

***THE CITY OF VAUGHAN***

***BY-LAW***

**BY-LAW NUMBER ~ -2021**

**A By-law to amend City of Vaughan By-law No. 01-2021 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** there has been no amendment to the Vaughan Official Plan adopted by Council and 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 the City of Vaughan By-Law 01-2021, as amended, is hereby further amended by:
  - a. Deleting Exception 274 from Section 14.0 “Exceptions” and substituting the word “Deleted” for lands attached hereto as Schedule “1”.
  - b. Rezoning the lands shown on Schedule A Map 29 and Map 49, attached hereto as Schedule “1” from GMU- General Mixed Use Zone, subject to Exception 278, to HMU High-Rise Mixed Use Zone, subject to Exception (xxxx), in the manner shown on Schedule “1”.
  - c. Adding the following paragraph to Section 14.0 “Exceptions”:

14(xxxx) A. Notwithstanding the provisions of:

    - a) Subsection 3.0 respecting definitions;
    - b) Subsection 6.3.5 respecting parking requirements;
    - c) Subsection 6.5.2 respecting bicycle parking dimensions;
    - d) Subsection 8.2.1 respecting permitted uses in the HMU Zone;
    - e) Subsection 8.2.2 respecting lot and building requirements in the HMU High-Rise Mixed-Use Zone;

The following provisions shall apply to the lands shown as “Subject Lands” on Schedule “1”:

- ai) Amenity Area – means an indoor or outdoor shared communal space designed and maintained for active or passive recreational uses for residents of a dwelling or residential development, but shall not include any exclusive area that is only accessible by an individual unit;
- aii) Storey - shall be as defined in By-law No. 01-2021 except that it shall not include the mechanical penthouse level of a building, it shall not include any storey with a floor level below grade, and it shall not include a mezzanine level, being an enclosed area with full walls, located between the first storey and the second full storey of a building provided that the gross floor area of the mezzanine level shall not exceed 60% of the gross floor area of the first storey in the building.

Aiii) Gross Floor Area – Means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, electrical room, elevator shaft, refuse chute, escalators, vehicle and bicycle parking areas, loading areas located above or below grade and stair wells.

- bi) residential apartment and podium townhouse parking spaces shall be provided at a minimum rate of 0.6 spaces per dwelling unit;
- bii) visitor parking spaces shall be provided at a minimum rate of 0.15 spaces per dwelling unit;
- ci) Long-term bicycle parking spaces shall be provided at a rate of 0.5 spaces per dwelling unit for apartment dwelling and any other residential use that requires visitor parking
- cii) Short-term bicycle parking spaces shall be provided at a rate of 0.1 spaces per dwelling unit for apartment dwelling, and any residential use that requires visitor parking
- ei) The following uses shall be permitted in a HMU High-Rise Mixed-Use Zone:

Commercial Uses

- Art studio
- Business service
- Clinic
- Commercial school
- Financial institution
- Funeral Service
- Health and fitness centre
- Hotel
- Hotel (small scale)
- Micro-manufacturing
- Office
- Personal service
- Pet care establishment
- Pet services establishment

- Place of assembly
- Place of entertainment
- Restaurant
- Restaurant, take-out
- Retail
- Retail, convenience
- Service or repair shop
- Shopping centre
- Supermarket
- Theatre
- Veterinary clinic

#### Residential Uses

- Apartment dwelling
- Live-work dwelling
- Independent living facility
- Podium townhouse dwelling
- Retirement residence
- Supportive living facility

#### Community Uses

- Community facility
- Community garden
- Daycare centre
- Emergency service
- Long term care facility
- Place of worship
- Public parking
- School
- School, post-secondary
- Urban square

- fi) The maximum total number of residential units for all buildings in the HMU High-Rise Mixed-Use Zone shall be 1,172 residential units;
- fii) The total density for all building in the HMU High-Rise Mixed-Use Zone shall not exceed 9.5 FSI (Floor Space Index);
- fiii) The total Gross Floor Area shall not exceed 86,300 m<sup>2</sup> for all buildings in the HMU High-Rise Mixed-Use Zone;
- fv) The maximum building height for buildings within the HMU High-Rise Mixed-Use Zone shall be 122.5 metres;
- fv) The minimum tower separation for all buildings within the HMU High-Rise Mixed-Use Zone shall be 26.0 metres;
- fvi) The maximum podium height for all buildings within the HMU High-Rise Mixed-Use Zone shall be 27.0 metres;
- fvii) The minimum tower step-back for all buildings within the HMU High-Rise Mixed Use Zone shall be 0.0 metres

- fviii) The minimum tower setback from any rear lot line and interior side-lot line for all buildings within the HMU High-Rise Mixed-Use Zone shall be 2.7 metres
  
- fvix) The maximum height shall be the number of metres measured above the ground floor for all buildings and structures as shown on Schedule XX(XXX) and the maximum number of storeys for all buildings and structures shall be as shown on Schedule XX(XXX).
  
- Fv) The maximum building height for buildings within the HMU High-Rise Mixed-Use Zone shall be as follows:
  - i) Tower A – 38 storeys and 122.5 metres
  - ii) Tower B – 35 storeys and 112.5 metres
  - iii) Tower C – 32 storeys and 103.0 metres
  
- fvx) The maximum height shown on Schedule XX(XXX) may be exceed only for :
  - mechanical penthouses or architectural expression, as follows:
    - (i) Mechanical penthouses are permitted to a maximum height of 7 metres;
    - (ii) Architectural expression is permitted to a maximum height of 10 metres.;
    - (iii) Those building elements which must necessarily be located above the mechanical penthouse such as window washing equipment, chimneys, boiler flues and stacks.
  
- fvi) Front, Side, and Rear Yard Setbacks shall be according to Schedule “1” attached to this by-law and the following:
  - Minimum rear yard 1.7 metres
  - Minimum side yard 2.8 metres
  - Minimum front yard 1.6 metres
  
- fvii) Architectural features may project into required front, side and rear yard setbacks.
  
- Fviii) The ground floor frontage shall consist of a maximum of 50% of all uses, including apartment dwellings and podium townhouse dwellings, subject to this provision
  
- d. Adding Schedule 14-xxxx respectively attached hereto as Schedule “1”.
  
- 2. Schedule “1” shall be and hereby form part of this By-law.
  
- 3. Notwithstanding Section 45 (1.3) of the *Planning Act*, the Owner is not required a resolution from Council, as per Section 45 (1.4), to apply for a minor variance before the second anniversary of the day on which this by-law is passed.

Enacted by City of Vaughan Council on this ~ day of Month, 2021.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

## **SUMMARY TO BY-LAW ~ -2021**

The lands subject to this bylaw are located on the east side of Whitmore Road and the south side of Highway 7, municipally known as 177 Whitmore Road, as shown on Schedule "1".

The purpose of this by-law is to rezone the subject lands from GMU- 274 General Mixed Use Zone subject to exception 274 to HMU High-Rise Mixed-Use Zone as amended by Site Specific Exception XXXX.

The subject lands permit the following exceptions:

- Residential parking spaces for apartment and podium townhouse shall be provided at a rate of 0.6 spaces per dwelling unit
- Visitor parking spaces shall be provided at a rate of 0.15 spaces per dwelling unit
- amenity area shall be provided at a minimum rate of 4.0 square metres per dwelling unit;
- maximum 1,172 total residential units
- total density shall not exceed 9.5 FSI (Floor Space Index)
- total combined Residential and Commercial GFA shall not exceed 86,300 m<sup>2</sup>
- building envelopes are as shown on Schedule "1"
- the maximum building heights are as follows:

- i) Tower A – 38 storeys and 122.5 metres
- ii) Tower B – 35 storeys and 112.5 metres
- iii) Tower C – 32 storeys and 103.0 metres

- The following permitted uses:  
Commercial Uses

- Art studio
- Business service
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- Financial institution
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The zoning by-law also includes a provision to permit the Owner to apply for a minor variance, if necessary, before the 2-year anniversary of the passing of this by-law, without a resolution from Council.

