

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 142-2015**

**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 “Area Subject to Zoning By-law Amendment” on Schedule “1” attached hereto, from C4 Neighborhood Commercial Zone to RA3 (H) Apartment Residential Zone with the Holding Symbol “(H)”, in the manner shown on the said Schedule “1”.
  - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1427) A. The lands zoned with the Holding Symbol “(H)” shall be used for a use legally existing as of the enactment of the By-law 142-2015. The Holding Symbol “(H)” shall not be removed until such time as:

    - a) The Vaughan Development Engineering and Infrastructure Planning Services Department has approved the Remedial Action Plan (RAP) and is in receipt of a Record of Site Condition (RSC) filed with the Ministry of Environment and Climate Change’s (MOECC) Environmental Site Registry.
  - B. Notwithstanding the provisions of:
    - a) Subsection 2.0 respecting the Definition of “Lot”, “Storey”, and “Special Policy Area”;
    - b) Subsection 3.8 a) and c) respecting Parking Requirements;
    - c) Subsection 3.14 respecting Permitted Yard Encroachments and Restrictions;
    - d) Subsection 4.1.8 and Schedule “A” respecting Residential Zone Requirements and the Minimum Zone Standards in the RA3 Apartment Residential Zone;
    - e) Subsections 4.1.7 and 4.12 respecting the Uses Permitted in the RA3 Apartment Residential Zone;
    - f) Subsection 3.17 respecting Portions of Buildings Below Grade;
    - g) Subsection 4.1.4 b) respecting Parking Areas for Multiple Family

Dwellings;

- h) Subsection 4.16 respecting the Minimum Amenity Area in the RA3 Apartment Residential Zone;

the following provisions shall apply to the lands shown as “Area Subject to Zoning By-law Amendment” on Schedule “E-1555”:

- ai) for the purpose of this Paragraph a “Lot” shall be defined as follows:

LOT - The subject lands shall be deemed to be one lot, with a common element private condominium road, regardless of the number of buildings or structures constructed on the lot, the creation of any new lot or separate units by plan of condominium, part lot control, consent or any other permissions, and any encroachments, easements or restriction including stratified arrangements shall be deemed to comply with the provision of this by-law;

- a ii) for the purpose of this Paragraph a “Storey” shall be defined as follows:

STOREY - Means the portion of the building other than the cellar, basement, unfinished attic or as in the case of a Special Policy Area an area used for non-habitable floor space that is predominantly for parking located on the ground floor only, which lies between the surface of the floor and the surface of the next floor above it, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 m. Furthermore as in the case of the subject building, which is in a Special Policy Area no residential dwelling unit or use that creates a risk to life shall be permitted on the (first/ground floor) or below the Regulatory Flood Level.

- a iii) For the purpose of this Paragraph a “Special Policy Area” shall be defined as the follows:

SPECIAL POLICY AREA - is a flood plain identified in the Vaughan Official Plan 2010 as an area which has been approved by both the Ministries of Natural Resources and Municipal Affairs and Housing.

- bi) the following parking requirements shall apply:

- i) a minimum of 84 parking spaces shall be provided, as shown on Schedule “E-1555” of which 14 are set aside for visitor;
- ii) the minimum parking space dimensions shall be 2.6 m x 5.7 m, and 3.9 m x 5.7 m for a barrier free parking space;
- iii) visitor parking and access shall be permitted over the

entirety of the subject lands including the portion zoned C4  
Neighbourhood Commercial Zone through the necessary  
cross easements registered on title;

- c) a pedestrian connection from the subject lands shall be permitted to encroach into the adjacent property (Gilmour Hallet House);
- di) the minimum lot area per unit shall be 30 m<sup>2</sup>;
- dii) the maximum width for the private driveway shall be provided by the existing access along Woodbridge Avenue. Access shall be served by the exiting Woodbridge Avenue and Arbors Lane access points, as shown on Schedule “E-1555”;
- dii) the maximum building height permitted shall be 21.3 m (exclusive of the parapet) for Building “D” and shall be measured from Elevation 145.73;
- ei) The following use shall be permitted:
  - one residential apartment building with maximum building height of 21.3 m (exclusive of the .15 m parapet), with an overall height of 21.45 m and comprised of 69 residential units;
  - no residential units shall be permitted on the first/ground floor;
  - the first/ground floor level shall be used predominantly as a private garage with an amenity and lobby area along Woodbridge Avenue;
  - the minimum front yard setback shall be 1.3 m and interior side yard of 0 m;
  - a pedestrian connection from the subject lands through the detached dwelling known as the Gilmour Hallet House to the Market Lane Commercial complex shall be permitted.
  - the interior side yard setback between Building “F” and Building “G” shall be 0 m;
- fi) The underground parking garage shall be setback 0 m from Woodbridge Avenue;
- gi) No landscape strip around the periphery of an outdoor parking area and no berming/screening around the outdoor parking area to the north of the proposed building is required;
- hi) the minimum amenity area shall be 1,560 m<sup>2</sup>.”

- c) Adding Schedule "E-1555" attached hereto as Schedule "1".
- d) Deleting Key Map 7B and substituting therefor the Key Map 7B attached hereto as Schedule "2".

2. Schedules "1" and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 16<sup>th</sup> day of September, 2015.

---

Hon. Maurizio Bevilacqua, Mayor

---

Jeffrey A. Abrams, City Clerk

### **SUMMARY TO BY-LAW 142-2015**

The Subject Lands are located on the north side of Woodbridge Avenue east of Wallace Street, being Part of Lot 7, Concession 7 and municipally known as 112, 116, 124 and 140 Woodbridge Avenue, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from C4 Neighbourhood Commercial Zone and subject to Exception 9(348) to RA3(H) Apartment Residential Zone with the addition of the Holding Symbol (H), to permit a residential building comprised of 69 residential units and with a maximum building height of 21.45 m, including the parapet structure.

The By-law provides the following site-specific zoning exceptions:

- a minimum of 84 parking spaces shall be permitted as follows: 70 residential spaces and 14 visitor parking spaces with dimensions of 2.6 x 5.7 m for the lands zone RA3 Apartment Residential Zone;
- the underground parking garage shall have a minimum setback of 0 m from Woodbridge Avenue;
- the minimum lot area shall be 30 m<sup>2</sup> per unit;
- the minimum front and interior yards shall be 1.3 m and 0 m respectively;
- the maximum building height shall be 21.3 m plus 0.15 m for the parapet, for a total of 21.45 m;
- the maximum driveway width shall be 10 m for the driveway serving the north parcel;
- provide for a new definition of Lot, Storey and Special Policy Area;
- minimum amenity area shall be 1560 m<sup>2</sup>;
- the addition of the Holding Symbol (H) shall be applied to the RA3 Zone and shall only be removed until the following is satisfied:
  - The Vaughan Development Engineering and Infrastructure Planning Services Department has approved the Remedial Action Plan (RAP) and is in receipt of a Record of Site Condition (RSC) filed with the Ministry of Environment and Climate Change's (MOECC) Environmental Site registry.