

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 094-2017**

**A By-law to adopt Amendment Number 13 to the Vaughan Official Plan 2010 for the Vaughan Planning Area.**

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 13 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Appendix "I" is hereby adopted.
2. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

Enacted by City of Vaughan Council this 27<sup>th</sup> day of June, 2017.

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Hon. Maurizio Bevilacqua, Mayor

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Barbara A. McEwan, City Clerk

**AMENDMENT NUMBER 13  
TO THE VAUGHAN OFFICIAL PLAN 2010  
OF THE VAUGHAN PLANNING AREA**

The following text constitutes Amendment Number 13 to the Vaughan Official Plan 2010 of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendix "I"

## I PURPOSE

To amend the provisions of Volume 1 of Vaughan Official Plan 2010 to permit secondary suites, as defined in the Vaughan Official Plan 2010, subject to specific criteria to be established in the City of Vaughan's Comprehensive Zoning By-law.

## II LOCATION

This Amendment applies throughout the City of Vaughan, except for the lands shown on Schedule 8 of Vaughan Official Plan 2010 being the Woodbridge Special Policy Area and being a general amendment to the text of Volume 1 of Vaughan Official Plan 2010.

## III BASIS

The Province of Ontario, Region of York, and City have all committed to addressing the issue of housing affordability through various policies. One such measure is permitting secondary suites as-of-right in local municipalities. The Vaughan Official Plan 2010 defines a secondary suite as "A single, self-contained, independent and separate accessory residential unit located within a residential dwelling, or on the same lot as a residential dwelling". The Province refers to a secondary suite as a second unit. The policy regime for permitting secondary suites as-of-right is described below.

1. Bill 140, the *Strong Communities through Affordable Housing Act*, affirms the Province of Ontario's interest in pursuing a range of affordable housing options. Secondary suites are identified as one way to meet this need. The Act also addresses the roles and responsibilities of both the provincial and municipal governments in providing for greater production of affordable housing at the local level.

Amendments to the *Planning Act* requires that municipalities establish official plan policies and zoning by-law provisions allowing second units in detached, semi-detached and row houses, and in ancillary structures.

2. The York Region Official Plan 2010 (YROP 2010) addresses the issue of housing affordability and specifically speaks to secondary suites in Sub-section 3.5.22 by requiring "...local municipalities to adopt official plan policies and zoning by-law provisions that authorize secondary suites as follows:
  - a. The use of two residential units in a house if no ancillary building or structure contains a residential unit; and,
  - b. The use of a residential unit in a building or structure ancillary to a house if the house contains a single residential unit."

3. In keeping with the policies outlined in the YROP 2010 requiring local municipalities to incorporate affordable housing where opportunities exist, Vaughan Official Plan 2010 (VOP 2010) addresses affordable housing and directly references secondary suites. Section 7.5 *Housing Options* states “It is the Policy of Council: “To work with York Region in implementing its *affordable* housing policies as follows: ...” (7.5.1.2). This section further references secondary suites specifically by stating, “It is the policy of Council: ... To support and prioritize the following housing initiatives: allowing *secondary suites* where deemed appropriate by a City-initiated study.” (7.5.1.4.d). This policy provides the foundation for the City of Vaughan to undertake the City-wide Secondary Suites Study, which forms the basis for this Amendment and subsequent introduction of new secondary suites policies into VOP 2010.
4. As required by Section 7.5.1.4.d of VOP 2010, the City-wide Secondary Suites Study (Study) was initiated to develop a policy framework to permit secondary suites. A major focus of the Study was an extensive public consultation process that included Open House and Workshop meetings, as well as the formation of a citizen’s Secondary Suites Task Force. Its purpose was to discuss issues regarding potential secondary suites permissions, develop a series of recommendations and report these findings to Vaughan Council.
5. In addition, two consultation groups were formed to assist in the development of policies and regulations through the City-wide Secondary Suites Study: A Project Team consisting of City departments, and an external consultant team of SHS Consulting and Planning Alliance was created to provide input on key issues and to guide the Study process. The Project Team included representation from Policy Planning and Environmental Sustainability, Building Standards, the By-law and Compliance, Licensing and Permit Services Department and the Vaughan Fire and Rescue Service. A Technical Advisory Committee (TAC) was also established to provide input on specific areas of interest respecting secondary suites. The TAC was comprised of City of Vaughan departments and external agencies involved in the provision of affordable housing, the building and development industry, and public safety fields.
6. An initial Public Consultation meeting took place on May 27, 2013, when the City hosted an Open House to introduce the Study, as well as recruit members to the Task Force. In December of 2013, the City held two Workshops for residents to discuss specific issues and identify areas of concern regarding where and how to permit secondary suites. A third consultation meeting, in the form of a Public Open House, took place on April 2, 2014, to present draft Official Plan policies and Zoning By-law regulations, and to obtain public input on the proposed policy framework.

7. Information gathered throughout the study process, from public input at meetings and through an on-line survey, as well as a review of best practices, and presentations provided by members of TAC on a variety of related topics, informed the work of the Project Team and Task Force. To support the Public Consultation process, a thorough Communications Plan was created and executed. Throughout the Study process, the Policy Planning and Environmental Sustainability Department informed Vaughan Council of the progress made at different stages of the City-wide Secondary Suites Study.
8. Six reports were considered by Vaughan Council on the following meeting dates: January 25, 2010; February 16, 2010; June 5, 2012; May 7, 2013; December 3, 2013; and, December 2, 2014. The statutory Public Hearing was held on March 3, 2015. The recommendation of the Committee of the Whole was to receive the Public Hearing report and to forward it to a future Committee of the Whole meeting for a comprehensive report. The recommendation was ratified by Vaughan Council on March 24, 2015, through the approval of the following direction: The Committee of the Whole (Public Hearing) recommends (in part):

- “1) That the recommendation contained in the following report of the Commissioner of Planning and Acting Director of Policy Planning, dated March 3, 2015, be approved;
- 2) That the presentation by the Acting Director of Policy Planning and Ms. Jodi Ball, SHS Consulting, East Beaver Creek, Richmond Hill, and C10, presentation material entitled “*City of Vaughan Secondary Suites Study*”, dated March 3, 2015, be received; and,”
- 3) That the deputations and Communications be received.

#### IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Official Plan 2010 (VOP 2010) Volume 1 is hereby amended by:

1. Deleting Policy 7.5.1.4.d of VOP 2010 Volume 1 and substituting therefore the following: “Allowing *secondary suites* in accordance with Policies 7.5.1.5 and 7.5.1.6.”
2. Adding the following new Policies 7.5.1.5 and 7.5.1.6, and renumbering existing Policies 7.5.1.5, 7.5.1.6, and 7.5.1.7 to 7.5.1.7, 7.5.1.8 and 7.5.1.9, respectively:  
“(OPA #13) 7.5.1.5. That a *secondary suite* shall be permitted subject to the following policies:
  - a. That a *secondary suite* shall only be permitted on a lot developed with a detached house, semi-detached house, or townhouse. The implementing zoning by-law will implement minimum development standards that must be satisfied before the *secondary suite* can be considered to be in conformity with the official plan and City’s Comprehensive Zoning By-law.

- b. That a *secondary suite* may be permitted in a detached house, semi-detached house or townhouse, or on a lot where there is a residential detached house, semi-detached house or townhouse, provided that:
  - i. The *secondary suite* must be accessory to the detached house, semi-detached house or townhouse;
  - ii. A maximum of one (1) *secondary suite* shall be permitted accessory to a detached house, semi-detached house or townhouse; and,
  - iii. All requirements of the Ontario Building Code, Fire Code and City by-laws shall be satisfied.
- c. Any alterations that impact the exterior elevation(s) of a building resulting from the development of a *secondary suite* on a residential lot that is designated Part IV or Part V or listed under Section 27 of the *Ontario Heritage Act*, may be subject to:
  - i. Site Plan Control pursuant to the *Planning Act*, and/or,
  - ii. A Heritage Permit as outlined in Sections 33 and 42 of the *Ontario Heritage Act*.
- d. Council may adopt further regulatory measures regarding the implementation of a program to permit a *secondary suite* in accordance with the policies of this Plan. Such measures may include, but not be limited to, monitoring of *secondary suites* and provision of a public education program.

7.5.1.6. That notwithstanding Policy 7.5.1.5, *secondary suites* shall not be permitted on the lands shown as Special Policy Areas on Schedule 8 of this Plan (OPA #13)".

## V IMPLEMENTATION

It is intended that the policies of the Vaughan Official Plan 2010 of the Vaughan Planning Area permitting secondary suites shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, pursuant to the *Planning Act*.

## VI INTERPRETATION

The interpretation of provisions of the Vaughan Official Plan 2010, of the Vaughan Planning Area as amended from time to time, shall apply with respect to this Amendment.

## APPENDIX I

This Amendment applies to lands within the corporate boundaries of the City of Vaughan, being a general amendment to the Official Plan of the Vaughan Planning Area. On February 7, 2017, Vaughan Committee of the Whole considered a report with the following recommendations from the Deputy City Manager Planning and Growth Management, the Deputy City Manager, Legal and Human Resources, the Deputy City Manager, Community Services, the Director of Policy Planning and Environmental Sustainability, the Director of Building Standards, the Fire Chief, Fire and Rescue Services, the Director of By-law and Compliance, Licensing and Permit Services, and the Director of Corporate Communications to consider the City initiated amendments to Vaughan Official Plan 2010 (VOP 2010), which was ratified by Vaughan Council at the meeting on February 21, 2017:

On February 21, 2017, Vaughan Council adopted the February 7, 2017, Committee of the Whole recommendation to approve the Draft Official Plan Amendment File OP.15.112. Vaughan Council approved the following recommendation (in part):

1. THAT the Official Plan Amendment (File 15.112 City-wide Secondary Suites Study) to amend Section 7.5 Housing Options, of Vaughan Official Plan 2010 to permit secondary suites, as shown in Attachment 1 BE APPROVED;
2. THAT the Zoning By-Law Amendment (File 15.112 City-wide Secondary Suites Study) to amend Zoning By-law 1-88 to permit secondary suites based on development standards as shown in Attachment 2 BE APPROVED;
3. THAT the Zoning By-law amendment be enacted following Council's approval of the Secondary Suites Implementation Strategy and the finalization of Activities 1 through 5 of the Secondary Suites Implementation Strategy, Contingent Work Plan;
4. THAT Stakeholders that participated in the Secondary Suites Study including Ratepayers and the Building Industry And Land Development Association (BILD) and other organizations be provided with Council's decision (related to File 15.112 City-wide Secondary Suites Study) in the City's on-going effort to keep stakeholders informed of the City's direction for secondary suites as an affordable housing option; and,
5. THAT the By-law 123-2013, the Site Plan Control By-law, be updated to reflect amendments to the Vaughan Official Plan 2010 requiring a secondary suite accessory to a detached house, semi-detached house or townhouse located in a Heritage Conservation District be subject to site plan control where an alteration or addition impacts the exterior of the site.

The Deputy City Manager, Planning and Growth Management, the Deputy City Manager, Legal and Human Resources, the Deputy City Manager, Community Services, the Director of Building Standards, the Fire Chief, Fire and Rescue Service, the Director of By-law and Compliance, Licensing and Permit Services, and the Director of Corporate Communications, recommend:

6. THAT in conjunction with recommendations 1 to 5 above, staff be directed to implement the City-wide Secondary Suites Implementation Strategy as outlined in this report and the advice received in the Secondary Suites Readiness and Implementation Strategy report (Attachment # 3) dated October 28, 2016, prepared by DeLoyde Development Solutions.

At the June 27, 2017, Council Meeting, Council approved the Final OPA.