

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 014-2018**

**A By-law to amend City of Vaughan By-law 1-88, as amended by By-law 095-2014 (Site-Specific Exception 9(1402)).**

**WHEREAS** the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

**AND WHEREAS** there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
  - a) Deleting Schedule “1” and substituting therefor the Schedule “1” attached hereto.
  - b) Deleting Schedule “E-1529” and substituting therefor the Schedule “E-1529” attached hereto as Schedule “2” for the lands shown as “Subject Lands” on Schedule “1”.
  - c) Deleting Key Map 4A and substituting therefor the Key Map 4A attached hereto as Schedule “4”.
  - d) Deleting clause 1.(b)(i) and replacing with the following new clause 1.(b)(i):
    - “i) An Underground Parking Structure shall be permitted prior to the removal of the Holding “(H)” Symbol;”
  - e) Deleting clause 1.(b)(ii) and replacing with the following new clause 1.(b)(ii):
    - “ii) A By-law to remove the Holding Symbol “(H)” from the Phase 1 lands shall not be enacted until the following conditions are satisfied:”
  - f) Deleting clause 1.(b)(ii)(b) and replacing with the following new clause 1.(b)(ii)(b):
    - “b) The approval of the Site Development Application for Phase 2 on the Subject lands shall not proceed until a Building Permit has been issued for the eight-storey, minimum 13,549 m<sup>2</sup> office building in Phase 1;”
  - g) Adding the following new clauses 1.(b)(iii) and 1.(b)(iii)(a) after clause 1.(b)(ii) as follows:
    - “iii) A By-law to remove the Holding Symbol “(H)” from the Phase 2 lands shall not be enacted until the following condition is satisfied:
      - a) The owner shall contribute, if required, to community benefits as mutually agreed to with the City of Vaughan subject to an Agreement(s) with the City of Vaughan pursuant to Section 37 of the *Planning Act* prior to the finalization of the Phase 2 Site Development application, to the satisfaction

of the City of Vaughan;”

- h) Deleting clause 1.(b)(ii)(c), 1.(b)(ii)(d), and 1.(b)(ii)(e) in its entirety and replacing with the word “DELETED.”
- i) Deleting clauses B.(a) and (b) and replacing with the following new clauses B.(a) and (b):
  - “a) Subsections 2.0 and 2.2 respecting the definitions of Lot, Parking Space, Underground Parking Structure, and Building Height;
  - b) Subsection 3.8.1 respecting Parking Requirements for the Vaughan Metropolitan Centre and Subsection 3.8.2 respecting Bicycle Parking in the Vaughan Metropolitan Centre;”
- j) Deleting clause B.(ai)(i) and replacing with the following new clause B.(ai)(i):
  - “i) The Subject Lands are deemed one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots and/or blocks by way of a plan of subdivision, plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of this By-law;”
- k) Adding the following new clauses (iii) and (iv) after clause B.(ai)(ii):
  - “iii) An Underground Parking Structure shall mean a building or structure constructed below finished grade used for the temporary parking of motor vehicles and shall not include the storage of impounded or derelict motor vehicles;
  - iv) The definition of Building Height shall exclude accessory roof construction, elevator(s), mechanical room, antennae, parapet wall, canopies, landscape features, roof-top equipment, or roof-top architectural features and/or accessory amenity areas, including, but not limited to observatories. Where two or more levels of underground parking are provided for a residential, office or mixed-use development, two levels of above-grade parking integrated within the podium of the building may be excluded from the calculation of the total height of the building, and the Gross Floor Area of the parking area may be excluded from the calculation of the total density of the building;”
- l) Adding the following new clause after the second bullet in clause (bi)(ii):
  - “▪ Multi-Unit Residential – 0.5 spaces per unit;”
- m) Adding the following new clauses (biii), (biv), and (bv) after clause (bii):
  - “biii) The Minimum Width for the pedestrian public mews (and driveway) shall be 6 m;
  - biv) Access may be permitted to the Subject Lands from the adjacent lands to the west (7725 Jane Street);

- bv) Residential Visitor Parking may be shared with non-residential parking within a mixed-use building;”
- n) Deleting clause (ci) and replacing with the following new clause (ci):
  - “ci) Loading space(s) shall be located wholly enclosed in a building with access onto a public or private street;”
- o) Adding the following new clause (dii) after clause (di) as follows:
  - “dii) No minimum setbacks shall be required from any property line to the nearest part of a building below finished grade;”
- p) Deleting “2.0 m” in clause (ei)(i) and replacing with “0 m”.
- q) Deleting clause (fi) and replacing with the following new clause (fi):
  - “fi) Save and except exit stairs and vents ancillary to an underground parking area, all buildings or structures erected on the lands shown as “Subject Lands” on Schedule “E-1529” shall be located within the areas described as “Phase 1” and “Phase 2”;”
- r) Adding the “and/or accessory amenity areas, including, but not limited to observatories;” after the word “features” in clause (fiv).
- s) Deleting the reference to “Building Envelope 1” in clause (fv) and replacing it with “Phase 1”.
- t) Deleting clause (fvi) and replacing it with the following new clause (fvi):
  - “fvi) The maximum building height for “Phase 2” shall be 82 m, and if required, shall be subject to the owner’s contribution to community benefits to be used for the provision of services, facilities or other matters to assist in achieving municipal objectives, particularly to benefit the areas where the bonus is to be granted, subject to an Agreement(s) with the City of Vaughan pursuant to Section 37 of the *Planning Act*;”
- u) Deleting clause (fvii) and replacing it with the following new clause (fvii):
  - “fvii) For clarity, the following standards shall apply:
    - i) Minimum Lot Area shall be:
      - Block 2: 3,712 m<sup>2</sup>;
      - Block 3: 3,318 m<sup>2</sup>;
    - ii) The Minimum Lot Frontage shall be:
      - Block 2: 32 m (Regional Road 7);
      - Block 3: 34 m (Maplecrete Road);
    - iii) An architectural element may encroach 0.7 m into the site triangle located at the intersection of Street A and Regional Road 7;
    - iv) The Minimum Building Setbacks for Tower A shall be:
      - Abutting Maplecrete Road: 2 m at the second storey;
      - Abutting Street B: 0.6 m;

- v) The Minimum Building Setbacks abutting Street A for Tower B shall be 0.2m;
  - vi) The Minimum Building Setbacks for Tower D shall be:
    - Abutting Street A: 0 m;
    - Abutting the pedestrian public mews: 1 m;”
- v) Deleting clauses (gi), (gii), and (giii) and replacing with the following new clauses (gi), (gii), and (giii):
  - “gi) A minimum of 4 m<sup>2</sup> per apartment dwelling unit shall be provided as amenity area;
  - gii) The total combined retail gross floor area shall be a maximum 3,500 m<sup>2</sup>;
  - giii) The total combined office building gross floor area shall be a minimum of 13,549m<sup>2</sup>;”
- w) Adding the following new clause (giv) after clause (giii):
  - “giv) In addition to the uses permitted in the C9 Corporate Centre Zone, the following additional uses shall be permitted:
    - i) Independent Living Facility;
    - ii) Supportive Living Facility;
    - iii) Long Term Care Facility;
    - iv) Underground Parking Structure;”
- x) Adding the following new clauses (h), (i), and (j) after clause B.(g):
  - “h) Subsection 7.1.1 respecting Open Space Zone Requirements and Schedule “A” respecting the zone standards in the OS2 Open Space Park Zone;
  - i) Subsections 7.1.2 and 7.3 respecting Uses Permitted in the OS2 Open Space Park Zone;
  - j) Subsection 3.8.1 respecting Parking Requirements for the Vaughan Metropolitan Centre;”
- y) Adding the following new clauses (hi), (ii), and (ji) after clause (giii):
  - “hi) The minimum setbacks within the OS2 Open Space Park Zone shall be 0 m;
  - ii) A building or structure for access stairs to and from the underground parking structure may be permitted in addition to the uses permitted in the OS2 Open Space Park Zone; and
  - ji) The required commercial and office parking may be used for required visitor parking associated with residential uses in a mixed-use building.”

2. Schedules “1”, “2”, and “4” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 30<sup>th</sup> day of January, 2018.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

Authorized by Item No. 1 of Report No. 2  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
January 30, 2018.

### **SUMMARY TO BY-LAW 014-2018**

The lands subject to this By-law are located at the southwest corner of Maplecrete Road and Regional Road 7, municipally known as 2951 Regional Road 7 and 180 and 190 Maplecrete Road, being part of Lot 5, Concession 4, City of Vaughan.

The purpose of this By-law is to amend the original site-specific Zoning By-law Exception 9(1402), Zoning By-law 095-2014, to permit the following amendments:

- a) reduction of development phases from 3 to 2;
- b) consistent with the Vaughan Metropolitan Centre (VMC) Secondary Plan, permit the exclusion of two storeys from the calculation of maximum permitted building height provided that two storeys of underground parking is included – for Phase 1 only;
- c) notwithstanding the definition of lot and for clarity purposes, reductions to lot area, lot frontage, and building setbacks after the creation of Streets A and B and the pedestrian public mews;
- d) permission for site triangle encroachments at Street A and Regional Road 7;
- e) access protection in favour of the lands to the west (7725 Jane Street);
- f) permission for shared non-residential and residential visitor parking in a mixed-use building;
- g) a reduction of access with along the pedestrian public mews;
- h) inclusion of additional uses in the C9 Corporate Centre Zone (Independent Living Facility, Supportive Living Facility, Long Term Care Facility, and Underground Parking Structure, as site-specifically defined in this By-law);
- i) permit a building or structure for access stairs to and from the underground parking structure in the OS2 Open Space Park Zone with 0 m setback to all property lines;
- j) permit loading spaces to have access onto public or private streets;
- k) permit no minimum setbacks from any property line to the nearest part of the building below finished grade;
- l) permit 0 m landscape strip widths along Regional Road 7;
- m) further reduction of minimum amenity area to 4 m<sup>2</sup> per apartment dwelling unit;
- n) increase in maximum retail gross floor area to 3,500 m<sup>2</sup>; and
- o) exclude an observatory from the definition of building height.

On June 16, 2015, the Ontario Municipal Board approved By-law 095-2014 which effectively zoned the subject lands with the Holding Symbol “(H)”, until such time that the identified conditions are fulfilled.

Specifically, the condition that water supply and sewage servicing capacity has been identified and allocated to the Subject Lands by Vaughan Council has been fulfilled with the inclusion of the recommendation in the Committee of the Whole report, dated January 23, 2018, which was approved by Vaughan Council on January 30, 2018, that 1,162 residential units have been allocated servicing capacity from the York Sewage Servicing/Water Supply System.

The condition that the Record of Site Condition (RSC) be registered and signed by a Qualified Person and the Acknowledgment Form from the Ministry of Environment and Climate Change (MOECC) has been fulfilled with the registration of RCS #223539 and #223724.

Despite the above fulfilment of conditions, the Holding Symbol “(H)” shall remain in Site-Specific Exception 9(1402) until the remaining conditions are fulfilled.