

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 17(18) of
the Planning Act, RSO 1990, c.P.13

and

IN THE MATTER OF Amendment Number 13
to the Vaughan Official Plan (2010) of the Vaughan Planning Area

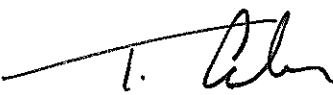
I, **BARBARA A. MCEWAN**, of the City of Toronto, **MAKE OATH AND SAY:**

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
2. **THAT** Vaughan Official Plan (2010) Amendment Number 13 was adopted by the Council of the Corporation of the City of Vaughan on the 27th day of June 2017, and written notice was given on the 7th day of July 2017 in the manner and form and to the persons and public bodies that requested notification of the adoption, pursuant to Subsection 17(23) of the Planning Act, RSO 1990, as amended.
3. **THAT** Vaughan Official Plan (2010) Amendment Number 13 is deemed to have come into effect on the 27th day of June 2017, in accordance with Subsection 17(27) of the Planning Act, RSO 1990, as amended.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this)
1st day of August 2017.)



BARBARA A. MCEWAN



A Commissioner, etc.

Todd Coles
Deputy City Clerk, City of Vaughan
A Commissioner, etc.

THE CITY OF VAUGHAN

BY-LAW

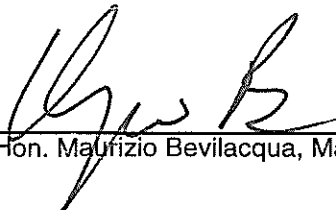
BY-LAW NUMBER 094-2017

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 27th day of June, 2017.



Hon. Maurizio Bevilacqua, Mayor



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"

Authorized by Item No. 4 of Report No. 6
of the Committee of the Whole
Adopted by Vaughan City Council on
February 21, 2017.

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.

City-wide Secondary Suites Study – Summary of Public Comments and Response

Theme	Response	Implementation Tool				
		OP	By-law 1-88	Education	Implementation/ Enforcement	Other
Neighbourhood Character						
Permitting Secondary Suites in Townhouses and Semi-detached dwellings	<p>Provincial Legislation requires municipalities to permit secondary suites in single, semi-detached and rowhouses (townhouses) dwellings. Through the Study, concerns were raised regarding the location of secondary suites in higher density residential areas. Specifically, the need to accommodate additional parking and modifications to front yard landscaping were identified as areas requiring further regulation.</p> <p>In response, the Official Plan policies will permit secondary suites in single, semi-detached and townhouse dwellings subject to specific criteria as contained in the implementing Zoning By-law Amendment. See parking and frontage responses below.</p>	✓	✓	✓	✓	
Additional parking needed to accommodate a secondary suite	<p>The provision of sufficient parking to accommodate the needs of tenants and landlords on a lot that contains a permitted secondary suite is a significant concern for the City. Existing parking requirements for different dwelling types vary and may not be sufficient to accommodate an additional vehicle in certain areas.</p> <p>To address these additional parking needs consistently throughout the City, the Zoning By-law Amendment requires that three spaces be provided on a lot in which a secondary suite is permitted. Due to challenges in regulating compliance with requiring a dedicated parking space for a secondary suite, a dedicated parking space is not required. The required three spaces are intended to accommodate the parking needs of both landlords and tenants.</p>		✓	✓	✓	
On-street parking	<p>On-street parking is currently not permitted in the City of Vaughan between 2am and 6am, except for a couple of streets previously established. Changes to the parking By-law to allow for on-street parking were not contemplated as part of the City-wide Secondary Suites Study. A separate review of developing a standardized process for consideration of paid-permit on-street parking in residential areas is currently underway, led by Public Works, which may result in the introduction of on-street parking where feasible and will include amendments to the parking by-law as required.</p>		✓		✓	Paid-permit On-street Parking

Theme	Response	Implementation Tool				
		OP	By-law 1-88	Education	Implementation/ Enforcement	Other
Minimum lot frontage	The 9m minimum lot frontage requirement is intended to address concerns regarding parking and modification to the front yards of lots where a secondary suite is permitted. A lot that provides a 9m frontage generally can accommodate the required 3 parking spaces while maintaining the hard/soft landscaping and minimum driveway width requirements in the City's Comprehensive Zoning By-law. Adding a provision relating to a minimum lot size would not address the landscaping and driveway width minimum requirements of the Zoning By-law.		✓	✓	✓	
Location of Entrances	The provision of a separate and accessible entrance to a secondary suite is an important life safety and privacy issue. Concerns were raised through the Study that the location of a separate entrance on the front exterior wall of a residential dwelling may have an impact on Neighbourhood Character. The Zoning By-law Amendment requires that a secondary suite be accessible through a separate entrance located at the side or rear of a residential dwelling or through a common vestibule located interior to the dwelling. Access to an entrance located at the side or rear of a dwelling shall have a consistent 1.2m wide path of travel leading to the entrance.		✓	✓	✓	
Conversion of garages to secondary suite uses	The conversion of a garage to accommodate a secondary suite is not permitted under the Zoning By-law Amendment. In order to ensure a lot can provide the required 3 parking spaces, the City will not permit the conversion of garages attached to the primary structure in which a secondary suite is located. Provincial policy requires that municipalities permit secondary suites in detached structures, which may include a detached garage. However, due to a lack of policy examples the City determined further review of secondary suites in detached accessory structures is required.		✓	✓	✓	Ongoing review

Theme	Response	Implementation Tool				
		OP	By-law 1-88	Education	Implementation/ Enforcement	Other
Maximum Total Gross Floor Area	The maximum Total Gross Floor Area requirement will limit the size of a secondary suite in relation to the dwelling in which it is located. The maximum Total GFA is intended to ensure the secondary suite is secondary to the primary use of the dwelling.		✓	✓	✓	
Health and Safety						
Concerns respecting safety	<p>A major outcome of the Study is to ensure the safety of both tenants and landlords who occupy a residential dwelling containing a permitted secondary suite. The introduction of secondary suites permissions provides the City an opportunity to review applications for secondary suites to ensure life safety matters are addressed. The Official Plan policies require that a permitted secondary suite meet Ontario Fire and Building Code standards. The application and enforcement of existing municipal By-law requirements, including but not limited to, those related to conditions in which properties must be maintained will also help to support the safety of tenants and neighbouring properties.</p> <p>In addition to land use planning tools, the City will develop a Public Education Program intended to raise awareness of specific issues related to the introduction of secondary suites permissions. The Education Program will emphasize relevant health and safety issues. As the City is not pursuing a licensing regime, requiring either a landlord or tenant to purchase insurance is not possible under the land-use planning tools available.</p>	✓	✓	✓	✓	
Building and Fire Code Requirements	<p>The Official Plan policies require that permitted secondary suites meet Ontario Fire and Building Code regulations. Through the submission of a Building Permit application, eligible secondary suites will be inspected to ensure Building and Fire Code compliance. The inspection process will evaluate three streams of secondary suites applications according to their date of construction. The inspection process will ensure the appropriate Code requirements are applied to a proposed secondary suite.</p> <p>The Public Education Program will describe the requirements of the compliance process. This material will include information on Building and Fire Code requirements for secondary suites.</p>	✓		✓	✓	

Theme	Response	Implementation Tool				
		OP 1-88	By-law	Education	Implementation/ Enforcement	Other
Strain on Infrastructure						
Impact on Development Charges	<p>The City determines the infrastructure needs of the City based on population and servicing allocation provided by the Region.</p> <p>The <i>Development Charges Act</i> provides for the exemption of new secondary suites in prescribed classes of existing buildings. Recent modifications to the <i>Development Charges Act</i> extend this exemption to the creation of new secondary suites in prescribed classes of new buildings. Regulations under the <i>Development Charges Act</i> are forthcoming.</p>					DC Study review
Impact on Public Services such as Garbage Pick-Up	<p>A potential increase in population resulting from the introduction of secondary suites permissions was identified as a key issue through the Study. Specifically, the provision of public services was raised as an area of focus.</p> <p>In regards to infrastructure, the servicing capacity of the water and wastewater system in Vaughan is considered sufficient to accommodate additional population growth. While the public and separate School Boards in York Region acknowledge high enrollment in certain areas, there is sufficient program flexibility to accommodate larger cohorts. At the municipal level, it is not anticipated that the approval of secondary suites will generate a significant increase in demand for other institutional uses such as community centres and libraries. Waste management programs operated by the City include the collection of additional garbage (3 bag limit) as well as unlimited organic waste and recycling.</p> <p>As secondary suites are approved, City staff will monitor the volume of building permit applications and evaluate the impact on the provision of public services. Data collected through the Building permit approval process will be available to City Departments and Regional agencies upon request to review and adjust budgets and programming accordingly.</p>					

Theme	Response	Implementation Tool				
		OP 1-88	By-law	Education	Implementation/ Enforcement	Other
Community Awareness						
Impact on assessment and taxes	The introduction of secondary suites permissions may have financial implications for homeowners who wish to pursue the legalization of a secondary suite on their property. MPAC information presented to the Secondary Suites Task Force concerning property tax assessments confirmed that an approved secondary suite would increase the value of a property and subsequent property tax rate.					

**The regulation and enforcement of all related regulations will be carried out through a collaborated effort between the City's Fire and Rescue Services, Building Standards and By-law and Compliance, Licensing and Permit Services Department.