

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 095-2014**

**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 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) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from C8 Office Commercial Zone, C8(H) Office Commercial Zone with the Holding Symbol (“H”), and EM1 Prestige Employment Area Zone to C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone, both with the Holding Symbol (“H”), in the manner shown on the said Schedule “1”.
  - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1402)A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1529”, 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 095-2014;
    - ii) A By-law to remove the Holding Symbol “(H)” from the Subject Lands shall not be enacted until the following conditions are satisfied:
      - a) Vaughan Council has approved a Site Development Application for the subject lands, or portion thereof, in accordance with Section 41 of the Planning Act;
      - b) The approval of the Site Development Application(s) for Phase 2 and 3 on the Subject Lands shall not proceed until a Building Permit has been issued for the 12-storey, 20,207 m<sup>2</sup> office building in Phase 1;
      - c) Water supply and sewage servicing capacity has been identified and allocated to the Subject Lands by the

Vaughan Council;

- d) The owner shall carry out the Environmental Site Assessment (ESA) clearance to completion, up to and including the satisfactory registration of the Record of Site Condition (RSC), the proof of which requires two (2) documents, a hard copy of the RSC signed by a Qualified Person and the Acknowledgement Form from the Ministry of Environment (MOE). The approval of a Site Development Application to proceed to a technical report to the Committee of the Whole will be conditional on the proponent addressing outstanding ESA comments to the satisfaction of the City including the review and acceptance of a Remedial Action Plan. The RSC and ESA reports relied upon for the RSC filing will be a condition of site plan approval of Site Development File DA.13.021 and will be required prior to the issuance of a Building Permit;
- e) The owner shall contribute 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 Ontario Planning Act prior to the finalization of the Phase 1 Site Development stage (Site Development File DA.13.021), to the satisfaction of the City of Vaughan;
- f) All strata title arrangements shall be finalized and details respecting, but not limited to, access, maintenance, liability, cross section details, and monetary contributions shall have been agreed upon by the Owner and the necessary agreement(s) shall be executed, to the satisfaction of the City of Vaughan;

B. Notwithstanding the provisions of

- a) Subsection 2.0 respecting the Definition of a Parking Space and Lot;
- b) Subsection 3.8.2 respecting Bicycle Parking Requirements;
- c) Subsection 3.9 d) respecting Loading Space Requirements;
- d) Subsection 3.17 respecting Portions of Buildings Below

Grade;

- e) Subsection 5.1.1 respecting Landscaping Area;
- f) Subsection 5.1.5 respecting Commercial Zone Requirements and Schedule "A2" respecting the zone standards in the C9 Corporate Centre Zone;
- g) Subsection 5.10 respecting Uses Permitted in the C9 Corporate Centre Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1529":

- ai) For the purposes of this Exception Paragraph:
  - i) The Subject Lands are deemed one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of a 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;
  - ii) The minimum dimension for a Parking Space shall be 2.7 metres by 5.8 metres;
- bi) The minimum bicycle parking requirements shall be as follows:
  - i) Short Term:
    - Commercial – 0.1 spaces per 100 m<sup>2</sup> Gross Floor Area;
    - Office – 0.05 spaces per 100 m<sup>2</sup> Gross Floor Area;
    - Residential – 0.1 spaces per 100 m<sup>2</sup> Gross Floor Area;
  - ii) Long Term:
    - Commercial – 0.05 spaces per 100 m<sup>2</sup> Gross Floor Area;
    - Office – 0.08 spaces per 100 m<sup>2</sup> Gross Floor Area;
- bii) Long-term Multi-Unit Residential bicycle parking spaces shall be located in the provided individual unit storage lockers or in other secure locations within the building or underground parking garage;
- ci) A loading area shall be located internal to a wholly enclosed

- building with access onto a local road;
- di) The minimum setback from the front lot line (Maplecrete Road) to the nearest part of the building below finished grade shall be 0.0m;
- ei) The following minimum landscape strip widths shall be provided:
  - i) 2.0 m along Regional Road 7;
  - ii) 1.7 m along Maplecrete Road;
- 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- “ shall be located within the areas described as “Building Envelope 1”, “Building Envelope 2”, “Building Envelope 3”, and “Building Envelope 4;
- fii) The setback from all site triangles may be 0 m;
- fiii) The maximum number of residential units shall be 1,328;
- fiv) The maximum building height on the Subject Lands shall be 115m or 35 storeys, exclusive of mechanical penthouse and roof-top architectural features;
- fv) The minimum building height for a portion of “Building Envelope 1” shall be 7.9 m;
- fvi) The maximum building height for “Building Envelope 3” shall be 82 m;
- fvii) Notwithstanding clause fvi), the maximum building height for “Building Envelope 3” shall be increased by 57 m from 25 m to 82 m, 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 area where the bonus is to be granted, subject to an Agreement(s) with the City of Vaughan pursuant to Section 37 of the Ontario Planning Act;
- gi) A minimum of 5 m<sup>2</sup> per apartment dwelling unit shall be provided as amenity area;
- gii) The total combined retail gross floor area shall be 3,301 m<sup>2</sup>;
- giii) The total combined office building gross floor area shall be 20,207 m<sup>2</sup>.”
- c) Deleting paragraph A in Exception Paragraph 9(875) in its entirety and substituting therefor the word “Deleted”;
- d) Deleting the following clause in its entirety in Exception Paragraph 9(875) bi):

“The combined total gross floor area of all buildings on the subject lands shall not exceed 12,486 sq.m.;”

- e) Deleting clause ci) in Exception Paragraph 9(875) and substituting therefor the following:

“ci) The parking spaces provided on the subject lands as of the date of the enactment of By-law 095-2014 shall be deemed to comply;”
- f) Deleting clause ei) in Exception Paragraph 9(875) and substituting therefor the following:

“ei) No landscape strip is required where a Commercial Zone abuts the boundary of lands zoned OS1 Open Space Conservation Zone. A strip of land not less than three (3) metres in width shall be provided along a lot line which abuts the street line of Jane Street and shall be used for no purpose other than landscaping. This shall not prevent the provision of access driveways across the said strip;”
- g) Deleting clause fi) in Exception Paragraph 9(875) and substituting therefor the following:

“fi) The maximum building height shall be 20.5 m;”
- h) Deleting clause gi) in Exception Paragraph 9(875) and substituting therefor the following:

“gi) The minimum exterior side yard shall be 15.0 m;”
- i) Adding Schedule “E-1529” attached hereto as Schedule “2”.
- j) Deleting Schedule “E-958” and substituting therefor the Schedule “E-958” attached hereto as Schedule “3”.
- k) Deleting Key Map 4A and substituting therefor the Key Map 4A 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 24<sup>th</sup> day of June, 2014.

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk

### **SUMMARY TO BY-LAW 095-2014**

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 rezone the subject lands from C8 Office Commercial Zone, C8(H) Office Commercial Zone with the Holding Symbol "(H)", and EM1 Prestige Employment Area Zone to C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone, both with the Holding Symbol "(H)".

The conditions for removal of the Holding Symbol "(H)" include the following:

- a) site plan approval by Vaughan Council;
- b) the approval of the Site Development applications for Phases 2 and 3 on the Subject lands shall not proceed until a Building Permit has been issued for the 12-storey, 12,207 m<sup>2</sup> gross floor area office building in Phase 1;
- c) allocation of water and sewage servicing capacity by Vaughan Council;
- d) the completion of the environmental site assessment clearance;
- e) the executed agreement(s) under Section 37 of the Planning Act for the Phase 2 site plan (180 Maplecrete Road); and,
- f) finalization of all strata arrangement details and the execution of the necessary agreement(s).

This By-law amends Exception 9(875) and related Schedule E-958 to delete all reference to a portion of the subject lands municipally known as 2951 Regional Road 7. It also creates a new Exception Paragraph to facilitate a mixed-use development that includes the following site-specific zoning exceptions:

- a) a definition of "parking space" and "lot";
- b) bicycle parking standards;
- c) requires that all loading areas are located within a wholly enclosed in a building with access onto a local road;
- d) creates building envelopes, save and except exit stairs and vents ancillary to the underground parking area;
- e) reduced setbacks for portions of buildings below grade along Maplecrete Road and to all site triangles;
- f) reduced landscape strip widths along Regional Road 7 and Maplecrete Road;
- g) reduced minimum building height for a portion of "Building Envelope 1";
- h) permit a total maximum of 1,328 apartment dwelling units;
- i) a maximum building height on the subject lands of 115 m (35 storeys);
- j) increased maximum building height for "Building Envelope 3";
- k) includes provisions for density bonussing respecting the lands municipally known as 180 Maplecrete Road for the provision of services, facilities or other matters to assist in achieving municipal objectives, particularly to benefit the area where the bonus is to be granted;
- l) a minimum of 5 m<sup>2</sup> per apartment dwelling unit for amenity area;
- m) a total combined retail gross floor area of 3,301 m<sup>2</sup>; and,
- n) a total combined office building gross floor area of 20,207 m<sup>2</sup>.