

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 153-2022**

**A By-law to amend City of Vaughan By-law 1-88.**

**WHEREAS** there has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time by York Region, the approval authority, with which the matters herein set out are in conformity;

**WHEREAS** Subsection 24(2) of the *Planning Act*, R.S.O. 1990, c.P.13, provides that the 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.1 3, 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 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 the “C7 Service Commercial Zone” to the “C9(H) Corporate Centre Zone”, together with the Holding Symbol “(H)”, in the manner shown on the said Schedule “1”.
  - b) Adding the following to Section 9.0 “EXCEPTIONS”:

(1543) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule E-“1674”, until the Holding Symbol “(H)” is removed from the Subject Lands, or any portion thereof, pursuant to Subsection 36(1) or (3) of the *Planning Act*. Lands subject to the Holding Symbol “(H)” shall not be used for any other use, other than existing uses, and a temporary sales office.

The following provisions shall apply:

- i) Prior to final approval of Site Development File DA.20.041, the Owner shall submit the final registered documents to the satisfaction of the VMC Program confirming the transfer in ownership of the Apple Mill Road frontage to be incorporated into the Subject Lands to provide legal access to the Development;
- ii) The Owner shall enter into a Strata Framework Agreement with the City. The Strata Framework Agreement, and subsequent Strata Title Arrangement Agreement, shall be provided to the City for review and approval for the Strata Road, which shall be finalized with details respecting, but not limited to, access, ownership, operation, maintenance, liability, cross section details, and financial responsibilities (among others) of the parties which shall have been agreed upon by the Owner and the necessary agreement(s) shall be executed prior to final approval of the related Draft Plan of Subdivision 19T-20V002, to the satisfaction of the City;
- iii) Prior to occupancy, the Subject Lands shall be removed from the floodplain subject to clearance from the Toronto and Region Conservation Authority ('TRCA'). Removal from the floodplain will allow safe access to the Subject Lands. The Owner shall provide documentation including, but not limited to TRCA approved floodplain mapping and modelling and written confirmation from the City that Black Creek Renewal works associated with removal of the floodplain in the vicinity of the Subject Lands are complete or substantially advanced to the satisfaction of the TRCA and the City.

B.

Notwithstanding the provisions of:

- a) Subsection 2.0 respecting Definitions;
- b) Subsection 3.8.1 respecting Parking Requirements for the

Vaughan Metropolitan Centre;

- c) Subsection 3.9 respecting Loading Space Requirements;
- d) Subsection 3.13 and Subsection 5.1.1 respecting Minimum Landscape Area;
- e) Subsection 3.14 respecting Permitted Yard Encroachments;
- f) Subsection 3.17 respecting Portions of Buildings Below Grade;
- g) Subsection 5.10 respecting the Minimum Commercial Gross Floor Area at the Ground Floor Level;
- h) Schedule “A2” respecting zone standards in the C9 Corporate Centre Zone;

The following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1674”:

- ai) LANDSCAPING – Means an area of land at grade comprising trees, shrubs, flowers, grass or other horticultural elements. Landscaping may include paths, patios, walkways, decorative stonework or other architectural elements designed to enhance the visual amenity of a property but does not include open storage display areas, parking or loading areas, or areas covered by driveways.

LOT – Means a parcel of land fronting a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the Planning Act, R.S.O. 1990, c. P.13. would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot. For clarity, this definition includes any lands subject to Stratified Arrangements.

STRATIFIED ARRANGEMENTS – Means an

agreement registered on-title by (2) two, or more parties for the determination of ownership of land divided on a horizontal or vertical plane above and/or below grade.

bi) the following minimum parking rates shall apply:

- i) Apartment Dwelling: 0.37 spaces per unit
- ii) Commercial Uses: 2.0 spaces/100 m<sup>2</sup>
- iii) Office Uses: 1.2 spaces/100 m<sup>2</sup>
- iv) Residential Visitor: 0.15 spaces per unit

For clarity, the parking standards for a mixed-use development pursuant to Section 3.8.1 c) shall apply and the required parking for residential (visitor) for the percent of peak period parking demand (weekday) Table A shall be permitted 20% for the morning time period.

ci) The dimensions of a maximum of 3 loading spaces provided on the lot may be reduced to a minimum of 6.0 metres long x 3.5 metres wide.

di) Only the following minimum landscaped area shall be required:

- i) A minimum landscape strip width of 1.5 metres shall be provided abutting Jane Street, the eastern street line;
- ii) A minimum landscape strip width of 2.0 metres shall be provided abutting the Street 1, the western street line;
- iii) A minimum landscape strip width of 5.0 metres shall be provided abutting Apple Mill Road and associated daylight triangle, the northern street line;
- iv) A minimum landscape strip width of 5.0 metres shall be provided along Highway 7, and associated sight triangle, the southern street line.

An exhaust or intake shaft shall be permitted within the

required landscaped area abutting Jane Street and Apple Mill Road.

- ei) In addition to encroachments permitted by Section 3.14, the following shall be permitted to encroach into a required setback:
  - i) Canopies, terraces, related parapets, railings and privacy screens, roofing elements (including landscape features or structures, green roof, noise and wind mitigation elements) and elements used for window washing purpose, shall be permitted to encroach into the required setback below a building height of 16.0 metres as follows:
    - a. At the intersecting northern and eastern street lines to the sight triangle: 2.7 metres;
    - b. At the eastern street line: 2.4 metres
  - ii) Balconies, associated railings, and privacy screens shall not encroach more than:
    - a. At the eastern street line: 1.25 metres.
  - iii) Architectural cladding shall be permitted to encroach not more than 1.5 metres into the westerly minimum side yard.
- fi) the minimum setback from any lot line to the nearest part of a building below finished grade shall be 0.0 metres;
- gi) A minimum of 50% of the gross floor area at the ground floor level shall be composed of commercial uses;
- hi) Only the following lot and building requirements shall apply to the subject lands:
  - i) The minimum setback from the northern street line to a building or part of a building shall be 2.0 metres, provided:
    - a. Above a building height of 28.0 metres, the minimum setback shall be 3.7 metres.

- ii) The minimum setback from the southern street line to a building or part of a building shall be 6.6 metres provided:
  - a. Above a building height of 8.5 metres for non residential uses only, the minimum setback shall be 0.0 m at the lot line abutting the sight triangle.
- iii) The minimum setback from the eastern street line to a building or part of a building for residential uses shall be 1.3 metres, provided:
  - a. Above a building height of 8.5 metres the minimum setback shall be 0.2 metres;
  - b. Above a building height of 25.5 metres, the minimum building setback shall be 5.5 metres.
- iv) The minimum setback from the eastern street line to a building or part of a building for non-residential uses shall be 2.0 metres, provided:
  - a. Above a building height of 9.5 metres, the minimum setback shall be 4.1 metres;
- v) The minimum setback from the western street line to a building or part of a building used for residential uses shall be 1.5 metres, provided:
  - a. Above a building height of 4.5 metres, the minimum setback shall be 2.0 metres;
  - b. Above a building height of 9.5 metres, the minimum setback shall be 2.5 metres;
- vi) The minimum setback from the western street line (Street 1) to a building or part of a building used for non-residential uses shall be 1.0 metre;
- vii) The maximum building height shall be as follows:
  - a. Tower A: 192.0 metres (60-storeys);
  - b. Tower B: 163.0 metres (50-storeys).;

For the purpose of determining a storey, the mechanical penthouse shall not be included.

- viii) The minimum height of the first storey of a building for non-residential uses shall be 5.0 metres as measured from the ground floor level to the second floor level;
- ix) The minimum setback between exterior walls that face one another above a building height of 25.05 metres shall be 25.0 metres;
- x) The following provisions for gross floor area shall apply:
  - a. The maximum residential gross floor area on the lot shall be 103,601.5 square metres;
  - b. The minimum non-residential gross floor area on the lot shall be 25,502.90 square metres;
  - c. The maximum residential gross floor area of each storey of Tower A shall be:
    - i. Above a building height of 27.0 metres, 850 square metres,
    - ii. Above a building height of 160.0 metres, 826 square metres,
    - iii. Above a building height of 169.5 metres, 720 square metres;
  - d. The maximum residential gross floor area of each storey of Tower B shall be:
    - i. Above a building height of 27.0 metres, 850 square metres;
    - ii. Above a building height of 132.0 metres, 825.4 square metres; and,
    - iii. Above a building height of 142.0 metres, 718 square metres.
- xi) A maximum of 1,177 dwelling units are permitted on

the lot;

xii) The minimum required amenity area shall be 4.3 square metres per dwelling unit. The calculation of amenity area shall not include any private balconies.

c) Pursuant to Section 37.1 of the *Planning Act*, the increase in the maximum height and density otherwise permitted on the lands shown on Schedule “E-1674” attached hereto as Schedule “1”, is subject to compliance with the conditions set out in this By-law and in the Section 37 Density Bonusing Agreement executed between the Owner of the Subject Lands and the City of Vaughan in return for the provisions of the following facilities, services and matters:

a. The Owner of the Subject Lands shall make a contribution in the amount of \$11,349,470.00 prior to the issuance of the first above grade Building Permit for any above-grade structure(s) on site for the development.

d) Adding Schedule “E-1674” attached hereto as Schedule “1”.

e) Deleting Key Map 5B and substituting therefor the Key Map 5B 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 28<sup>th</sup> day of June, 2022.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

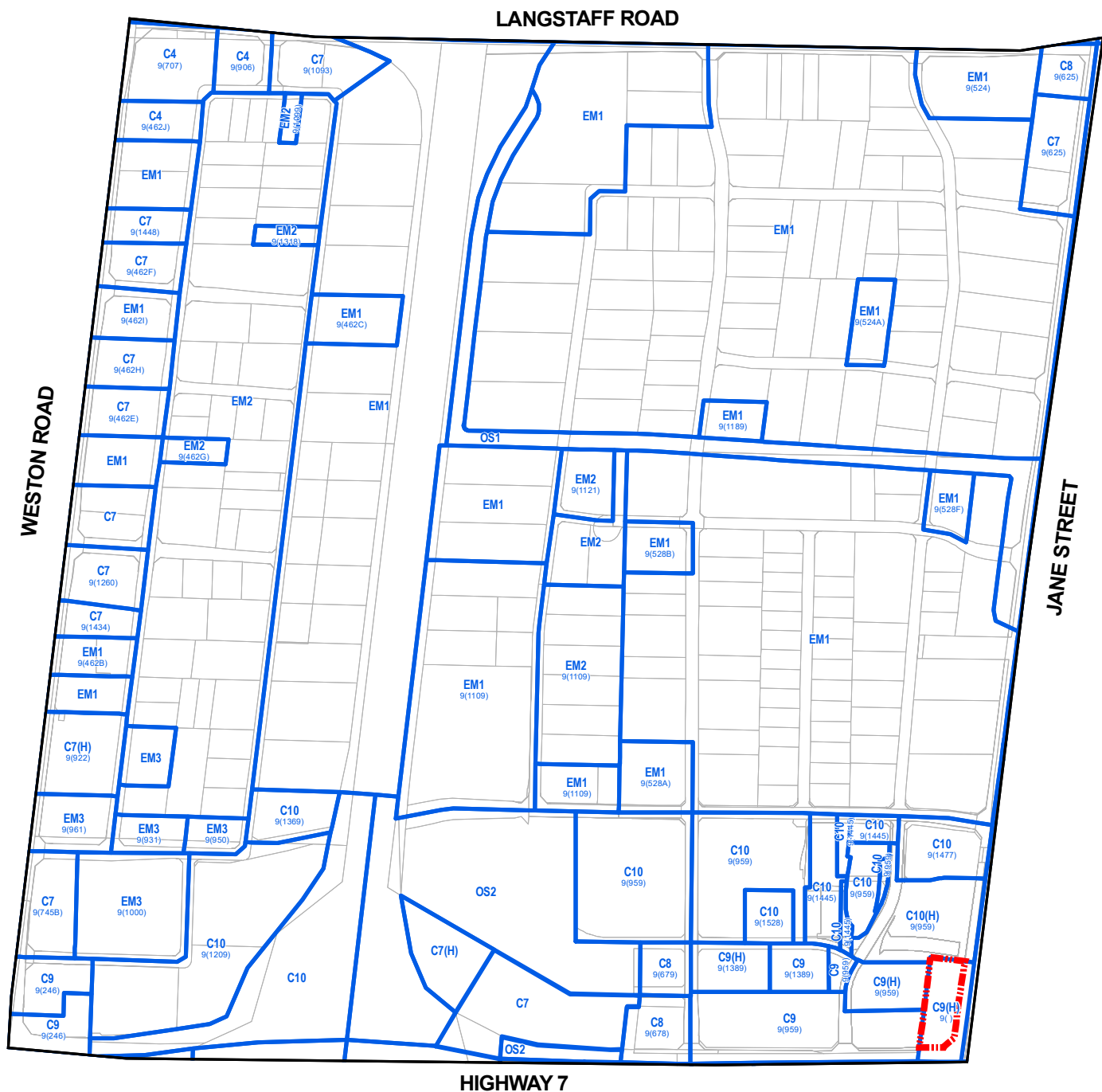
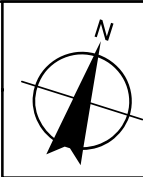




This is Schedule '1'  
To By-Law 153-2022  
Passed the 28th Day of June, 2022

File: Z.20.008  
Related File: OP.20.003  
Location: Part of Lot 6, Concession 5  
Applicant: Metrus (Terra) Properties Inc.  
City of Vaughan

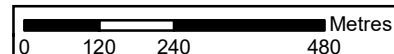
Signing Officers  
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Mayor  
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Clerk



Subject Lands

**KEY MAP 5B**

**BY-LAW NO. 1-88**



This is Schedule '2'  
To By-Law 153-2022  
Passed the 28th Day of June, 2022

**File:** Z.20.008

**Related File:** OP.20.003

**Location:** Part of Lot 6, Concession 5

**Applicant:** Metrus (Terra) Properties Inc.

**City of Vaughan**

SIGNING OFFICERS

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MAYOR

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CLERK

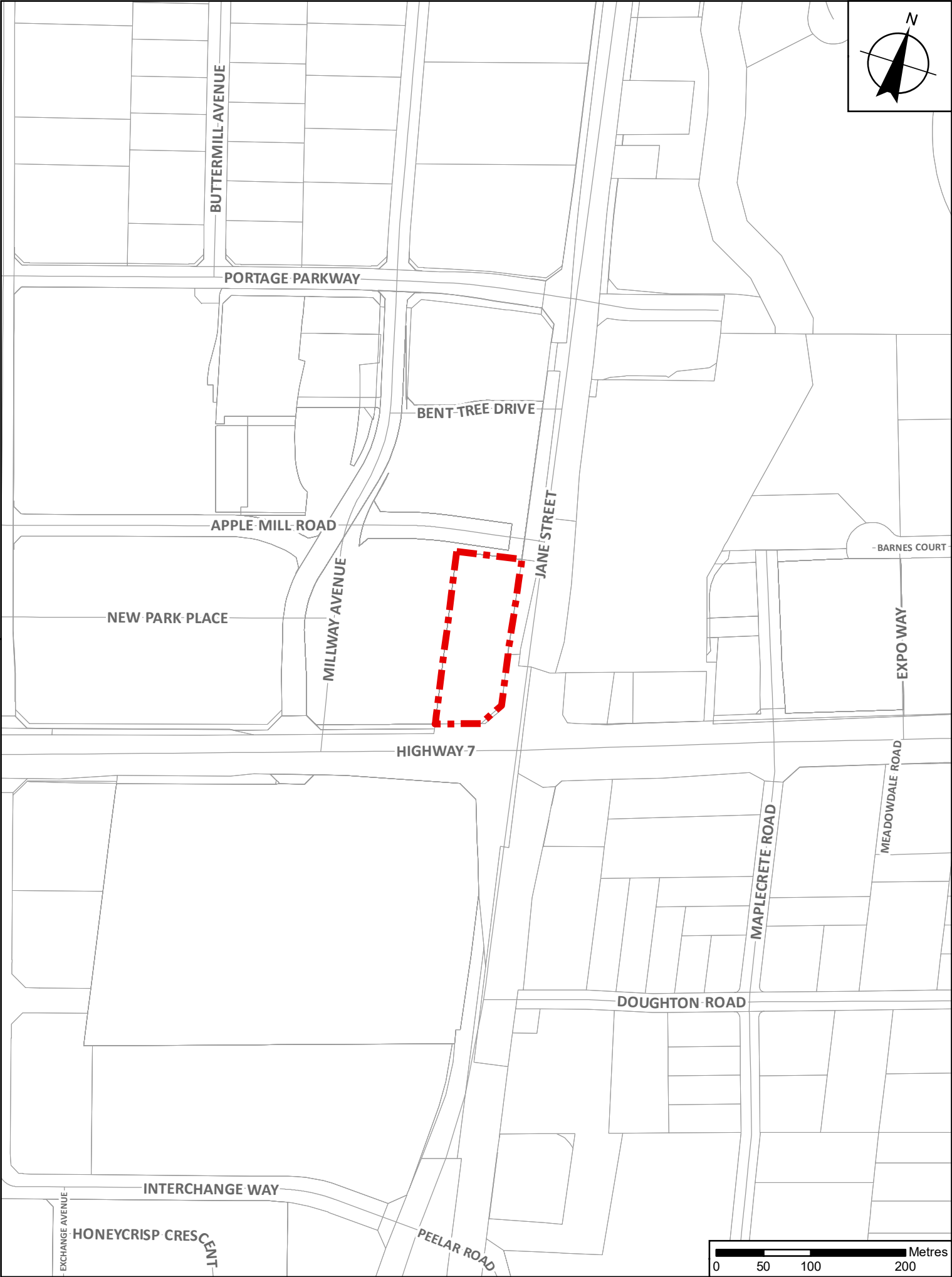
## **SUMMARY TO BY-LAW 153-2022**

The lands subject to this By-law are located on north-west corner of Highway 7 and Jane Street, Part Lot 6, Concession 5, and are municipally known as 7800 Jane Street in the Vaughan Metropolitan Centre, City of Vaughan.

The purpose of this by-law is to create a new site-specific exception and schedules that includes the following provisions and development standards to permit 1,177 residential units within a 50 and 60-storey mixed-use residential Towers A and B with a 22,742.60 m<sup>2</sup> office building, 2,760.3 m<sup>2</sup> retail served by 3 levels of above-grade structured parking within the podium, and 3 levels of underground parking located beneath a north-south local street with a stratified title arrangement:


- a) Site-specific definitions of the sizes of “Lot” and “Stratified Arrangement”
- b) Minor reductions to the parking and loading space requirements in the Vaughan Metropolitan Centre
- c) Permit canopy encroachments into required yards
- d) Reduce minimum landscape strip widths
- e) Reduce setbacks for portion of buildings below grade
- f) Reduce minimum commercial use requirements at-grade
- g) Site-specific development standards; and
- h) Provision for the increase in the maximum density, pursuant to Section 37 of the Planning Act, to be applied specifically to the on-site contribution towards public art including a gateway installation at Highway 7 and Jane Street, streetscape enhancements and off-site contributions towards park enhancements in the Vaughan Metropolitan Centre.

This By-law shall not come into force until Official Plan Amendment Number 76 (OPA 76) is in full force and effect (OP.20.003).



Location Map  
To By-Law 153-2022

**File:** Z.20.008  
**Location:** Part of Lot 6, Concession 5  
**Applicant:** Metrus (Terra) Properties Inc.  
**City of Vaughan**

 Subject Lands