

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 154-2025

A By-law to amend City of Vaughan By-law 1-88, as effected by the Ontario Land Tribunal.

WHEREAS Official Plan and Zoning By-law Amendment applications (File Nos. OP.21.004 and Z.21.006) to facilitate the development a 27-storey mixed-use building, a 22-storey mixed-use building and two blocks of 3-storey street townhouses were submitted to the City of Vaughan for consideration on March 4, 2021;

AND WHEREAS the application was appealed to the Ontario Land Tribunal (OLT) as OLT Case No. OLT-22-004197 and OLT-22-004198 for failure to make a decision by the City of Vaughan;

AND WHEREAS the Ontario Land Tribunal made an order with respect to these appeals.

NOW THEREFORE :

1. The City of Vaughan By-law 1-88, as amended, is further amended in accordance with the Ontario Land Tribunal Order dated the 7th day of March 2024 (OLT File No. OLT-22-004197), as attached hereto as Schedule “1”, and is effective on March 7, 2024 and is hereby designated as By-Law Number 154-2025.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by the Decision and Order of the Ontario Land Tribunal
Issued March 7, 2024, Case No. OLT-22-004197
Effective Date of By-Law: March 7, 2024

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: March 7, 2024

CASE NO.: OLT-22-004197

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: 7818 Dufferin Inc.
Subject: Request to amend the Official Plan - Failure to adopt the requested amendment
Purpose: To permit a 27-storey mixed-use building, a 22-storey mixed-use building and two blocks of 3-storey street townhomes
Property Address: 7818 Dufferin Street
Municipality: City of Vaughan
Municipal File No.: OP.21.004
OLT Case No.: OLT-22-004197
OLT Lead Case No.: OLT-22-004197
OLT Case Name: 7818 Dufferin Inc. v. Vaughan (City)

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

Applicant and Appellant: 7818 Dufferin Inc.
Subject: Application to amend Zoning By-law – Refusal or neglect to make a decision
Purpose: To permit a 27-storey mixed-use building, a 22-storey mixed-use building and two blocks of 3-storey street townhomes
Property Address: 7818 Dufferin Street
Municipality: City of Vaughan
Municipal File No.: Z.21.006
OLT Case No.: OLT-22-004198
OLT Lead Case No.: OLT-22-004197

BEFORE:

S. deBOER
MEMBER

) Tuesday, the 5th
)
) day of March 2024

THESE MATTERS having come before the Tribunal for a settlement motion in writing filed on February 13, 2024;

AND THE TRIBUNAL having previously been advised of a settlement reached between the Applicant/Appellant, 7818 Dufferin Inc., the Municipal Authority, the City of Vaughan (the “**City**”), and the Regional Municipality of York (the “**Region**”);

AND THE TRIBUNAL having received and considered the materials filed, including the uncontested opinion evidence of Gregg Fordyce, RPP, and the exhibits attached thereto, and having qualified Gregg Fordyce to give expert opinion evidence in the area of land use planning;

AND THE TRIBUNAL having accepted the uncontested opinion evidence of Gregg Fordyce as presented in his affidavit, finds that the subject applications have regard to those applicable matters of provincial interest found in section 2 of the *Planning Act*, are consistent with the Provincial Policy Statement, conform with the Growth Plan for the Greater Golden Horseshoe, conform with the York Region Official Plan 2010 and the City of Vaughan Official Plan 2010, and reflect principles of good land use planning and are in the public interest;

AND THE TRIBUNAL having received confirmation from the Applicant/Appellant, the City and the Region that the sought amendments are in final form;

THE TRIBUNAL ORDERS THAT:

1. The appeal filed by the Applicant/Appellant pursuant to subsection 22(7), concerning an application for site-specific official plan amendment (OLT Case No. OLT-22-004197), is allowed, in part;
2. The appeal filed by the Applicant/Appellant pursuant to subsection 34(11), concerning an application for site-specific zoning by-law amendment (OLT Case No. OLT-22-004198), is allowed, in part;
3. The following amendments are approved:
 - a. the Official Plan Amendment included as **Attachment “A”** to this Order;
 - b. the Zoning By-law Amendment included as **Attachment “B”** to this Order;
4. The Tribunal authorizes the City Clerk to format and assign a number to these by-laws for record keeping purposes; and
5. The Tribunal may be spoken to concerning issues arising from the implementation of this Order.

“Euken Lui”

EUKEN LUI
ACTING REGISTRAR

Ontario Land Tribunal

Website: olt.gov.on.ca

Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal.

Attachment “B”***THE CITY OF VAUGHAN
BY-LAW*****BY-LAW NUMBER 154-2025****A By-law to amend City of Vaughan By-law 1-88 as amended**

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 subsection 24(2) of the Planning Act, R.S.O. 1990, c.P.13, provides that Council may pass a By-Law that does not conform to the Official Plan on lands that are subject of an adopted amendment, and that once the amendment comes into effect, the By-Law shall then conform;

AND WHEREAS Subsection 24(2.1) of the Planning Act, R.S.O. 1990, c.P. 13. provides that the By-Law comes into force and effect upon the Official Plan Amendment coming into effect;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That the City of Vaughan By-law Number 1-88, as amended, be further amended by:
 - a) Rezoning the subject lands on Schedule “1” of this By-law, attached hereto, from the C7 Service Commercial Zone, Exception 9(1411) to the “RM2 – Multiple Residential Zone (H)”, subject to site-specific Exception 9(1411), and to “OS2 Open Space Zone” in the manner shown on Schedule “2” attached hereto.
 - b) Deleting site-specific Exception 9(1411) in its entirety and replacing it with the following:

“9(1411)

 - A. The following provision shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1538”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36 (1) of (3) of the *Planning Act*:

- i) The lands zoned with the Holding Symbol “(H)” shall be used only for the production of field crops, or a use legally existing as of the date of the enactment of this By-law. Notwithstanding the foregoing, the following uses are permitted prior to the removal of the Holding Symbol “(H)”:
 - a. one (1) temporary sales office, in accordance with section 3.25 respecting Temporary Sales Offices in the City of Vaughan Zoning By-law 1-88;
- ii) The removal of the Holding Symbol “(H)” is contingent upon the following;
 - a. The Owner has contributed its share of the cost of infrastructure works and/or undertaken the necessary improvement works and entered into a Development Agreement with the City, if required for these works associated with implementing the municipal servicing improvements for the ultimate buildout of the Dufferin Major Transit Station Area based on the conclusions and recommendations of the ongoing Integrated Urban Water Master Plan EA, to the satisfaction of the City;
 - b. The Owner has successfully obtained any necessary approvals, easements, and/or permits from all parties including but not limited to the City of Vaughan, York Region, Hydro One, private landowners at 7850 Dufferin Street, and Infrastructure Ontario (‘IO’) to implement a two-way pedestrian and vehicular access to 7850 Dufferin Street to the satisfaction of the City of Vaughan and York Region;
 - c. The Owner shall submit an updated Transportation Study to the satisfaction of the City of Vaughan, Development Engineering department and York Region. Any mitigation measures identified through the updated Transportation Study will be the responsibility of the Owner. The Owner shall agree in a Site Plan Agreement with the City and the Region to implement the recommendations of the Transportation Study, to the satisfaction of the City and the Region;
 - d. The Owner will obtain the necessary approvals during the Site Plan Application, and provided proof of same to the City and the Region, from IO for the proposed access to Centre Street in the southwest corner of the subject lands over the Ministry of Government and Consumer Services (‘MGCS’) owned lands (PIN 03274- 0256);
 - e. Vaughan Council has identified and allocated water supply and sewage capacity to the subject lands;

- f. The Owner has successfully applied for and obtained approval of a Site Development Application, to the satisfaction of the City and Hydro One Networks Inc.;
- g. The Owner dedicate a 0.14 ha stratified public park, meeting all standards and requirements of the City free of all charges and encumbrances, and encroachments and having public road frontage. In addition to the parkland conveyance, the Owner shall provide cash-in-lieu of parkland dedication to meet the requirement of the Planning Act, and the City's Cash-in-Lieu of Parkland policy;
- h. A Stratified Arrangement Agreement shall be executed, to the satisfaction of the City of Vaughan, with respect to the 0.14 ha stratified public park to permit underground parking in the OS2 Open Space Park Zone for the use of residents, employees and visitors of the subject lands.

B. Notwithstanding the provisions of:

- a) Subsection 2.0 respecting the Definition of "Bicycle Parking Space, Long-Term", "Bicycle Parking Space, Short-Term", "Mechanical Penthouse", "Lot", "Parking Space, Car-Share", "Rear Lot Line", "Strata Park", and "Stratified Arrangement";
- b) Subsection 3.8 a) respecting Parking Requirements;
- c) Subsection 3.8 c) respecting Minimum Visitor Parking Requirements;
- d) Subsection 3.9 a) respecting Loading Space Requirements;
- e) Subsection 3.13 respecting Minimum Landscaped Area and a strip of land along a street line used for landscaping;
- f) Subsection 3.17 respecting Portions of Buildings Below Grade;
- g) Subsection 4.1.6 respecting Minimum Amenity Area;
- h) Subsection 4.1.9 respecting Schedule "4" and the RM2 – Multiple Residential Zone Requirements;
- i) Subsection 4.9 respecting Permitted Uses in RM2 – Multiple Residential Zone;

B. The following provisions shall apply to all lands show as "Subject Lands" on Schedule "E-1538":

- i) For the purpose of this By-law the following Definitions shall apply:

BICYCLE PARKING SPACE, LONG-TERM - Means a bicycle parking space located in a locked room within a building or part of a building for the exclusive use of parking bicycles;

BICYCLE PARKING SPACE, SHORT-TERM - Means a bicycle parking space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle;

MECHANICAL PENTHOUSE - Means a fully enclosed area located on the roof of a building or structure and containing equipment that functions to provide normal and everyday operation and maintenance of a building or structure, and without limiting the generality of the foregoing, may include heating, cooling, ventilation, electrical, fire suppression, elevators, stair towers, or telecommunications equipment. A rooftop mechanical penthouse shall be permitted to exceed the maximum height permitted by the By-law to a maximum of 8.0 m.

LOT – Means the subject lands shall be deemed one development and one lot, with a private condominium road, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of subdivision, plan of condominium, part lot control, consent and any easements or restrictions for each parcel;

PARKING SPACE, CAR-SHARE - Means a parking space that is

demarcated, reserved, and for the exclusive use of a motor

vehicle in conjunction with a car-sharing use, provided in conjunction with the required parking rates described in subsection (B)(ii) below; ;

REAR LOT LINE – the rear lot line for the subject lands means the lot line opposite Centre Street;

STRATIFIED ARRANGEMENT – Means an agreement registered on title by (2) two or more parties for the determination of ownership or use of land divided in a vertical manner above and/or below grade.

STRATA PARK – Means City-Owned parkland in the form of a publicly accessible open space located on top of structures, including but not limited to parking garages and underground storm water facilities. The strata component of this definition refers to the horizontal delineation of legal ownership as described in the Condominium Act, 1998, SO 1998, c 19.

- ii) Notwithstanding the parking requirements in Subsection 3.8, the following rates shall apply:

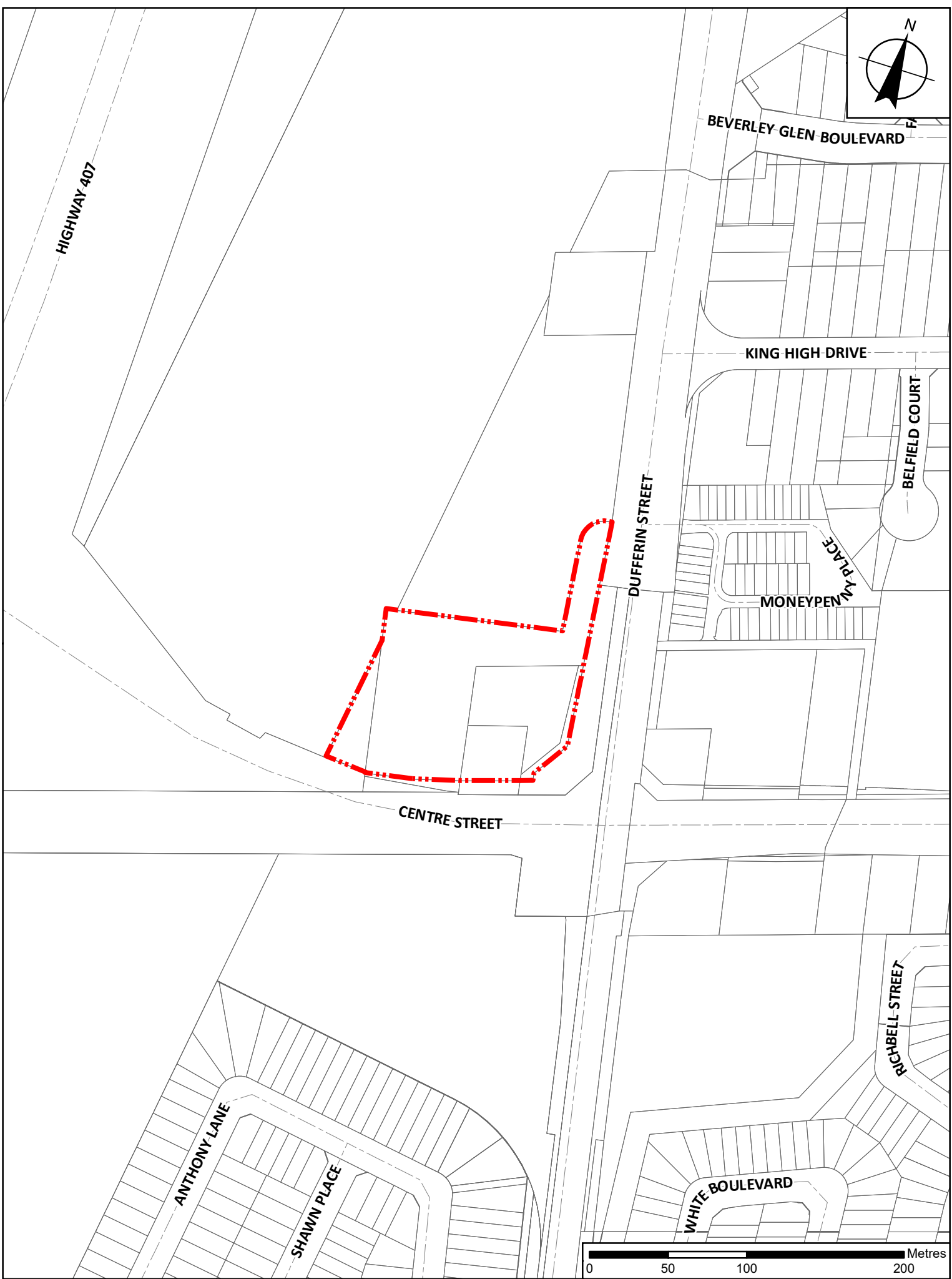
- i. Resident parking shall be provided at a rate of 0.8 spaces per unit;
 - ii. Visitor parking shall be provided at a rate of 0.2 parking spaces per unit;
 - iii. Commercial parking spaces shall be provided at a rate of 2.0 spaces / 100 square meters of commercial Gross Floor Area;
 - iv. The maximum reduction to the total minimum required parking spaces shall be four (4) for each dedicated car-share parking space; and,
 - v. The maximum number of car-share parking spaces shall be calculated as the total number of dwelling units divided by sixty, rounded to the nearest whole number.
- iii) Notwithstanding the Loading Space requirements in Subsection 3.9 a) 2 loading spaces shall be provided for the subject development;
- iv) Bicycle parking shall be provided at the rate of 0.5 for long term spaces and 0.1 for short term spaces per unit;
- v) Notwithstanding the Minimum Landscaping requirements in Subsection 3.13, a 1.5 m landscape strip will be provided along a lot line which abuts a street and can be hard or soft landscaping (Centre Street);
- vi) Notwithstanding the Minimum Landscaping requirements in Subsection 3.13, a 3.0 m landscape strip will be provided along a lot line which abuts a street and can be hard or soft landscaping (Dufferin Street);
- vii) Notwithstanding the parking space dimensions in section 2.0, a parking space will be permitted to measure 2.6 metres x 5.7 metres for a regular parking space, 2.5 metres x 6.7 metres for a parallel parking space, 2.5 metres x 7.3 metres for parallel parking (end spaces), and 2.4 metres x 4.8 metres for a compact car space;
- viii) Notwithstanding subsection 1(B)(vii), no more than a maximum of 10% of the total required parking spaces shall be for compact car spaces;
- ix) Notwithstanding subsection 4.1.4 b) ii), an outdoor parking area shall not be required to be screened from the street and any adjacent premises;
- x) Notwithstanding the setback requirements for Portions of Buildings Below Grade, the minimum setback of the parking garage to a lot line

which abuts a street(s) (Dufferin Street and Centre Street) shall be 0.0 metres;

- xi) Notwithstanding Subsection 3.8.1. f), Parking Requirements, a driveway width at the property line shall be a minimum of 6.0 metres in width;
- xii) Notwithstanding the minimum Amenity Area requirements in Subsection 4.1.6, a minimum of 16.5 m²/unit of amenity space shall be provided;
- xiii) Notwithstanding the zone standards for the RM2 Zone in Schedule 4, and subsection 3.14c), the following zone standards shall apply:
 - i. The minimum lot area per unit shall be 15.69 square metres/unit;
 - ii. The minimum front yard setback (Centre Street) shall be 2.0 metres to the ground floor;
 - iii. The minimum interior side yard setback shall be 4.5 metres;
 - iv. The maximum interior side yard encroachment for open and unenclosed balconies shall be no more than 1.5 metres;
 - v. No encroachments shall be permitted into the OS2 Zone;
 - vi. No encroachment shall be permitted into the exterior side yard or front yard; except for 1.5 metres is permitted at the southwest corner of Building "B" onto Center Street, at floors above ground floor;
 - vii. The minimum exterior side yard setback shall be 3.0 metres to the ground floor;
 - viii. The maximum lot coverage shall be 32 percent;
 - ix. The maximum building height, exclusive of any mechanical penthouse, elevator over-runs and access stairwells, shall be:
 - a. Building B – 27 storeys (86.82 meters);
 - b. Building A – 22 storeys (71.81 meters);
 - c. Townhouse (North Block) – 3 storeys (10.20 meters); and,
 - d. Townhouse (South Block) – 3 storeys (10.20 meters).
- xiv) Notwithstanding the Permitted Uses in the RM2 Zone, the following additional uses shall be permitted to a total maximum of 311.19 m² Gross Floor Area:
 - i. Eating Establishment.
 - ii. Eating Establishment, Convenience.
 - iii. Eating Establishment, Take-out.
 - iv. Financial Institution.
 - v. Personal Service Shop.
 - vi. Pet Grooming Establishment.


- vii. Pharmacy.
 - viii. Print Shop.
 - ix. Store, Convenience Retail.
 - x. Store, Retail.
 - xi. Studio.
 - xii. Tavern.
 - xiii. Veterinary Clinic.
- xv) Notwithstanding the zone standards for the OS2 Zone in Schedule 4, the following standards shall apply:
- a. The minimum front yard (Centre Street) setback shall be 3.0 metres;
 - b. The minimum interior side yard setback shall be 0.0 metres;
 - c. The minimum exterior side yard (Dufferin Street) setback shall be 3.0 metres;
 - d. The minimum rear yard setback shall be 0.0 metres.
- c) Deleting Schedule “E-1538” and substituting therefore the Schedule “E-1538” attached hereto as Schedule “3”.
- d) Deleting Key Map 3B and substituting therefore the Key Map 3B attached hereto as Schedule “2”, effectively zoning the Subject Lands RM2 (H) Multiple Residential Zone and OS2 Open Space Zone.

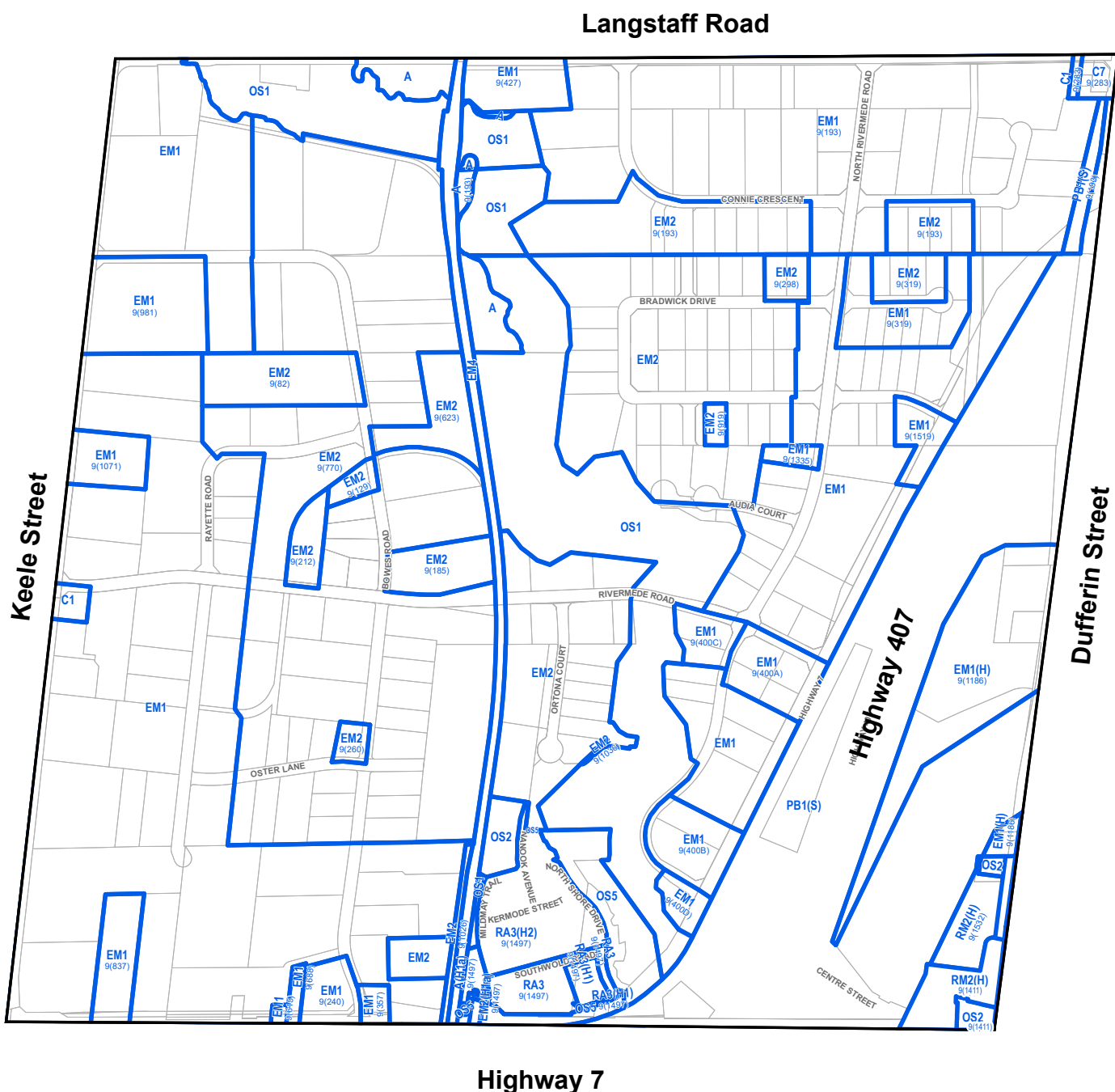
2. Schedules “1”, “2”, “3” and “4” shall hereby form part of this By-law.



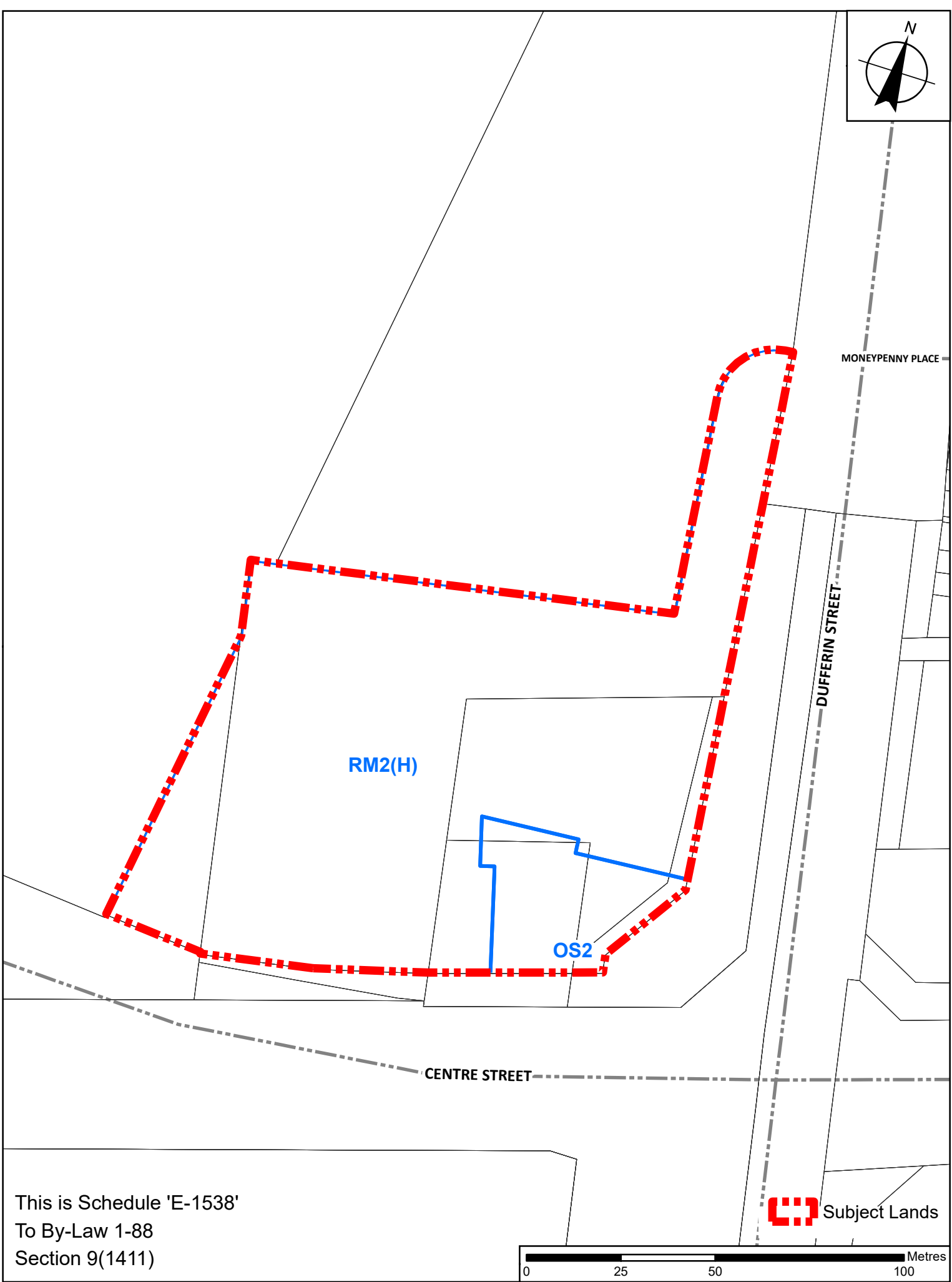
This is Schedule '1'
To By-Law 154-2025

File: Z.21.006
Related File: OP.21.004
Location: 7818 Dufferin Street
Part of Lot 6, Concession 3
Applicant: 7818 Dufferin Inc.
City of Vaughan

 Subject Lands



CLERK



This is Schedule '3'
To By-Law 154-2025

File: Z.21.006

Related File: OP.21.004

Location: 7818 Dufferin Street
Part of Lot 6, Concession 3

Applicant: 7818 Dufferin Inc.

City of Vaughan

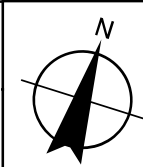
OLT CASE NO. OLT-22-004197

MARCH 7, 2024

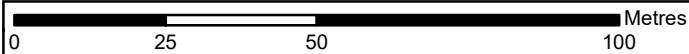
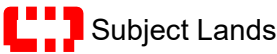
_____ Officers

_____ Mayor

_____ Clerk



This is Schedule 'E-1538'
To By-Law 1-88
Section 9(1411)



This is Schedule '4'
To By-Law 154-2025

File: Z.21.006
Related File: OP.21.004
Location: 7818 Dufferin Street
Part of Lot 6, Concession 3
Applicant: 7818 Dufferin Inc.
City of Vaughan

OLT CASE NO. OLT-22-004197
MARCH 7, 2024

Officers
Mayor
Clerk

Summary to By-law 154-2025

The lands subject to this By-law are located on the north-west corner of Dufferin Street and Centre Street and are known municipally as 7818 Dufferin Street, being part of Lots 22, 25, 26, 27 and 28, Registrar's Compiled Plan 10309, City of Vaughan.

The purpose of this amendment is to rezone the subject lands, from the "C7 - Community Commercial Zone, Exception 9(1411)" to the "RM2(H) – Multiple Residential Zone" and "OS2 Open Space Park Zone", subject to Exception 9(1411)", to facilitate the redevelopment of the property.