

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 095-2015

A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board.

The Council of The Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Ontario Municipal Board Order Issue, dated the 8th day of May, 2015 (OMB File No. PL141079), attached hereto as Schedule "1", is hereby designated as By-law Number 095-2015.

Enacted by City of Vaughan Council this 23rd day of June, 2015.

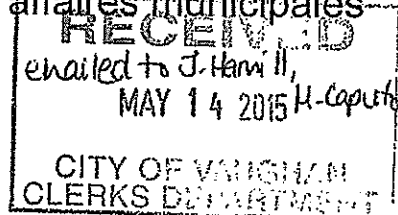
Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

SCHEDULE "1" TO BY-LAW 095-2015

Ontario Municipal Board

Commission des affaires municipales
de l'Ontario



ISSUE DATE: May 8, 2015

CASE NO.: PL141079

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Riotrin Properties (Langstaff) Inc., RioCan PS Inc., & SRF Vaughan Property Inc.
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Neglect of the City of Vaughan to make a decision
Existing Zoning:	"Retail Warehouse Employment Area" (EM3) Exception 9(1253), "Retail Warehouse Employment Area" (EM3) Exception 9(1356), "General Employment (EM2)(H) Exception 9(1258), and "Prestige Employment" (EM1)(H) Exception 1258
Proposed Zoning:	"Retail Warehouse Employment" (EM3) with site-specific exceptions
Purpose:	To permit the development of the subject lands with commercial uses and retail warehouse uses
Property Address/Description:	120, 160, 170, 182, 196 & 210 Milani Boulevard
Municipality:	City of Vaughan
Municipal File No.:	Z.13.003
OMB Case No.:	PL141079
OMB File No.:	PL141079

BEFORE:

ANNE MILCHBERG
MEMBER

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Friday, the 8th
day of May, 2015

MAUREEN CARTER-WHITNEY
MEMBER

THIS MATTER having come on for public hearing and the Ontario Municipal Board (the "Board"), pursuant to its Decision issued on February 26, 2015 (the "Decision") having withheld its Order with respect to the site-specific Zoning By-law Amendment until the parties advise that the draft planning instrument has been finalized following further review and modification, if required;

➔ **THE BOARD ORDERS** that the appeal is allowed, and By-law 1-88, as amended, of the City of Vaughan is hereby amended in the manner set out in Attachment "1" to this Order. The Board authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.



SECRETARY

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario

Website: www.elt.o.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT "1"

BY-LAW NUMBER 095-2015

A By-law to amend City of Vaughan By-law 1-88, as amended, by By-law 51-2011 and By-law 11-2012.

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 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 EM1(H) Prestige Employment Area Zone and EM2(H) General Employment Area Zone each with the Holding Symbol "(H)" and EM3 Retail Warehouse Employment Area Zone to EM3 Retail Warehouse Employment Area Zone, in the manner shown on the said Schedule "1".
 - b) Deleting clauses a), d), f), g) and h) and subclauses ai), di), ei), fi), gi), hi), and hii) from Exception 9(1253) and substituting therefor the word "Deleted".
 - c) Deleting Exception 9(1356) in its entirety and replace with the following:

"(1356) Notwithstanding the provisions of:

 - a) Subsection 2.0 Definitions;
 - b) Subsection 3.8 a) respecting Parking Requirements;
 - c) Subsection 3.9 respecting Loading Requirements;
 - d) Subsection 6.5.1 respecting Uses Permitted in the EM3 Retail Warehouse Employment Area Zone;
 - e) Subsection 6.8.3 d) respecting Landscaping Requirements; and
 - f) Schedule "A" respecting Minimum Front, Rear and Exterior Side Yard requirements for lands zoned EM3 Retail Warehouse Employment Area Zone.

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1484":

- ai) for the purpose of this paragraph, "Car Brokerage", "Lot", "Major Retail", "Retail Warehouse with Food Sales", "Seasonal Outdoor Garden Centre", shall be defined as follows:

CAR BROKERAGE - Means a use operating accessory to the main retail warehouse or retail store where the leasing/retail of delivery trucks and vans shall be permitted, and the outdoor display of storage of said vehicles shall also be permitted.

LOT - The subject lands shall be deemed to be one lot for the purposes of zoning compliance.

MAJOR RETAIL - Means Retail uses greater than 10,000 m² per lot, including, but not limited to, big-box retail stores, retail warehouse, and shopping centres.

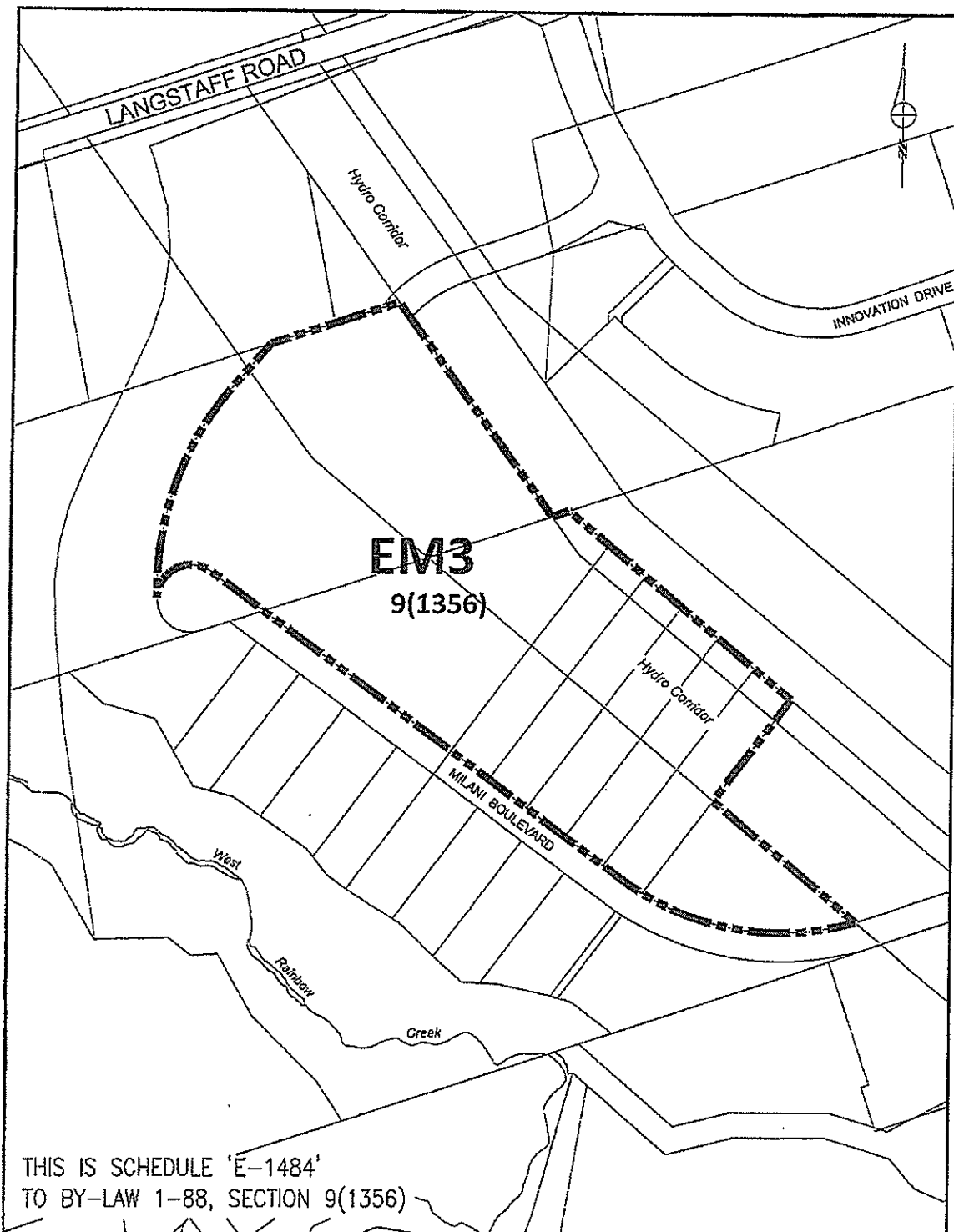
RETAIL WAREHOUSE WITH FOOD SALES - Means a building or part of a building in which goods and merchandise including food are displayed, stored and sold in a warehouse format and may include a take-out eating establishment, personal service shops, a pharmacy, an optical dispensary, a hearing dispensary, the servicing of motor vehicles including oil changes, and the installation of tires sold within the premises. A warehouse format means a configuration where there is integrated display, storage and sale of goods and merchandise or a showroom with an associated warehouse component. A retail warehouse with food sales shall have a minimum gross floor area of 300 m² and is not a "supermarket" or "flea market". For the purposes of this definition, a "supermarket" means a building having a gross floor area in excess of 1,000 m² where the gross floor area of the building is primarily devoted to the sale of food products.

SEASONAL OUTDOOR GARDEN CENTRE - Means an accessory use that temporarily occupies a portion of the required parking area, for a period of no more than 5 consecutive months, of the main use on the same lot. The Seasonal Garden Centre shall be restricted to the storage, display and sale of plants, shrubs, or trees and other associated products, such as, but not limited to, commercial fertilizers, insecticides and gardening supplies. The seasonal outdoor garden centre will be included in the maximum area of outdoor display of merchandise, goods or materials.

- bi) the minimum parking requirement shall be 3.9 parking spaces per 100 m² of GFA for all permitted uses;

- bii) no parking spaces shall be required for outdoor patios associated with an eating establishment;
- biii) the area of a seasonal outdoor garden centre shall not be included in calculating the required parking supply and shall be permitted to occupy required parking on the subject lands for the duration of the seasonal outdoor garden centre;
- biv) shared driveways and aisles shall be permitted;
- ci) the maximum driveway width shall be 16.5 m;
- cii) loading and unloading shall be permitted between a building and a street (Milani Boulevard);
- di) the following additional uses are permitted:
 - i) Automobile Gas Bar;
 - ii) Automotive Retail Store, may include a Seasonal Outdoor Garden Centre;
 - iii) Bank and Financial Institution, may include a Drive-Through;
 - iv) Brewers Retail Outlet, may include a Drive-Through;
 - v) Community Centres;
 - vi) Convenience Retail Store;
 - vii) Eating Establishment, may include an Outdoor Patio and Drive-Through;
 - viii) Eating Establishment – Convenience may include an Outdoor Patio and Drive-Through;
 - ix) Eating Establishment – Take-out may include an Outdoor Patio and Drive-Through;
 - x) LCBO Outlet, may include a Drive-Through;
 - xi) Major Retail, may include a Seasonal Outdoor Garden Centre;
 - xii) Office of a Regulated Health Professional;
 - xiii) Personal Service Shop;
 - xiv) Pet Grooming Establishment;
 - xv) Photography Studio;
 - xvi) Place of Amusement, may include an Outdoor Patio;
 - xvii) Place of Entertainment, may include an Outdoor Patio;
 - xviii) Print Shop with Accessory Retail Sales;
 - xix) Public Library;
 - xx) Retail Store, may include a Seasonal Outdoor Garden Centre;
 - xxi) Retail Warehouse with Food Sales and may include a Seasonal Outdoor Garden Centre;

- xxii) Schools, Technical or Commercial;
 - xxiii) Service or Repair Shop;
 - xxiv) Supermarket, may include a Seasonal Outdoor Garden Centre;
 - xxv) Veterinary Clinic; and,
 - xxvi) Video Store;
- dii) the maximum outdoor display of merchandise, goods or materials shall not exceed 0.29 times the gross floor area of the buildings or structures on the lot, to a maximum of 3,800 m²;
 - ei) the minimum landscape strip for lands zoned EM3 Retail Warehouse Employment Area Zone abutting an OS1 Open Space Conservation Zone shall be 1.4 m;
 - fi) the minimum front yard (Milani Boulevard) shall be 3 m;
 - fii) the minimum rear yard shall be 10 m;
 - fiil) the minimum interior side yard shall be 0.3 m; and,
 - fiiv) the minimum exterior side yard (Highway #427) shall be 14 m."
- b) Deleting Schedule "E-1484" and substituting therefor the Schedule "E-1484" attached hereto as Schedule "1".
 - c) Deleting Schedule "E-1381" and substituting therefor the Schedule "E-1381" attached hereto as Schedule "2".
 - d) Deleting Schedule "E-1386" and substituting therefor the Schedule "E-1386" attached hereto as Schedule "3".
 - e) Deleting Key Map 9B and substituting therefor the Key Map 9B attached hereto as Schedule "4".
2. Schedules "1", "2", "3" and "4" shall be and hereby form part of this By-law.



THIS IS SCHEDULE 'E-1484'
TO BY-LAW 1-88, SECTION 9(1356)

NOT TO SCALE


SUBJECT LANDS

THIS IS SCHEDULE '1'
TO BY-LAW 095 - 2015
PASSED THE 23rd DAY OF JUNE, 2015

FILE: Z.13.003

LOCATION: Part Lot 9, Concession 9

APPLICANT: RIOTRIN PROPERTIES (LANGSTAFF) INC., SRF

VAUGHAN PROPERTIES INC. & SRF VAUGHAN PROPERTY II INC.

CITY OF VAUGHAN

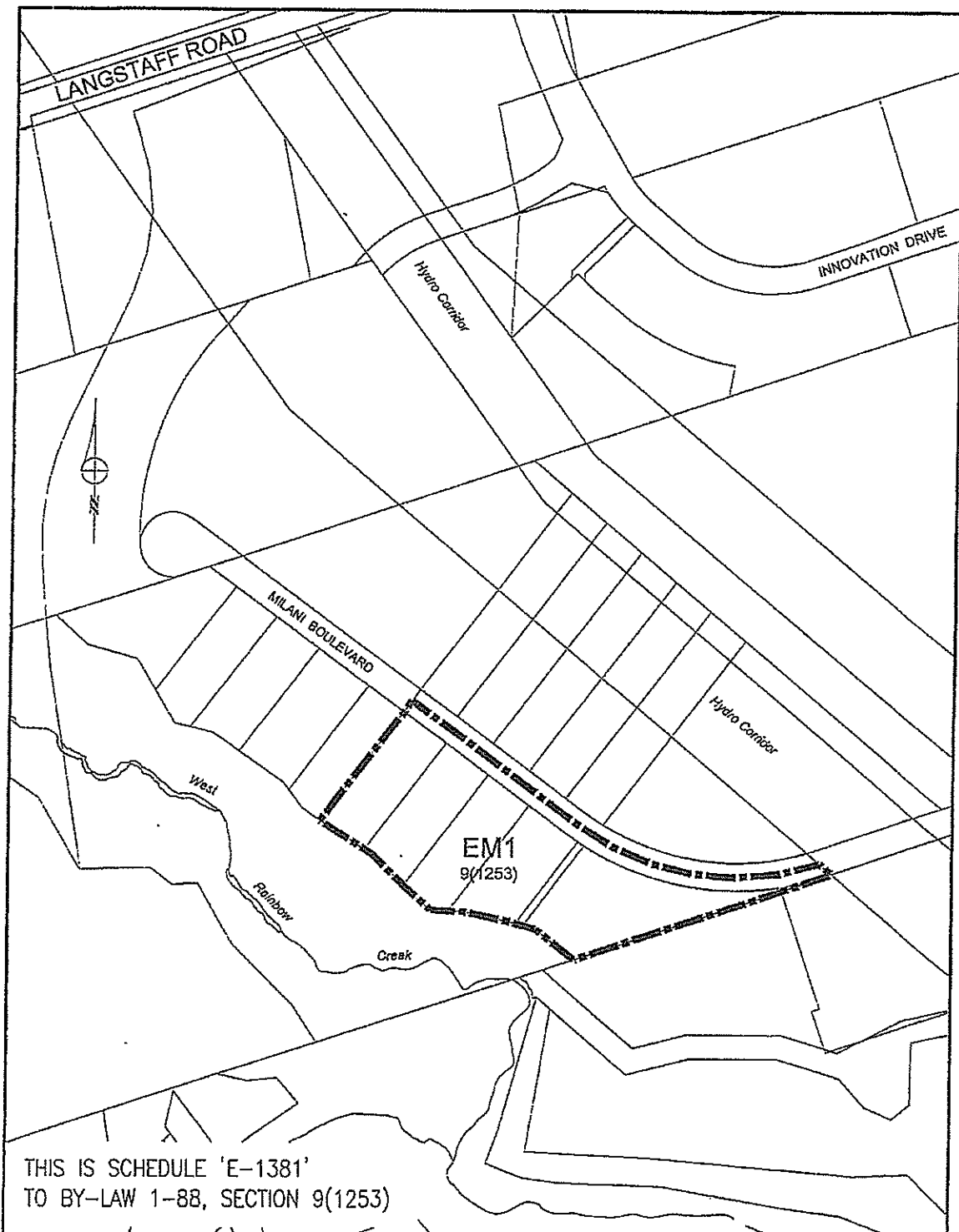
SIGNING OFFICERS

BOARD ORDER DATED
MAY 8, 2015

MAYOR

CLERK

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THIS IS SCHEDULE 'E-1381'
TO BY-LAW 1-88, SECTION 9(1253)

NOT TO SCALE


SUBJECT LANDS

THIS IS SCHEDULE '2'
TO BY-LAW 095 - 2015
PASSED THE 23rd DAY OF JUNE, 2015

FILE: Z.13.003

LOCATION: Part Lot 9, Concession 9

APPLICANT: RIOTRIN PROPERTIES (LANGSTAFF) INC., SRF

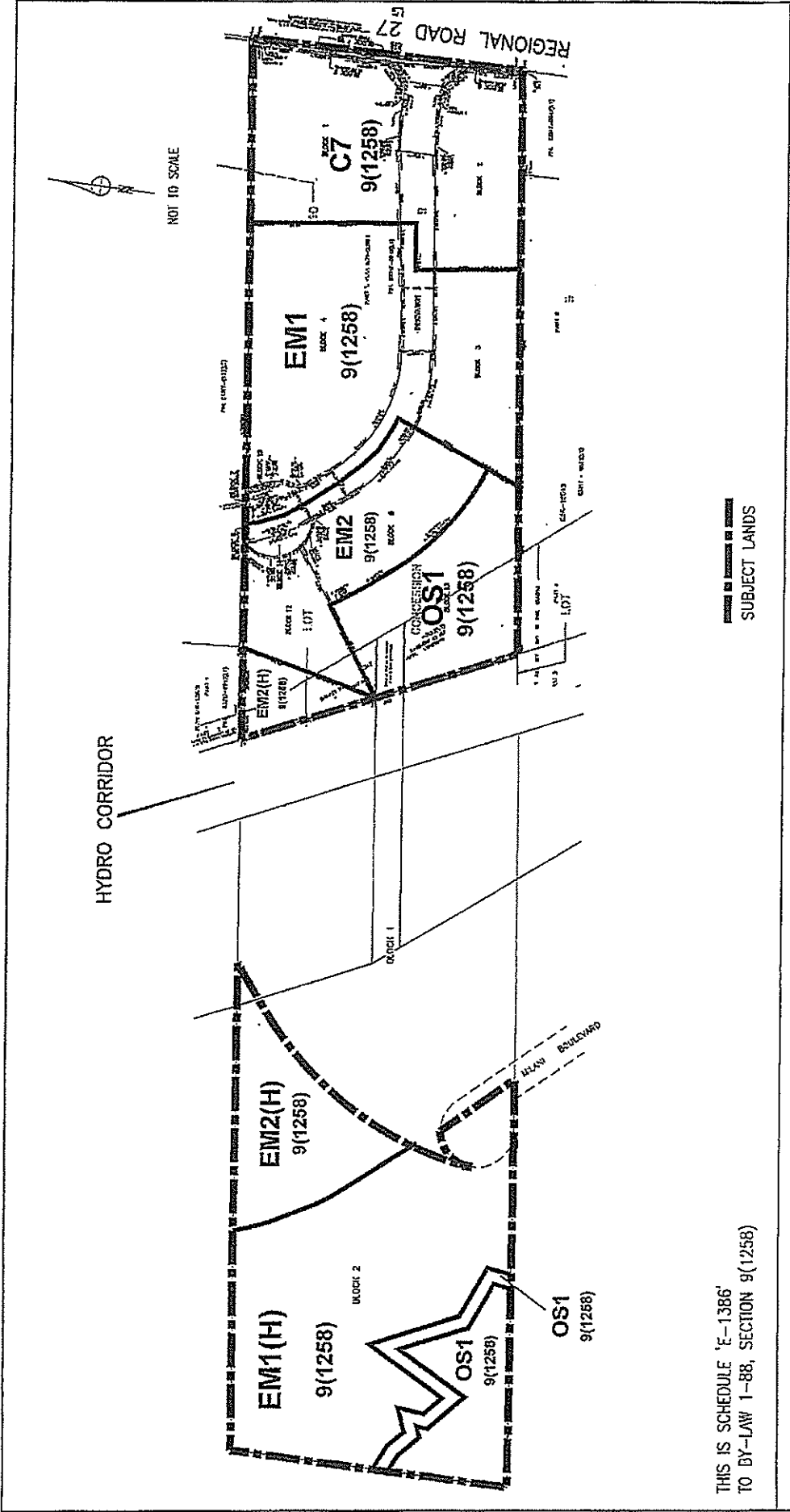
VAUGHAN PROPERTIES INC., & SRF VAUGHAN PROPERTY II INC.

CITY OF VAUGHAN

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SIGNING OFFICERS

BOARD ORDER DATED MAY 8, 2015 MAYOR
CLERK



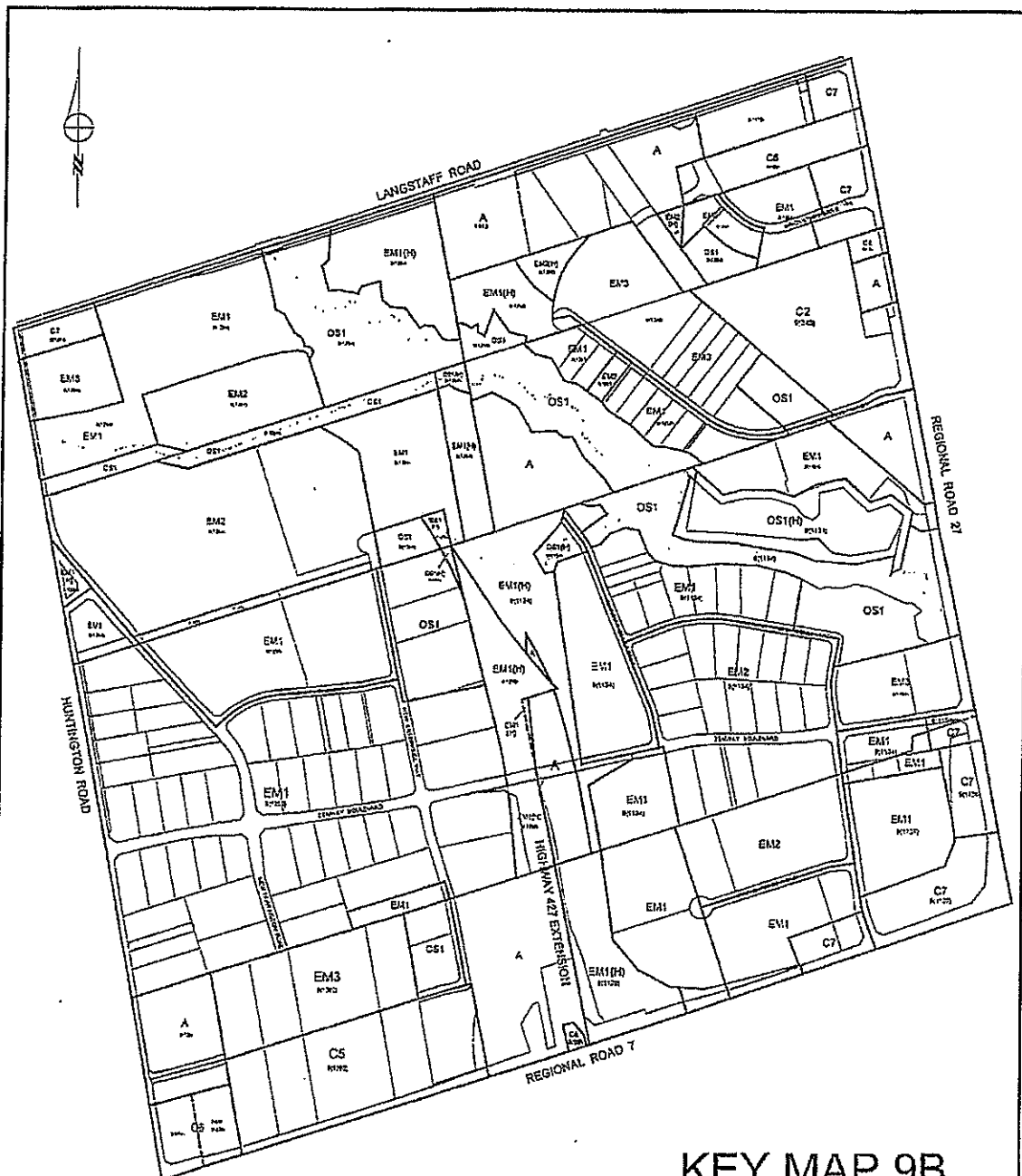
THIS IS SCHEDULE 'E-1386'
TO BY-LAW 1-88, SECTION 9(1258)

FILE: Z.13.003
LOCATION: Part Lot 9, Concession 9
APPLICANT: RIOTIN PROPERTIES (LANGSTAFF) INC., SRF
VAUGHAN PROPERTIES INC., & SRF VAUGHAN PROPERTY II INC.
CITY OF VAUGHAN
REPORT 1-01-140513-13.003.dwg

THIS IS SCHEDULE '3'
TO BY-LAW 095 - 2015
PASSED THE 23RD DAY OF JUNE, 2015

PROPERTY OF RIOTIN PROPERTIES (LANGSTAFF) INC.
SUBJECT LANDS

SIGNING OFFICERS
BOARD ORDER DATED MAY 8, 2015
MAYOR
CLERK



KEY MAP 9B
BY LAW 1-88

NOT TO SCALE

THIS IS SCHEDULE '4'
TO BY-LAW 095 - 2015
PASSED THE 23rd DAY OF JUNE, 2015

FILE: Z.13.003

LOCATION: Part Lot 9, Concession 9

APPLICANT: RIOTRIN PROPERTIES (LANGSTAFF) INC., SRF

VAUGHAN PROPERTIES INC., & SRF VAUGHAN PROPERTY II INC.

CITY OF VAUGHAN

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SIGNING OFFICERS

BOARD ORDER DATED
MAY 8, 2015

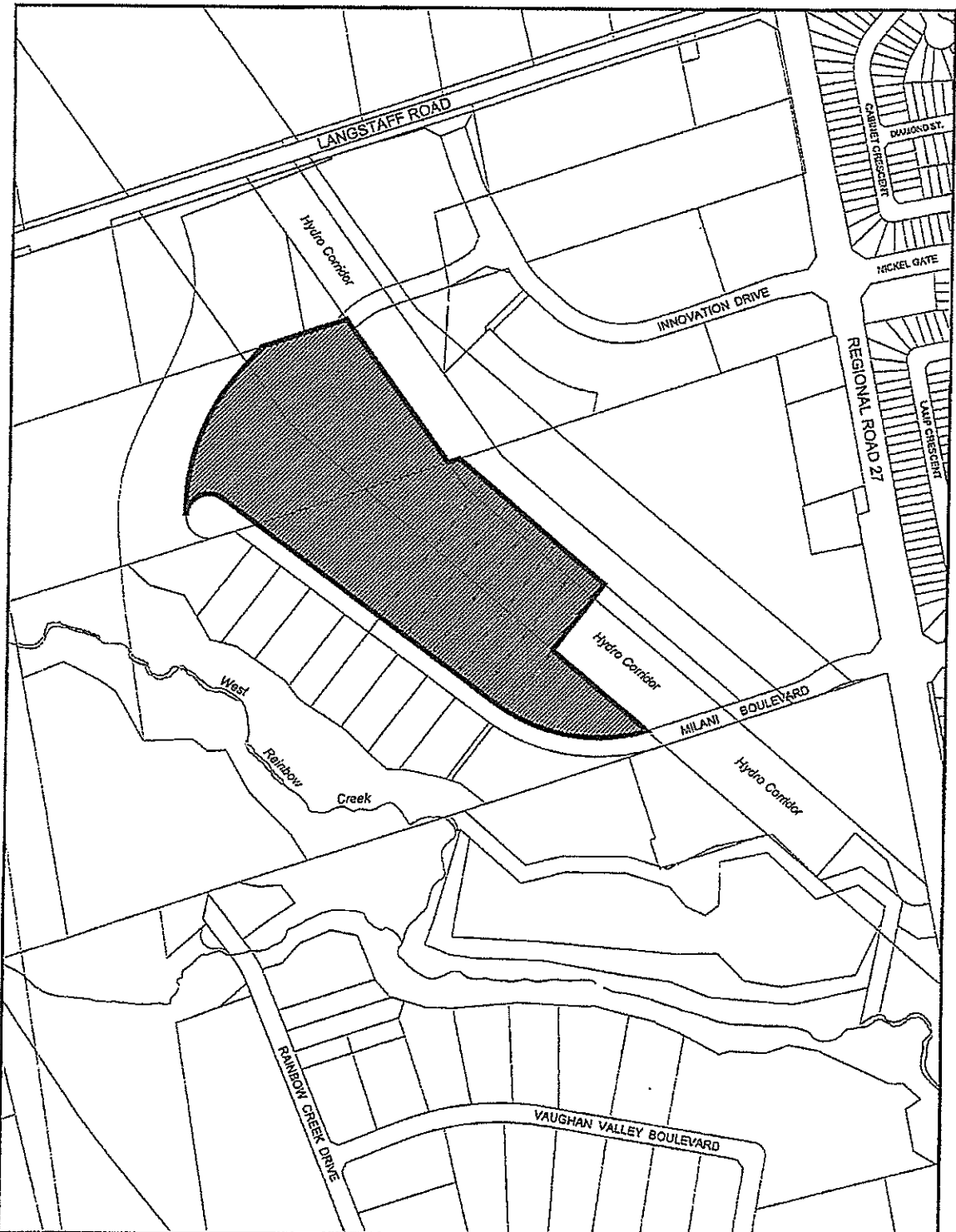
MAYOR

CLERK

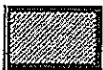
SUMMARY TO BY-LAW 095-2015

The lands subject to this By-law are located The subject lands are located west of Regional Road 27, south of Langstaff Road, municipally known as 120, 160, 170, 182, 196, and 210 Milani Boulevard, being Blocks 2-7 on Registered Plan 65M-3966, Block 6 on Registered Plan 65M-4385, and Block 1 on Registered Plan 65M-4386, in Lot 9, Concession 9, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from EM1(H) Prestige Employment Area Zone, EM2(H) General Employment Area Zone each with the Holding Symbol "(H)" and EM3 Retail Warehouse Employment Area Zone to EM3 Retail Warehouse Employment Area Zone, together with site-specific zoning exceptions to facilitate the future development of the subject lands with commercial uses and retail warehouse uses.

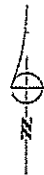


NOT TO SCALE



SUBJECT LANDS

LOCATION MAP TO BY-LAW 095 - 2015



FILE: Z.13.003

LOCATION: Part Lot 9, Concession 9

APPLICANT: RIOTRIN PROPERTIES (LANGSTAFF) INC., SRF VAUGHAN
PROPERTIES INC. & SRF VAUGHAN PROPERTY II INC.

CITY OF VAUGHAN

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