meeting, members suggested that the 36 month suggested expiry date period is too long, however, generally supported the concept of one (1) year extensions approved at a staff level. Following the discussion of the Committee, the Development Planning Department is recommending that the expiry date for Site Plan Approval be increased from 18 to 24 months, and that Staff be granted the authority to extend site plan approval for subsequent periods of one (1) year, provided that:

- the Owner provides a letter outlining reasonable justification for the requested extension;
- the proposal conforms to and complies with the in-effect Official Plan and Zoning By-law, respectively; and,
- all City requirements/conditions continue to be satisfied (e.g. servicing allocation remains available).

Subsequent extension requests would be reviewed on the same basis and also granted for a maximum 1 (one) year period. If the approved site plan cannot meet these criteria at the time that the extension request is made, the Owner will be required to submit the appropriate planning application (e.g. Official Plan or Zoning By-law Amendment Application or a Committee of Adjustment Application) in order to remedy the non-conformity/compliance, which will be reviewed on its merits. If the Amendment or Committee of Adjustment Application is approved, a maximum 1 (one) year extension to Site Plan approval will be granted. If the application is not approved, Site Plan approval shall lapse.

Relationship to Vaughan Vision 2020 / Strategic Plan

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

Regional Implications

The recommended changes in this report will not affect the current arrangement with the Region of York as it relates to Site Plan Approval. It is recommended that the City continue to execute bi-party Agreements (City and Landowner) and that the Region of York continue to execute its' own Site Plan Agreement to secure Regional interests.

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Conclusion

In 2007, Council directed that the 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 June 12, 2012, and September 11, 2012, the Committee of the Whole (Working Session) considered a report from the Commissioner of Planning with respect to an evaluation of the changes implemented resulting from the 2007/2008 review and a new set of recommendations to further enhance the delivery of the Site Plan Approval process.

A number of recommendations were included in the report from the Commissioner of Planning that was considered at the September 11, 2012, meeting of the Committee of the Whole (Working Session). There was general consensus amongst the Committee Members with respect to a number of the recommendations including (as detailed in this report):

- i) using a Site Plan Agreement to implement certain classes of development; all other classes of development will continue to be implemented using a Letter of Undertaking;
- ii) implementing a process to allow landowners to apply for a building permit earlier in the approval process;
- iii) exempting certain classes of development from the requirement for a Pre-Application Consultation (PAC) meeting;
- iv) increasing the minimum public liability insurance amount provided in support of a Site Plan Letter of Undertaking or Agreement from \$2,000,000 to \$5,000,000; and,
- v) applying Site Plan Control to employment lots that abut an Open Space Zone.

Recommendations for approval with respect to these changes to the Site Plan process are included in this report.

In addition, at the September 11, 2012 Committee of the Whole (Working Session) Meeting, Staff was directed to undertake additional review of specific matters in particular the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate and, the expiration date of Site Plan Approval for obtaining a Building Permit. The Development Planning Department reviewed each of these matters and recommends that site plan approval authority be delegated to the Commissioner of Planning or designate for the following classes of development:

- street townhouse dwelling units;
- all commercial/retail corporate rebranding for existing building elevations and signage subject to specific conditions as identified in this report;
- detached dwellings in the Kleinburg-Nashville Heritage Conservation District for dwellings proposed on lots that are not within a registered plan of subdivision and not subject to architectural design guidelines;
- minor additions to existing buildings that meet specified criteria and external façade changes to existing buildings; and,
- minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking arrangement, etc.).

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 29, 2013

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It is also recommended that the expiration date for the expiry of Site Plan Approval to obtain a Building Permit be increased from 18 to 24 months, with subsequent one (1) year extensions being approved at a Staff level, provided specific criteria are satisfied, as outlined in this report.

The Development Planning Department is also recommending a streamlined site plan approval process for street townhouse dwellings be implemented regardless of delegation, which includes:

- the elimination of the requirement for a Pre-Application Consultation Meeting;
- revised application submission requirements;
- elimination of a Letter of Undertaking to implement the development;
- introduction of a Landscape Letter of Credit to secure landscape works only; and,
- elimination of the need for a landscape cost estimate; the Letter of Credit to be calculated on the basis of a fixed rate of \$5000.00 per unit.

In consideration of the review undertaken, 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

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.)

JANUARY 9, 2013

TO: MEMBERS OF COUNCIL

FROM: JEFFREY A. ABRAMS
CITY CLERKRE: REFERRED ITEM:
SITE PLAN CONTROL PROCESS – FOLLOW UP REVIEW
CITY OF VAUGHAN
FILE 12.28
ALL WARDS – CITY WIDE

C /
COMMUNICATION
CW - January 15/13
ITEM - 20

At its meeting of December 4, 2012, Committee of the Whole (Working Session) requested that the City Clerk report to Committee of the Whole in January with options for a bump-up procedure enabling Members of Council to elevate to Council certain site plan decisions which otherwise would have been made by the Commissioner of Planning (or designate) under delegated authority. The recommendation of the Committee was approved by Council on December 11, 2012, by its adoption of Item 1, Committee of the Whole (Working Session) Report No. 51.

In making the request Council sought to ensure that sufficient community input (through the offices of Members of Council) was obtained on issues of significant importance to the community. At the same time, Council was aware of the importance of a timely and efficient site plan approval process. It was also cognizant of the need to protect the primacy of Council decisions, giving rise to the concern over an activation mechanism which could be triggered by a single Member of Council.

Having heard these concerns, the following considerations were applied in the development of the options shown below:

1. The primacy of Council and the transparency of its processes must be protected. While a triggering mechanism initiated by a single member of Council may be a concern, so too is a mechanism which requires approval by a majority of Council achieved outside the conduct of a formal meeting of a committee or Council;
2. The delegation of certain categories of site plan approvals to staff is for the purpose of achieving administrative efficiency, timely service, and certainty in decision making. Bump-ups should be reserved for situations where there is a substantive rationale for the bump-up.

Accordingly, the following options are respectfully submitted for Council's consideration. Not all options are mutually exclusive:

Option 1

Exclude from delegated authority those categories of site plan approvals which Council anticipates will generate applications for bump-ups. While technically not an option for activating the bump up process, this option provides for an efficient site plan approval process for those categories of applications which Council does not anticipate would result in a need for broader community consultation involving their offices.

Option 2

Provide for a process whereby two or more (but fewer than five) Members of Council are required to advise the Commissioner of Planning within the circulation period for site-plan applications (typically three weeks) in writing that the site plan approval process for a particular application is being bumped-up to Council. The expiry of the circulation period would be a firm deadline after which if not bumped-up, the site plan application will be administered by the Development Planning Department under the delegated authority. A requirement for a minimum of two Members of Council follows what is required, procedurally, for a motion in Committee or Council to be considered for debate. A quorum of Council is still required to decide the ultimate merits of the site plan. A three or four Member threshold follows the same principle, but sets an obviously higher bar for the bump-up process to be triggered.

Under Option 2, a bump-up request effectively cancels the delegated authority to approve the particular site plan in question.

Option 3

Option 3 follows the principles of Option 2, but in addition establishes a format for the communication submitted to the Commissioner of Planning to initiate the bump-up. Rather than simply the appearance of two (or more, but fewer than five) signatures of Members of Council, there would be a requirement to provide information in answer to standard questions such as the following:

- 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 reasonably be resolved through informal discussions between the parties involved and City staff?

Option 3 differs from Option 2 in that the reasons for the bump-up must be articulated. The need to articulate the issues will encourage interested constituents to take a disciplined approach when seeking Member of Council support to initiate bump-ups.

As was the case with Option 2, under Option 3, a bump-up request effectively cancels the delegated authority to approve the particular site plan in question. As above, the expiry of the circulation period would be a firm deadline.

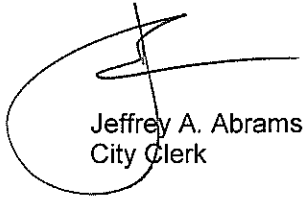
Option 4

Option 4 builds upon Option 3, however in lieu of a communication to the Commissioner of Planning within the site plan circulation period, it requires the submission to the City Clerk of a Member's Resolution reciting why a particular site plan ought to be removed from the delegated authority and elevated for Council approval. The effect of the submission of the Member's Resolution within the circulation period is to *pause* the process. If the Resolution does not carry at Committee of the Whole at its next meeting, the Commissioner of Planning's authority to approve the site plan will resume.

The implementation of Option 4 requires that Committee of the Whole be delegated the authority to make final decisions on bump-up requests (unless that element of the option is excluded). Implementation may also require procedural modifications to allow for the introduction of bump-up Member's Resolutions on committee agendas as addendum items.

One significant defect in Option 4 is the impact a bump-up request would have should circulation occur during the summer hiatus or such other times as Committee of the Whole meetings are not being held. In such circumstances it might be advisable to increase the threshold for submission to two or more (but fewer than five) Members of Council, since the length of the 'pause' could be protracted. It should be noted that in some cases a more timely decision would be made under the current system of approvals under which the Commissioner of Planning would submit a report in first instance.

All of which is respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line and a vertical stroke.

Jeffrey A. Abrams
City Clerk

COMMITTEE OF THE WHOLE JANUARY 15, 2013

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

Council, at its meeting of December 11, 2012, adopted the following recommendation (Item 1, Committee of the Whole (Working Session) Report No. 51):

Committee of the Whole (Working Session) recommendation of December 4, 2012:

- 1) That consideration of this matter be deferred to the January 15, 2013 Committee of the Whole meeting for the City Clerk to report options on a Council bump-up process;
- 2) That staff report back on the effectiveness of the process after it has been implemented and in effect for one year;
- 3) That the deputation of Mr. Stephen Hunt, Hunt Design Associates, Vogell Road, Richmond Hill, be received; and
- 4) That the following Communications be received:
 - C1. Ms. Danielle Chin, BILD, Upjohn Road, North York, dated November 22, 2012;
 - C3. Presentation material entitled, "*Site Plan Control Process Review*", dated December 4, 2012;
 - C4. Mr. Aaron Hershoff, TACC Developments, Applewood Crescent, Vaughan, dated December 3, 2012; and
 - C5. Mr. Ron Baruch, Executive Vice President, Paradise Homes, Cochrane Drive, Markham, dated November 29, 2012.

Report of the Commissioner of Planning, dated December 4, 2012.

Recommendation

The Commissioner of Planning recommends:

1. THAT the following amendments to the Site Plan Approval process be approved:
 - a) that a Site Plan Agreement be used to implement Site Plan Approval for the following classes of development:
 - i) all new development in an Intensification Area including the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by the Vaughan Official Plan 2010. Additions, expansions, and alterations to an 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 an existing approval;
 - 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 development utilizing strata parking and/or park arrangements, and/or Planning Act Section 37 density bonussing; and,
 - iv) where a public/private partnership funding for community infrastructure is proposed;
- b) that all other classes of development continue to be implemented using a Site Plan Letter of Undertaking;
- c) that an Owner be permitted to apply for a Building Permit when the Site Development Application is substantially complete and that no changes are anticipated to a building(s) location(s) to the satisfaction of the Commissioner of Planning or designate;
- d) that the following classes of development be exempted from the requirement for a Pre-Application Consultation (PAC) meeting:
 - i) street townhouse dwellings on a Block within an approved Draft Plan of Subdivision or a registered plan of subdivision planned for townhouse dwellings;
 - 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/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, parking arrangement, etc.), or to an existing or approved building elevation(s) or site plan, not including development located in a Heritage Conservation District; and,
 - iv) proposals for new signage or changes to existing signage;
- e) that the minimum public liability insurance amount provided in support of a Site Plan Letter of Undertaking or Site Plan Agreement be increased from \$2,000,000 to \$5,000,000;
- f) that the City's Site Plan Control By-law (By-law 228-2005, as amended) be further amended to apply Site Plan Control to all employment lots that abut an Open Space Zone;
- g) that the expiration date to obtain a Building Permit for Site Plan Approval be increased from 18 to 24 months, with the ability for a landowner to obtain one (1) year extensions of Site Plan approval to be approved by the Commissioner of Planning or designate (the Director of Development Planning) provided:
 - i) the Owner shall submit a letter providing reasonable justification for the proposed one (1) year extension;
 - ii) the request must conform to the in force Official Plan and comply with the Zoning By-law at the time of the request;
 - iii) the request satisfies all current city requirements (e.g. servicing remains available); and,

- iv) subsequent extension requests would be reviewed on the same basis and also granted for a maximum 1 (one) year period.
- 2. THAT a streamlined approval process for street townhouse dwellings be approved as discussed in this report, which includes the following:
 - i) the elimination of a Pre-Application Consultation meeting;
 - ii) reduced Complete Application requirements (no requirement for Engineering drawings);
 - iii) no requirement for a Site Plan Letter of Undertaking;
 - iv) utilizing a Landscape Letter of Undertaking and a Landscape Letter of Credit to secure landscape works at a rate of \$5000.00 per unit (for Blocks within a Registered Plan of Subdivision);
 - v) use of a short form staff report to Council providing a review of only the proposed site plan, building elevations and landscape plan(s) with appropriate graphics; and,
 - vi) a standard letter from the Development Planning Department advising the Building Standards Department of the approved plans.
- 3. THAT Site Plan Approval Authority be delegated to the Commissioner of Planning, or designate (the Director of Development Planning) for the following classes of development:
 - i) all street townhouse dwellings where the Official Plan and Zoning By-law are in-effect;
 - ii) 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;
 - iii) single detached dwellings in the Kleinburg-Nashville Heritage Conservation District not located within a registered plan of subdivision or subject to architectural control;
 - iv) 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,
 - v) minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking, signage, etc.).
- 4. THAT the Development Planning Department be directed to schedule a Committee of the Whole (Public Hearing) to consider the necessary amendments to OPA #705 (Complete Application Requirements) and By-law 278-2009 (Pre-Application Consultation Meetings) and modifications to the new City of Vaughan Official Plan 2010 (Volume 1) as follows:
 - a) consider amendments to OPA #705 (Complete Application Requirements) and By-law 278-2009 (Pre-Application Consultation Meetings) and modifications to the new City of Vaughan Official Plan 2010 (Volume 1) to exempt the following classes of development from the requirement to hold a Pre-Application Consultation Meeting prior to the submission of a planning application:
 - i) street townhouse dwellings where the Official Plan and Zoning By-law are in effect;

- ii) minor additions to an existing building which comply with Zoning By-law 1-88, where the Commissioner of Planning or designate is of the opinion that the use and development of the lands provided for in the original Site Plan Letter of Undertaking 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;
- b) consider modifications to the City of Vaughan Official Plan 2010, to require that the following classes of development be implemented using a Site Plan Agreement:
 - i) all classes of new development in an Intensification Area including the Vaughan Metropolitan Centre, a Primary Centre, Local Centre, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. Site Plan Agreement or Letter of Undertaking) or as a minor modification to 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 (the 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;
- c) amend the City's Site Plan Control By-law 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 street townhouse dwellings on a block in an approved plan of subdivision; corporate rebranding initiatives; detached dwellings in the Kleinburg-Nashville Heritage Conservation District; 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,
 - iii) minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, etc.).

- d) enact a consolidated Site Plan Control By-law for the City of Vaughan and that the Development Planning Department be directed to incorporate any amendments to the Site Plan Control By-law as may be approved by Vaughan Council through this Site Plan Process review.
- 5. 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 Plan Development Process - Consolidated); and, Policy 07.1.10 (Site Development Applications - Approval of Proposed Building Elevations for Industrial Sites Along Major Roads) be amended in accordance with any amendments that may be approved by Vaughan Council through this Site Plan Process review.

Economic Impact

N/A

Communications Plan

The Development Planning Department has consulted with relevant stakeholders in the Site Plan Process Review including City Departments, the Region of York Transportation and Community Planning Department, the Toronto and Region Conservation Authority (TRCA), representatives from the Development Industry, and the Building Industry and Land Development Association (BILD).

On November 2, 2012, the Development Planning Department provided written and email notice of the consideration of this report by the Committee of the Whole to the representatives of the public agencies and those building industry representatives that participated in the Stakeholder meetings.

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

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

Purpose

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

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

1.0 Background - Analysis and Options

1.0 Background

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

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

On January 21, 2008, the Committee of the Whole considered a report from the Commissioner of Planning respecting proposed changes to the City of Vaughan’s Site Plan Control Process, which included recommendations to provide for a more efficient and streamlined Site Plan approval process and procedures. Vaughan Council’s approval also included a direction that an evaluation report be brought forward with respect to the changes that were approved and implemented to the Site Plan Review process.

On June 21, 2012, the Committee of the Whole (Working Session) considered a follow-up review report from the Commissioner of Planning with respect to the Site Plan Review process. The Committee of the Whole (Working Session) recommended the following (in part):

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

The Committee’s recommendation was subsequently adopted by Vaughan Council on June 26, 2012.

On September 11, 2012, the Committee of the Whole (Working Session) reconsidered the report (Attachment #3) 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.”

2.0 Consensus Recommendations - Committee of the Whole Working Session September 11, 2012

At the September 11, 2012, Committee of the Whole (Working Session) there was consensus amongst the Committee Members with respect to a number of the recommendations considered in the report from the Commissioner of Planning, including:

2.1. Use of a Site Plan Agreement (SPA) to Implement Site Plan Approval

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

- i) all classes of new development in an Intensification Area including the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Primary Intensification Corridors, and Primary Intensification Corridors within Employment Areas as defined by the Vaughan Official Plan 2010. Additions, expansions, and alterations to existing development will be implemented as either an amendment to the original implementing document (i.e. SPA or LOU) or as a minor modification to an existing approval;
- 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; and,
- iv) where a public/private partnership funding for community infrastructure is proposed.

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

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

The Development Planning Department recommended that a process be implemented to allow landowners to apply for a building permit when the Site Development Application is substantially complete and that no changes are anticipated to a building(s) location(s) to the satisfaction of the Commissioner of Planning or designate.

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

The Development Planning Department recommended that OPA #705 and By-law 278-2009 be amended to exempt the following classes of development from the requirement for a Pre-Application Consultation (PAC) meeting.

- i) street townhouse dwellings on a Block within an approved Draft Plan of Subdivision or a registered plan of subdivision that is planned for street townhouse development (i.e. lands are either designated in the Official Plan or zoned for street townhouse dwellings);
- ii) minor additions to an existing building that comply with Zoning By-law 1-88;
- iii) minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking arrangement, etc.) to an existing or approved building elevation(s) or site plan, not including heritage districts; and,
- iv) proposals for new signage or changes to existing signage.

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

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

2.5 Application of Site Plan Approval for Employment Lots that Abut an Open Space Zone

The Development Planning Department recommended that Site Plan Control apply to all employment lots that abut an Open Space Zone.

2.6 Accessibility for Ontarians With Disabilities Act, 2005

On September 11, 2012, the Committee was advised that the Development Planning Department met with the Accessibility Advisory Committee and will be undertaking the development of an Accessibility Design Standards Checklist, expected to be completed in 2 to 3 months. Any potential changes approved by Vaughan Council to the Site Plan approval process that may result from the development of the checklist will be discussed in a future report to the Committee of the Whole and implemented as required.

2.7 Summary – General Consensus Recommendations

As noted above, there was consensus from the Committee of the Whole members with respect to the above noted items and a recommendation for approval of these changes to the Site Plan process are included in the recommendation of this report.

3.0 Proposed Changes to the Site Plan Process Directed for Further Review

At the September 11, 2012, Committee of the Whole (Working Session) meeting, Staff was directed to provide further consideration of the following matters:

3.1 Delegation of Site Plan Approval to the Commissioner of Planning or Designate (the Director of Development Planning)

The report from the Commissioner of Planning considered at the September 11, 2012, Committee of the Whole (Working Session) meeting included a request for direction from the Committee with respect to the concepts of “full” and “partial” delegation of Site Plan Approval authority to the Commissioner of Planning or designate (the Director of Development Planning).

During the Committee of the Whole (Working Session) Meeting it was clear that full delegation of Site Plan Approval authority was not considered appropriate by the Committee members. However, there was interest in advancing the concept of the “partial” delegation of Site Plan Approval authority for specific classes of development to the Commissioner of Planning or designate.

Classes of development for the potential consideration of delegation include residential (high and mid-rise buildings, and block, stacked and street townhouse dwellings), commercial and retail, office, industrial (abutting a provincial highway or arterial road) and institutional (e.g. schools, places of worship). The Development Planning Department does not recommend the delegation of Site Plan approval for high and mid-rise buildings, or stacked and block townhouse development, as these forms of development are complex in nature, can make significant contributions to the community and typically represent infill development and the intensification of land, and therefore, should be reviewed by City staff and approved by Vaughan Council. Similarly, commercial, retail and office development are typically located on arterial roads that demand high quality building elevations and require consideration of many issues such as loading, garbage removal, signage and landscaping. Similarly, employment

buildings located on lots that abut an arterial road or Provincial Highway must achieve high quality design. In addition, institutional uses can be located at the centre of or adjacent to, an existing or planned community and can take a variety of different building forms, and therefore, should remain subject to Vaughan Council approval.

In consideration of the discussion at the Committee of the Whole Working Session Meeting, the Development Planning Department recommends that the following specific classes of development be delegated for approval by the Commissioner of Planning or designate:

a) Street Townhouse Dwelling Units

It is recommended that Site Plan Approval authority for street townhouse dwelling units on a block within an approved registered plan of subdivision, where townhouse units are planned (i.e. designated by the in-effect Official Plan and zoned by Zoning By-law 1-88) be delegated to the Commissioner of Planning or designate.

With respect to this specific class of development, 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.

b) 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 recommends 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:

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

This will eliminate the need for Council to consider the same building elevations on multiple sites and expedite the approval process. All new buildings will remain subject to Site Plan Control and approved by Vaughan Council.

c) Single Detached Dwellings in the Kleinburg – Nashville Heritage Conservation District

It is recommended that Site Plan approval authority for single detached dwellings (that are not located within a registered plan of subdivision with approved architectural design guidelines) in the Kleinburg-Nashville Heritage Conservation District be delegated to the Commissioner of Planning or designate. These dwellings are currently subject to Site Plan Control, and 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 Heritage District Conservation 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 Kleinburg-Nashville Heritage Conservation District.

d) Minor Additions to Existing Buildings

It is recommended that Site Plan approval authority for minor additions or changes (e.g. changes to windows and doors, landscaping, site alterations, etc.) to existing buildings for all classes of development are delegated to the Commissioner of Planning and/or designate. Delegation of this class of development would only be permitted when the proposed addition meets the following criteria:

- i) the addition does not exceed 50% of the gross floor area of the existing building; and,
- ii) the addition maintains the same building design (e.g. materials, built form, rhythm, etc.) of the existing building.

It is also recommended that Site Plan Approval authority for external changes to the façade, including changes to the front façade of an existing building for all classes of development be delegated to the Commissioner of Planning or designate.

The Development Planning Department is satisfied that the appropriate review procedures are in place to ensure that additions and proposed façade changes meet these criteria and can be appropriately implemented at a Staff level.

3.2 Implementation of Delegation to the Commissioner of Planning or Designate (the Director of Development Planning)

At the September 11, 2012, Committee of the Whole (Working Session) meeting, the Committee members were concerned about their ability to continue to provide input and represent the community's interest in the Site Plan Approval process for any delegated class of development and about the role of the person(s) receiving the delegated authority.

i) Continued Role of Members of Council

With respect to the continued participation of Council members in the site plan approval process for delegated classes of development, it is recommended that each member of Council will continue to receive a "Request for Comment" circulation. 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 and/or designate;
- a coloured elevation and/or rendering of the proposed development to provide Council members with a better representation of the proposal;
- an opportunity to provide comments with a deadline date; and,
- 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.

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 Council member to provide input into the process.

ii) Delegation to the Commissioner of Planning or Designate (the Director of Development Planning)

As noted above, the Development Planning Department is recommending that Site Plan Approval for these specific classes of development be delegated to the Commissioner of Planning or designate, (i.e. the Director of Development Planning). At the Committee of the Whole Working Session Meeting, members requested clarification about the role of the Commissioner of Planning and designate in the approval process.

It is recommended that all delegated Site Plan approvals will be signed by the Commissioner of Planning. However, there are instances where the Director of Development Planning may approve the plans including during holidays, absences, or in the event that the Commissioner of Planning is unavailable for an extended period of time (e.g. out of town seminar). The Director of Development Planning is currently approving minor site plan amendments and will continue to approve these types of revisions.

It is noted that the City of Vaughan Policy Manual currently permits delegation to the Director of Planning for industrial buildings less than 10,000 m² in gross floor area; 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. Policy 07.1.03 (Site Plan Development Process - Consolidated) also 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. The policies however are not included in the Site Plan Control By-law, as amended, and may be outdated in terms of the current process used.

Amendments to the City's Site Plan Control By-law are required to implement any of the proposed changes respecting delegation that may be approved by Vaughan Council.

3.3 Streamlined Site Plan Approval Process for Street Townhouse Dwellings

The Development Planning Department recommends that a streamlined process for street townhouse dwellings be implemented for street townhouse proposals on a block within an approved plan of subdivision that are planned for street townhouse dwellings regardless of delegation, which includes:

- i) eliminating the requirement for a Pre-Application Consultation (PAC) meeting. The application requirements for street townhouse dwellings is fairly routine and eliminating this step in the process will save both staff time and the need for the developer/land owner to attend or send representatives to a PAC meeting;
- ii) for proposed street townhouse dwellings on a Block within a registered plan of subdivision, where the Block was planned for street townhouse dwellings, the complete application requirements will include only the proposed building elevations, site plan, and landscape plans (grading and servicing plans will no longer be required to be reviewed by the Development/Transportation Engineering Department as these matters were previously reviewed through the Subdivision Approval process); the application will only be reviewed by the Building Standards Department to determine compliance to Zoning By-law 1-88, as amended, and by the Development Planning/Urban Design Department to review the proposed building elevations, site layout, and landscaping plan(s).

For street townhouse dwellings that represent infill or intensification projects on a Block that was not planned for a street townhouse development, an Engineering submission including all required engineering drawings and reports must be submitted by the applicant in addition to the Complete Application requirements outlined above.

- iii) the Owner will not be required to execute a Site Plan Letter of Undertaking to implement Site Plan approval for street townhouse dwellings on a Block within an approved plan of subdivision. The Development Planning Department (Commissioner of Planning, or designate - Director of Development Planning) will forward an approval letter to the Building Standards Department (and copied to the applicant) advising of the date when Council approved the Site Development Application together with a copy of the approved site plan, building elevations, and landscaping plan(s) and advising that the Owner may apply for a Building Permit;
- iv) the Owner will be required to enter into a Landscape Letter of Credit Agreement with the City of Vaughan to secure the required landscaping component of the development. The Agreement identifies basic information about the file such as the Owner's name, municipal property address and Parcel Identification Number and provides for the requirement to post the Letter of Credit (LC) and the conditions related to the release of the LC. In order to expedite the approval process, it is recommended that this Agreement be signed by the Owner only. The Mayor and/or City Clerk will not be required to execute the Agreement given that its only purpose is to secure the LC for the landscape works associated with the street townhouse development. If approved, the Agreement will be circulated to the Reserves and Investments Department for review prior to implementing the final version; and,

- v) It is proposed that the landscape package for street townhouse dwellings remain a requirement for approval for street townhouse dwellings. The landscaping package will contribute to a higher quality streetscape, screen foundation walls and utilities such as hydro metres, and provide visual relief of the building elevations for street townhouse units, which are often comprised of a minimum of 6 units. However, in order to further expedite the approval process, the Urban Design Division of the Development Planning Department has advised that the LC amount required to secure landscape works may be calculated on a fixed rate of \$5,000 per unit (for street townhouse units on a Block within a registered plan of subdivision), thereby eliminating the time required for the Owner's consultant to prepare a landscape cost estimate and the City to review and approve the estimate.

3.4 Increase the Expiration Date for Site Plan Approval

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

In the report considered by the Committee of the Whole on September 11, 2012, the Development Planning Department recommended that the expiration date to obtain a Building Permit for Site Plan Approval be increased from 18 to 36 months. At the Committee Meeting, members suggested that the 36 month suggested expiry date period is too long, however, generally supported the concept of one (1) year extensions approved at a staff level. Following the discussion of the Committee, the Development Planning Department is recommending that the expiry date for Site Plan Approval be increased from 18 to 24 months, and that Staff be granted the authority to extend site plan approval for subsequent periods of one (1) year, provided that:

- the Owner provides a letter outlining reasonable justification for the requested extension;
- the proposal conforms to and complies with the in-effect Official Plan and Zoning By-law, respectively; and,
- all City requirements/conditions continue to be satisfied (e.g. servicing allocation remains available).

Subsequent extension requests would be reviewed on the same basis and also granted for a maximum 1 (one) year period. If the approved site plan cannot meet these criteria at the time that the extension request is made, the Owner will be required to submit the appropriate planning application (e.g. Official Plan or Zoning By-law Amendment Application or a Committee of Adjustment Application) in order to remedy the non-conformity/compliance, which will be reviewed on its merits. If the Amendment or Committee of Adjustment Application is approved, a maximum 1 (one) year extension to Site Plan approval will be granted. If the application is not approved, Site Plan approval shall lapse.

Relationship to Vaughan Vision 2020 / Strategic Plan

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

Regional Implications

The recommended changes in this report will not affect the current arrangement with the Region of York as it relates to Site Plan Approval. It is recommended that the City continue to execute bi-party Agreements (City and Landowner) and that the Region of York continue to execute its' own Site Plan Agreement to secure Regional interests.

Conclusion

In 2007, Council directed that the 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 these changes. On June 12, 2012, and September 11 2012, the Committee of the Whole (Working Session) considered a report from the Commissioner of Planning with respect to an evaluation of the changes implemented resulting from the 2007/2008 review and a new set of recommendations to further enhance the delivery of the Site Plan Approval process.

A number of recommendations were included in the report from the Commissioner of Planning that was considered at the September 11, 2012, meeting of the Committee of the Whole (Working Session). There was general consensus amongst the Committee Members with respect to a number of the recommendations including (as detailed in this report):

- i) using a Site Plan Agreement to implement certain classes of development; all other classes of development will continue to be implemented using a Letter of Undertaking;
- ii) implementing a process to allow landowners to apply for a building permit earlier in the approval process;
- iii) exempting certain classes of development from the requirement for a Pre-Application Consultation (PAC) meeting;
- iv) increasing the minimum public liability insurance amount provided in support of a Site Plan Letter of Undertaking or Agreement from \$2,000,000 to \$5,000,000; and,
- v) applying Site Plan Control to employment lots that abut an Open Space Zone.

Recommendations for approval with respect to these changes to the Site Plan process are included in this report.

In addition, at the September 11, 2012 Committee of the Whole (Working Session) Meeting, Staff was directed to undertake additional review of specific matters in particular the delegation of Site Plan Approval Authority to the Commissioner of Planning or designate and, the expiration date of Site Plan Approval for obtaining a Building Permit. The Development Planning Department reviewed each of these matters and recommends that site plan approval authority be delegated to the Commissioner of Planning or designate for the following classes of development:

- street townhouse dwelling units;

- all commercial/retail corporate rebranding for existing building elevations and signage subject to specific conditions as identified in this report;
- detached dwellings in the Kleinburg-Nashville Heritage Conservation District for dwellings proposed on lots that are not within a registered plan of subdivision and not subject to architectural design guidelines;
- minor additions to existing buildings that meet specified criteria and external façade changes to existing buildings; and,
- minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking arrangement, etc.).

It is also recommended that the expiration date for the expiry of Site Plan Approval to obtain a Building Permit be increased from 18 to 24 months, with subsequent one (1) year extensions being approved at a Staff level, provided specific criteria are satisfied, as outlined in this report.

The Development Planning Department is also recommending a streamlined site plan approval process for street townhouse dwellings be implemented regardless of delegation, which includes:

- the elimination of the requirement for a Pre-Application Consultation Meeting;
- revised application submission requirements;
- elimination of a Letter of Undertaking to implement the development;
- introduction of a Landscape Letter of Credit to secure landscape works only; and,
- elimination of the need for a landscape cost estimate; the Letter of Credit to be calculated on the basis of a fixed rate of \$5000.00 per unit.

In consideration of the review undertaken, 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

Report prepared by:

Mauro Peverini, Manager of Development Planning, ext 8407

ATTACHMENT #1

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

To: (Insert name of Mayor, Regional or Local Councillor)

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

Please provide your comments as follows:

_____ No objection

_____ Arrange a Meeting with Staff and/or Applicant to discuss this Application.

_____ Request that the approval of this Application be considered by Vaughan Council.

_____ Other Comments (Provide Below or Attach a Separate Sheet)

Please provide your comments to _____ (ext. _____)
no later than _____.

Attachments:

Site Plan

Elevation(s)

Coloured Elevation(s) / Rendering