



## MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner of Development Services, ext. 4875

Prepared by: Geoff Day, Senior Planner II – Development Facilitation Office, ext. 3071

Reviewed by: Darryl Lyons, - Deputy Director, Planning and Urban Design, ext. 2459

Date: June 26, 2023

Subject: Comprehensive Zoning By-law Project Update: Matters Raised at June 12, 2023 Development Services Committee Meeting - File PR 13 128340

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### RECOMMENDATION:

1. That the memorandum titled “Comprehensive Zoning By-law Project Update: Matters Raised at June 12, 2023 Development Services Committee Meeting - File PR 13 128340”, be received;
2. That a further Statutory Public Meeting be held in September 2023 to receive public input;
3. And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

### BACKGROUND:

On June 12, 2023, Staff presented the City-initiated Draft Zoning By-law to the Development Services Committee (DSC). Several matters were raised through deputations or, by Committee members that required further consideration and review by Staff.

A deputant raised an issue that they had not received notice of the Statutory Public Meeting held on May 9, 2023, even though it had been requested. The *Planning Act* requires that notice be provided to those that request it. Upon further review, the City Clerk has determined that approximately 167 people had not received notice of the Statutory Public Meeting. Therefore, Staff are recommending that an additional Statutory Public Meeting be held at the first available opportunity in September to support a good public planning process and ensure notice is provided to all interested parties that requested it.

Since June 12, Staff have met with all of the deputants that attended the meeting to understand their issues and comments. Table ‘A’ below, identifies 8 matters raised at the DSC meeting by deputants and/or members of committee and includes Staff comments and recommended modifications, where appropriate.

**Table 'A'**

MATTER RAISED	STAFF COMMENT
<p><b>ITEM 1</b>  <u>National Spiritual Assembly of the Bahá'í of Canada</u>  Request to exempt additional lands from the Draft By-Law that are adjacent to their current application at 7015 Leslie Street to protect for existing permitted uses</p>	<ul style="list-style-type: none"> <li>• Staff met with the agent on June 14, 2023 to discuss the issue</li> <li>• On June 19, 2023 the proponent filed an amendment to their active rezoning application to include the additional lands to the southeast</li> <li>• Staff recommend that the additional lands be excluded from Draft By-law as they are under application</li> </ul>
<p><b>ITEM 2</b>  <u>White Owl Properties (Miller Waste and Miller Transit)</u>  Request for site-specific exceptions to Proposed By-law due to concerns over loss of permissions in the current in-force By-law at 7781 Woodbine Ave, 405 Miller Ave, and 300 Rodick Rd</p> <p>Request for 8050 Woodbine to be excluded from the By-law</p> <p>Proposed Zoning - Commercial and Service Employment (7781 Woodbine Ave.) and General Employment, (405 Miller Ave. and 300 Rodick Rd.)</p>	<ul style="list-style-type: none"> <li>• Staff met with the agent on June 19, 2023. Advised of Staff approach to permit existing Commercial and Employment uses in the Commercial and Employment zones identified as discretionary under the 2014 Official Plan, as-of-right</li> <li>• Staff are recommending minor additions to applicable zone tables as provided for in the Official Plan to: <ul style="list-style-type: none"> <li>- Add existing Child Care Centres to Commercial Zone</li> <li>- Add existing Restaurants, Recreational Fitness Centres and Child care centres to Service Employment Zones</li> <li>- Add existing Concrete Batching, Asphalt Plants and, Open Storage Uses to the General Employment zones</li> <li>- 8050 Woodbine Ave, to be excluded from the By-law due to approved Planning Act applications since June 2014.</li> </ul> </li> </ul>
<p><b>ITEM 3</b>  <u>Weins Auto Group</u>  Request for site-specific exceptions to Proposed By-law due to concerns over loss of permissions in the current in-force By-laws at 3120 Steeles Ave, 3300 Steeles Ave, 7537 Woodbine Ave, 5362 Hwy 7 and, 391 John St.</p> <p>Proposed Zoning - Service Employment (3120, 3300 Steeles Ave., 7537 Woodbine Ave. and, 391 John St.) and Excluded Lands (5362 Hwy 7)</p>	<ul style="list-style-type: none"> <li>• Staff met with the agent on June 19, 2023 and advised amongst other matters, that existing Automobile dealerships and Automobile body shops will continue to be permitted as-of-right on identified properties.</li> <li>• Staff are of the opinion that the additional discretionary uses added to the Service Employment zone (as identified above) and, existing Automobile dealerships and Automobile body shops that will continue to be permitted as-of-right, adequately addresses the concerns</li> <li>• 5362 Hwy 7 is excluded from the By-law</li> </ul>
<p><b>ITEM 4</b>  <u>1217862, D. Crupi and Sons, Crupi Managements Corp. and Red Banner Developments</u></p>	<ul style="list-style-type: none"> <li>• Staff met with agent on June 20, 2023. Advised of approach to permit existing discretionary uses under the 2014 Official Plan, as-of-right. Clarified how changes in use in multi-tenant buildings will be reviewed to determine zoning</li> </ul>

<p>Concerns over loss of several permitted use provisions in Proposed Bylaw on identified properties; how change of use in multi-tenant Employment lands will be reviewed when applying certain zoning provisions; and, how additional required parking (regular, accessible and electric vehicle) will be determined</p>	<p>compliance and, how additional parking will be calculated when additions are proposed;</p> <ul style="list-style-type: none"> <li>• As this agent was not given notice of the Statutory Public Meeting, several matters raised at the June 20<sup>th</sup> meeting will require further consideration by Staff. Follow-up meeting(s) will be held with the agent in the near future</li> <li>• As of the date of this memo, Staff are recommending several minor modifications to the Outdoor Display and Sales Area provisions, Temporary Tent* provisions and Accessory Waste Disposal area sections of the Draft By-law that in the opinion of Staff, would address some of the agents concerns</li> </ul> <p>* Additional provisions added to location of temporary tents in non-residential areas (not permitted in landscaped areas) and included height restrictions in residential areas (Section 4.9.3)</p>
<p><b>ITEM 5</b>  <u>Detached Private Garages – Residential zones</u>  Concerns over 25% lot coverage permission that may result in excessively large detached garages on larger lots. Detached private garages should be included in the calculation for maximum lot coverage in the RES-ENLR zone</p>	<ul style="list-style-type: none"> <li>• Staff reviewed existing standards against established standards in several City Zoning By-laws. Detached private garage coverage range from 10% to 18%</li> <li>• Staff are recommending that the 25% permission be reduced to 15% which permits a more appropriate garage area as a percentage of the lot</li> <li>• Staff are recommending that detached private garages be included in the maximum 30%/20% lot coverage calculation for lands zoned RES-ENLR</li> </ul>
<p><b>ITEM 6</b>  Request to review appropriateness of certain uses (e.g. Recreational Fitness Centres, Child Care Centres, Financial Institutions) in Commercial and certain Employment zones and pet grooming as a home occupation</p>	<ul style="list-style-type: none"> <li>• Staff reviewed uses against the applicable Official Plan designations. It is noted that certain uses (e.g. financial institutions, medical offices) are not provided for in all Employment designations of the Official Plan</li> <li>• Staff are recommending minor modifications to the By-law to permit pet grooming as a home occupation and Recreational Fitness Centres uses in Commercial and certain Employment zones in accordance with the Official Plan</li> <li>• That existing Child Care Centres be permitted in the Commercial zone</li> </ul>
<p><b>ITEM 7</b>  Request to review if definition of Adult Entertainment/Body Rub Establishments could be further restricted including signage.</p>	<ul style="list-style-type: none"> <li>• Staff have reviewed the definitions and believe they appropriately describes the uses</li> <li>• Staff also note that matters related to signage are addressed under the City's Sign By-Law and not through zoning standards/provisions</li> </ul>

<p><b>ITEM 8</b></p> <p>Request to review Commercial Vehicle Parking standard to determine if they are less restrictive than Recreational Vehicle standards.</p> <p>Request why commercial vehicles in the proposed By-law can have a maximum weight of up to 4600 kg</p>	<ul style="list-style-type: none"> <li>• In preparation of the proposed By-law Staff had reviewed the standards against those in the City's Parking By-law</li> <li>• Use of the 4600 kg provision is consistent with the City's Parking By-law and the Ontario Highway Traffic Act as a vehicle in excess of this weight requires a special Class A licence</li> <li>• Including a maximum weight assists enforcement in determining compliance</li> <li>• Maximum vehicle dimensions coincide with that of a typical parking space</li> <li>• Staff are of the opinion that standards included in the By-law are appropriate</li> <li>• Staff will further investigate provisions for commercial motor vehicles as part of the City's ongoing parking strategy</li> </ul>
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### CONCLUSION:

Staff are of the opinion that the proposed modifications appropriately respond to the majority of the matters brought forward at the June 12, 2023 DSC meeting. An additional Statutory Public Meeting is recommended to be held in September and Staff anticipate bringing the Comprehensive Zoning Bylaw forward for adoption shortly thereafter, subject to the range of comments received.

### ATTACHMENT:

Appendix 'A': Revised City-initiated Draft Zoning By-law