

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 026-2016**

**A By-law to amend City of Vaughan By-law 1-88.**

**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 an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are 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) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from A Agricultural Zone to C9 (H) Corporate Centre Zone with the Holding Symbol (“H”) and OS2 Open Space Park Zone, in the manner shown on Schedule “2”.
  - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1433)A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1563”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(4) of the Planning Act:

    - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of the enactment of By-law 026-2016;
    - ii) A By-law to remove the Holding Symbol “(H)” from the Subject Lands shall not be enacted until the servicing capacity has been formally allocated for water supply and sewage servicing to the Subject Lands by Vaughan Council at the site development stage;
    - iii) A By-law to remove the Holding Symbol “(H)” from the Subject Lands shall not be enacted until the Owner submits a reference plan that establishes:
      - (a) the new north property line to the satisfaction of the City, to accommodate the portion of the Portage Parkway extension that will traverse through the northerly portion of the Subject Lands; and,
      - (b) the new south property line to the satisfaction of the City and the TRCA, in order to maintain a 10 metre buffer

between the proposed development and the top of bank  
of the Edgeley Pond;

B. Notwithstanding the provisions of

- a) Subsection 2.0 respecting the Definition of a Lot, Frontage on a Public Street, Front Lot Line;
- b) Subsection 3.14 respecting Encroachment (along a sight triangle);
- c) Subsection 3.17 respecting Portions of Buildings Below Grade;
- d) Subsection 3.25 respecting Temporary Sales Office;
- e) Subsection 4.1.6 respecting Minimum Amenity Area;
- f) Subsection 5.1.1 respecting Landscaping Area;
- g) Subsection 5.1.5 respecting Commercial Zone Requirements and Schedule "A2" respecting the zone standards in the C9 Corporate Centre Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1563":

- ai) For the purposes of this Exception Paragraph:
  - i) The Subject Lands shall be deemed to be one lot notwithstanding any conveyance of portions thereof, the number of buildings constructed thereon, including the creation of separate units therein and/or lots by way of a plan of condominium or consent, or any other permissions, including easements or registrations, that are granted in respect of the Subject Lands.;
  - ii) No person shall erect any building or structure unless the lot upon which such building or structure is to be erected fronts upon a public street or a private condominium road;
  - iii) The Jane Street property line shall be deemed to be the front lot line;
- bi) An open and uncovered balcony located above grade level may encroach 1.8 m into a sight triangle;
- bii) An air intake grill may encroach 1.0 m into the front yard (Jane Street);
- biii) Canopies may encroach 1.0 m into the exterior yard (Portage Parkway);
- ci) The minimum setback to any portion of a building below grade shall be 0.0 m along Jane Street and the future Portage Parkway;
- di) Temporary offices for the sale of residential units shall be located within 300 m of the Subject Lands;
- ei) The minimum amenity area shall be 18.4 m<sup>2</sup> per dwelling unit;
- fi) The minimum landscape strip width shall be 2 m along a street line;

- gi) The minimum front yard setback (Jane Street) shall be 2 m;
- gii) The yard setback (North Property Line) shall be 29 m and shall be a minimum 2 m to a property line after any conveyance;
- giii) For further clarity, notwithstanding paragraphs hi), hii), and hv), the setback to a sight triangle shall be 0 m for above grade balconies that are open and uncovered;
- giv) The minimum rear yard setback (east property line) shall be 2 m;
- gv) The minimum setback to a sight triangle shall be 0.5 m;
- gvi) The maximum building height shall be 113 m (35-storeys), excluding accessory roof construction, architectural elements, elevator(s), mechanical room, antenna, parapet wall or roof-top equipment; and,
- gvii) The maximum permitted number of Dwelling Units shall be 593;
- gviii) The maximum building height on the subject lands shall be increased to 35 storeys (113 m), subject to a monetary contribution of \$135,000.00 towards, but not limited to, public art, cash contribution for community benefits, and enhanced streetscaping, to be applied within the boundary of the Vaughan Metropolitan Centre (VMC), subject to an Agreement(s) with the City of Vaughan pursuant to Section 37 of the Ontario Planning Act;
- gix) Payment of the monetary contribution shall be prior to the issuance of the first above grade Building Permit.”

- c) Deleting Key Map 4B and substituting therefor the Key Map 4B attached hereto as Schedule “3”.

2. Schedules “1”, “2”, and “3” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 16<sup>th</sup> day of February, 2016.

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk

### **SUMMARY TO BY-LAW 026-2016**

The lands subject to this By-law are located on the east side of Jane Street, south of the future Portage Parkway, municipally known as 7895 Jane Street, within the Vaughan Metropolitan Centre (VMC), being Part of Lots 6 and 7, Concession 4, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from A Agricultural Zone to C9 (H) Corporate Centre Zone, with the Holding Symbol "(H)" and OS2 Open Space Park Zone.

The removal of the Holding Symbol "(H)" is conditional upon receipt of formal allocation for water supply and sewage servicing to the Subject Lands by Vaughan Council at the site development stage and the filing of the reference plan to establish the new north and south property lines.

This By-law creates a new Exception to facilitate a high-density residential development in the Vaughan Metropolitan Centre that includes the following site-specific zoning exceptions:

- a) a definition of "lot", "frontage on a public street", and "front lot line";
- b) reduced setbacks for portions of a building below grade to 0 m;
- c) permit a 1.8 m encroachment into a sight triangle for uncovered and open balconies, 1.0 m encroachment of air intake grills into the front yard (Jane Street), and 1.0 m encroachment of townhouse canopies into the exterior yard (Portage Parkway);
- d) permit a minimum amenity area standards of 18.4 m<sup>2</sup> per unit;
- e) permit a temporary sales office within 300 m of the subject lands;
- f) reduced landscape strip widths of 2 m along a street line;
- g) delete build to zone requirements to permit reduced setbacks to public streets;
- h) includes provisions for building height bonusing for the subject lands to be applied within the VMC.