

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 088-2013

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 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 C9 (H) Corporate Centre Zone with the Holding Symbol “(H)” to C9 Corporate Centre Zone and C9 (H) Corporate Centre Zone with the Holding Symbol “(H)”, in the manner shown on the said Schedule “1”, thereby removing the Holding Symbol “(H)” on a portion of the Subject Lands.
 - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:
 - (1389) A) The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” on Schedule “E-1516”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(4) of the Planning Act, R.S.O 1990:
 - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a surface commercial parking lot, mews, a future park, and a portion of an underground parking garage, as of the date of the enactment of By-law 088-2013;
 - ii) A By-law to remove the Holding Symbol “(H)” from Area “A” of the “Subject Lands” shall not be enacted until a Site Development Application, in accordance with Section 41 of the Planning Act, and, if required, a future Zoning By-law Amendment Application, in accordance with Section 34 of the Planning Act, for the development of the planned park in the Vaughan Metropolitan Centre (VMC) area be approved by Vaughan Council, in which details such as, but not limited to, the park design, programming, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements be finalized, to the satisfaction of the City of Vaughan.
 - B) Notwithstanding the provisions of:

- a) Subsection 2.0 respecting the definitions of Lot, Parking Space and Parking Space – Barrier-Free, Commercial Parking Lot, Mews, Park, and Recreational Use;
- b) Subsection 3.8a), d) and g) respecting Parking Requirements;
- c) Subsection 3.9 respecting Loading Space Requirements;
- d) Subsection 3.17 respecting Portions of Buildings Below Grade;
- e) Subsection 5.1.1 respecting Landscaping Area;
- f) Subsection 5.1.4 respecting Uses Permitted, All Commercial Zones and 5.10 respecting Permitted Uses to the C9 Corporate Centre Zone;
- g) Subsection 5.1.5 respecting Commercial Zone Requirements and Schedule “A2” respecting the Zone Requirements in the C9 Corporate Centre Zone;
- h) Subsection 5.1.6 respecting Outdoor Patio;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1516”:

- ai) For the purposes of this Exception Paragraph:
 - i) The Subject Lands be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and / or lots by way of plan of condominium, consent, or other permissions, and any easements, registrations or strata arrangements that are granted, shall be deemed to comply with the provisions of the By-law;
 - ii) the minimum dimension for a Parking Space shall be 2.7 metres by 5.7 metres;
 - iii) the minimum dimension for a Barrier-Free Parking Space shall be 3.9 metres by 5.7 metres. If a Barrier-Free Parking Space is adjacent to another Barrier-Free Space, the minimum size of the parking space may be reduced to 3.2 metres by 5.7 metres;
 - iv) A Commercial Parking Lot shall mean a building, part of a building or parcel of land other than a street or lane, used for the temporary parking of motor vehicles for compensation, but shall not include the storing of impounded or damaged motor vehicles or a salvage yard. A commercial parking lot shall include ten (10) or more parking spaces along with parking aisles and with the principle access to a street.

- v) Mews shall mean an extended pedestrian walkway connecting Future Street “A” and Apple Mill Road.
- vi) Park shall mean an area of open space provided for Recreational Uses.
- vii) Recreational Uses shall mean the use of land for parks, playgrounds, racquet courts, lawn bowling greens, skating and curling rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, walking trails and all similar uses, together with necessary and accessory buildings and structures; but does not include a track for the racing of animals, motor vehicles, snowmobiles, motorcycles, golf driving ranges, miniature golf courses, or golf courses. Furthermore, Recreational Uses may be in either public or private ownership or a combination of both.
- bi) the parking on the Subject Lands may be for the use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, parking spaces and areas;
- bii) the minimum parking standard(s) shall be calculated based on the Commercial Floor Area (CFA) as follows:
 - i) Office – 1.5 spaces / 100 m² CFA;
 - ii) Retail – 2 spaces / 100 m² CFA;
- biii) a maximum of 340 parking spaces shall be permitted on Area “A” for the purpose of a commercial parking lot and subject to the conditions for removal of the Holding Symbol “(H)”;
- biv) notwithstanding paragraph bii), parking requirements shall not apply to the third and fourth storeys of Building “A”, identified in Schedule “1” of this By-law nor shall it apply to an outdoor patio use;
- bv) a minimum of six (6) permanent Barrier-Free Parking Spaces and two (2) temporary surface level Barrier-Free Parking Spaces shall be provided;
- bvi) the maximum width of a driveway access to a parking area shall be as follows:
 - i) 8.0 metres on Future Street “A”;
 - ii) 11.0 metres and 11.1 metres on Apple Mill Road;
- ci) a loading area shall be located wholly enclosed in a building with access onto Apple Mill Road;
- cii) a maximum of five (5) loading spaces shall be permitted and shall be wholly enclosed in a building;
- ciii) a minimum loading space size shall be 6.0 metres long and 3.0 metres wide;

- di) the minimum setback from Apple Mill Road to the nearest part of a building below finished grade shall be 0.0 metres;
 - ei) the following minimum landscape strip width measured from the street line shall apply abutting the following street lines:
 - i) Future Street “A” – 0.7 metres;
 - ii) Apple Mill Road – 0.7 metres;
 - iii) Edgeley Boulevard – 0.6 metres;
 - eii) notwithstanding paragraph ei), the minimum landscape strip width from a street line to any vent shaft and exit stairs associated with the underground parking garage shall be 0.2 metres;
 - fi) only the following uses shall be permitted in “Area A”:
 - i) a commercial parking lot;
 - ii) a park; and,
 - iii) a mews;
 - fii) Outdoor Patio uses shall only be permitted in “Area B”;
 - gi) the minimum building setback along Future Street “A” shall be 5.0 metres to the building columns and 2.7 metres to the above-ground building wall;
 - gii) the minimum building setback along Apple Mill Road shall be 5.0 metres to the main building, 3.5 metres to the above-ground building wall, and 0.9 metres to the exit stair projections;
 - giii) notwithstanding paragraph gi) and gii), the minimum setback to any vent shaft and exit stairs associated with the underground parking garage shall be 0.2 metres;
 - giv) the maximum building height shall be 76 metres, exclusive of all rooftop mechanical equipment and parapets;
 - hi) subsection 5.1.6 b), c), and e) shall not apply;
 - hii) for the purposes of this Exception Paragraph, only the outdoor patio of an eating establishment, licensed to serve alcohol in accordance with approvals from the Alcohol and Gaming Commission of Ontario, shall be completely enclosed by a physical barrier with access only from the interior of the said eating establishment, with the exception of at least one (1) exit to be used only in case of emergency and which is not from the interior of the main building.”
 - c) Adding Schedule “E-1516” attached hereto as Schedule “1”.
 - d) Deleting Schedule “E-1044” and substituting therefor Schedules “E-1044”, attached hereto as Schedules “2”.
 - e) Deleting Schedule “E-1044A” and substituting therefor Schedule “E-1044A”, attached hereto as Schedule “3”.

- f) Deleting Key Map 5B and substituting therefor the Key Map 5B attached hereto as Schedule “4”.

2. Schedules “1”, “2”, “3”, and “4” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 25th day of June, 2013.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

SUMMARY TO BY-LAW 088-2013

The lands subject to this By-law are located at the southeast corner of Edgeley Boulevard and Apple Mill Road through to the future Street "A", in Lot 6, Concession 5, City of Vaughan.

The purpose of this by-law is to rezone from C9(H) Corporate Centre Zone with the Holding Symbol "(H)" to C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and permit the following zoning exceptions to facilitate the development of a 14-storey office building and a 2-storey commercial building:

- a) reduced parking space dimensions;
- b) definitions of lot, commercial parking lot, mews, park, and recreational use;
- c) reduced parking requirements and exemptions from parking requirements for outdoor patios and the third and fourth floors of the commercial building;
- d) reduced setbacks to buildings below grade;
- e) reduced landscape widths;
- f) permitting a commercial parking lot as a new site-specific use that is temporary upon the conditions of removal of the Holding Symbol "(H)";
- g) reduced building setbacks; and,
- h) 76 metre maximum building height.