

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 157-2022**

**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;

**AND 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. Deleting 9(1473), Section A. in its entirety and replacing it with the following:

“Adding the following Paragraph to Section 9.0 “EXCEPTIONS”

“(1473) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1604”, until the Holding Symbol “(H)” is removed from the Subject Lands, or any portion thereof, pursuant to Subsection 36(3) or (4) of the *Planning Act* and the following:

- a) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of the enactment of By-law 159-2022.
- b) Provide a Remedial Action Plan (RAP) to the satisfaction of

the City;

- c) Obtain and file for a Record(s) of Site Condition (RSC(s)) on the Environmental Site Registry with the Ministry of the Environment, Conservation and Parks for the Subject Lands or for all portions thereof as identified on Schedule 1. The “H” may be removed from the Subject Lands in a phased manner as generally shown on Schedule 1 to the satisfaction of the City.

B. Deleting Exception (1473), Section B. in its entirety in and replacing it with the following:

Notwithstanding the provisions of:

- a) Subsection 2.0 respecting the Definition of Lot and Parking Space;
- b) Subsection 3.8.1 a), c), and d) respecting Parking Requirements for the Vaughan Metropolitan Centre;
- c) Subsection 3.14 respecting Permitted yard Encroachments and Restrictions;
- d) Subsection 3.17 respecting Portions of Buildings Below Grade;
- e) Subsection 5.1.1 respecting Landscaping Area;
- f) Subsection 5.1.4 and 5.10 respecting Uses Permitted;
- g) Subsection 5.1.5 and Schedule “A2” respecting Zoning Standards for C9 zones.

The following provisions shall apply to the lands shown as the “Subject Lands” on Schedule “E-1604”:

ai) For the purpose of this Exception Paragraph:

- i. the subject lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title agreements, or other permissions, and any easements or registrations that are granted.
- ii. the minimum dimensions of a Parking Space shall measure

at least 2.6 m by 5.7 m.

bi) The minimum parking spaces requirement shall be:

- i) Residential Parking Spaces: 0.624 spaces per dwelling unit
- ii) Visitor Parking Spaces: 0.155 spaces per dwelling unit
- iii) Non-Residential Parking Spaces: 2 spaces per 100 sq m of gross floor area.

bii) the minimum length of an Accessible Parking Space shall be at least 5.7 m.

ci) the maximum exterior side yard encroachment shall be 2.2 m within Block 1 for exterior stairs, landscape planters, balconies and outdoor patios.

di) the minimum setback from Highway 7, Maplecrete Road, the Future Road and Street B to the nearest part of the building below finished grade shall be no less than 0.5 m.

ei) minimum widths of landscape strips shall be as follows:

- i) 2.2 m along Maplecrete Road
- ii) 2 m along Street B
- iii) 0.6 m along the east property line
- iv) 0 m at the localized pinch point where the corner of the building intersects with the daylight sight triangle.

fi) in addition to the uses permitted in all Commercial Zones and in the C9 Corporate Centre Zone, the following uses shall be permitted only if they are carried on within a wholly enclosed building with no open storage:

- a. Arts Studio
- b. Long Term Care Facility
- c. Independent Living Facility
- d. Public Garage, which shall be restricted only to hand washing and detailing of cars, with no mechanical repairs, and shall only be located within a below grade parking garage.

gi) Only the following Zone requirements shall apply to the Subject Lands as shown on Schedule "E-1604":

- i) a minimum of 20% of the gross floor area at the ground floor level shall be composed of non-residential uses which provided individual external at-grade pedestrian access to such use.
- ii) the minimum lot frontage for Block 4 shall be 27 m (Maplecrete Road).
- iii) the minimum lot area for Block 4 shall be 3,290 sq. m.
- iv) the minimum rear yard setback for Block 1 shall be 2 m (Street B).
- v) the minimum exterior yard setback shall be as follows:
  - i. Block 1 – 2.5 m (Maplecrete Road)
  - ii. Block 1 - 2.8 m (East Property Line)
  - iii. Block 4 – 2.0 m (Street B).
- vi) the minimum setback to all sight triangles shall be 0 m at the localized pinch point where the corner of the building intersects with the daylight sight triangle.
- vii) The build-to-zone requirements shall not apply.
- viii) The maximum number of residential units on the Subject Lands shall not exceed 1,257 units.
- ix) The maximum gross floor area shall be 101,200 sq. m., specifically:
  - i. 100,400 sq. m. for residential gross floor area; and
  - ii. 800 sq. m. for non-residential gross floor area.
- x) The minimum combined gross floor area for commercial/community center uses shall be 785 m<sup>2</sup>.
- xi) The minimum combined common amenity area (indoor and outdoor) shall be 5,400 m<sup>2</sup>.
- xii) The minimum height between the ground floor and the third floor of Buildings A and B shall be 7.2 m.

- xiii) The minimum setback from any lot line or right-of-way to Buildings A and B shall be 2.6 m, provided:
  - i. Building A: Above a building height of 7.2 m, the minimum setback shall be 10.7 m.
  - ii. Building B: 1.5 m; Above a building height of 7.2 m, the minimum setback shall be 4.3 m.
- xiv) The minimum setback between exterior walls that face one another above a building height of 7.2 m shall be 27.8 m (Buildings A and B).
- xv) The minimum setback between exterior walls that face one another above a building height of 7.2 m shall be 38.1 m (Buildings B and C).
- xvi) The maximum building heights shall be 49-storeys or 153.5 m (Building A), 45-storeys or 141.3 m (Building B), exclusive of all mechanical and equipment and architectural features, and the maximum density shall be 6.97 Floor Space Index ("FSI").

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-1604" attached hereto as Schedule "1", is subject to compliance with the conditions set out in this By-law and in the amended 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 \$1,300,000 to the City for the uplift in density from 5 FSI to 5.66 FSI (82,050 m<sup>2</sup> Gross Floor Area) and maximum building heights of 40-storeys (Building A) and 34-storeys (Building B), which shall go towards improvements to the Edgeley Pond and Park Features, including but not limited to the first iconic pedestrian bridge, in accordance with the executed Section 37 Agreement

between the City and Owner dated March 19, 2019, payable prior to the application of the first Building Permit for any above-grade structure(s) on site for the development;

- b) The Owner of the Subject Lands shall also make a contribution in of the amount of \$3,786,587.15 to the City for the additional uplift in density from 5.66 FSI to 6.97 FSI and maximum building heights of 49-storeys or 153.5 metres (Building A) and 45-storeys or 141.3 metres (Building B), comprised of 162.85 m<sup>2</sup> of on-site community space located along Highway 7, with the value of the ownership arrangement to be determined by any appraisal report on a fair market value, and a cash contribution for interior fit-out of the space using the remainder of the \$3,786,587.15 contribution. The cash component of the contribution shall be payable prior to the application of the first Building Permit for any above-grade structure(s) on site for the development.

D. Deleting Schedule “E-1604” and substituting therefore Schedule “E-1604” attached hereto as “Schedule “1””.

E. Deleting Key Map 4A and substituting therefore Key Map 4A attached hereto as “Schedule “2””.

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

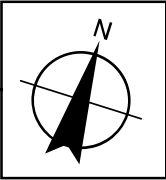
Enacted by City of Vaughan Council this 28<sup>th</sup> day of June, 2022.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk



REGIONAL ROAD 7

MAPLECRETE ROAD

Block '1'

C9(H)

STREET "B"


C9(H)

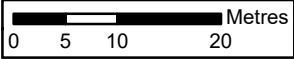
Block "4"

C9(H)

C9(H)

This is Schedule 'E-1604'  
To By-Law 1-88  
Section 9(1473)

 Subject Lands



This is Schedule '1'  
To By-Law 157-2022  
Passed the 28th Day of June, 2022

File: Z.21.010  
Related Files: OP.21.007, DA.18.037  
Location: Part of Lot 5, Concession 4  
Applicant: 1930328 Ontario Inc.  
City of Vaughan

Signing Officers

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Mayor

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Clerk





## **SUMMARY TO BY-LAW 157-2022**

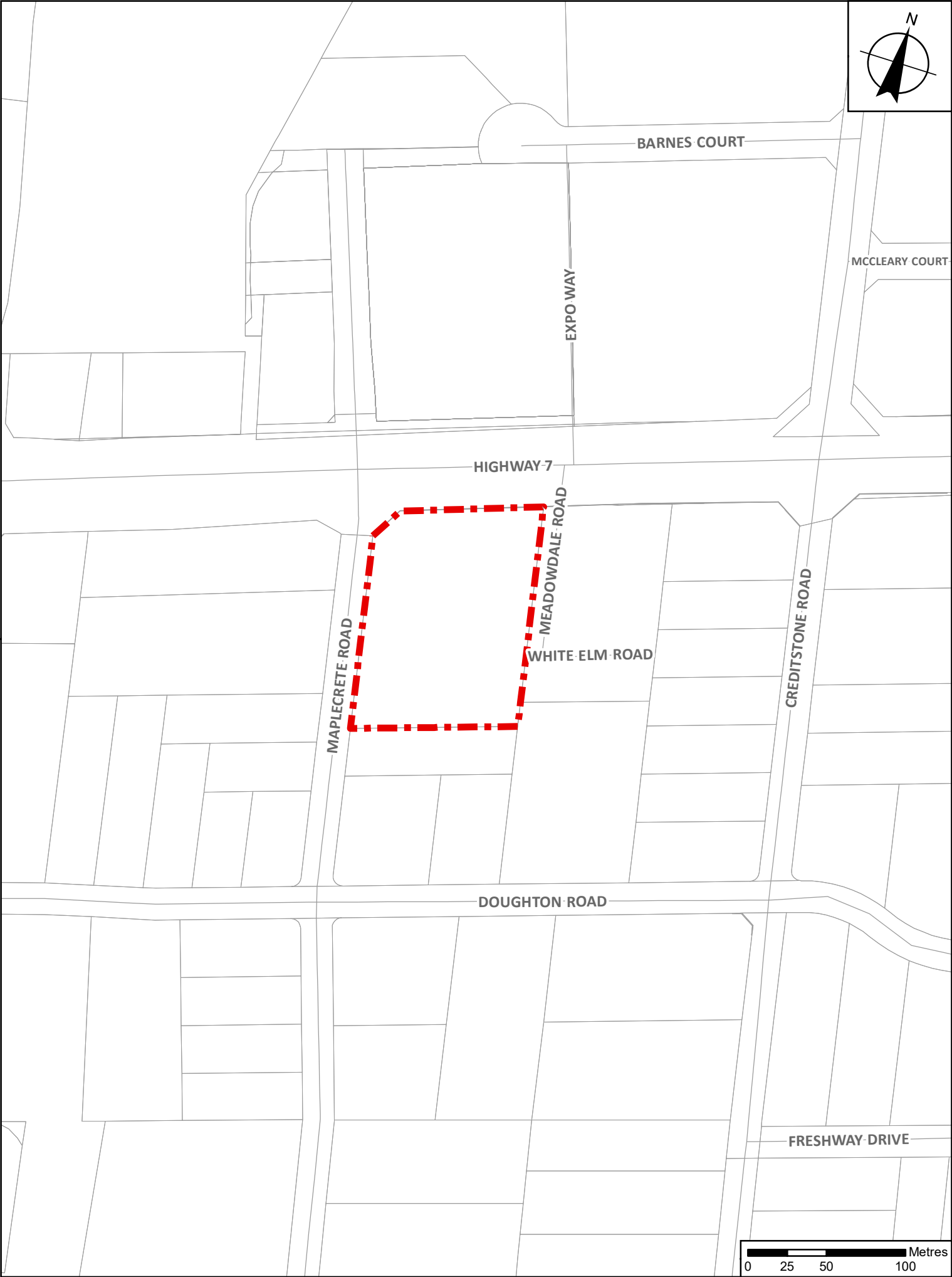
The lands subject to this By-law are located at the southeast corner of Maplecrete Road and Highway 7 (within the Vaughan Metropolitan Centre), being Part of Lot 5, Concession 4, and are municipally addressed as 2871 Highway 7, City of Vaughan.

The purpose of this by-law is to amend the existing Exception 9(1473) by deleting and replacing sections and schedules to include the following site-specific zoning exceptions:

- a) Site-specific definitions of “lot” and “parking space”;
- b) Reduction in parking space requirements;
- c) Loading space requirements;
- d) Yard encroachments;
- e) Reduction of setbacks for portions of buildings below grade;
- f) Reduction in landscaping area;
- g) Introduction of additional uses;
- h) Site-specific development standards; and,
- i) Provisions for the increase in the maximum building height and density, pursuant to Section 37 of the *Planning Act*, to be applied within the VMC.

The removal of the Holding Symbol “(H)” is conditioned upon a Remedial Action Plan (RAP) being provided to the satisfaction of the City and a Record(s) of Site Condition (RSC(s)) being obtained and filed on the Environmental Site Registry with the Ministry of the Environment, Conservation and Parks for the Subject Lands or for all portions thereof as identified on Schedule 1. The “H” may be removed from the Subject Lands in a phased manner as generally shown on Schedule 1, to the satisfaction of the City.

This By-law shall not come into force until Official Plan Amendment Number 86 (OPA 76) is in full force and effect (OP.21.007).



Location Map  
To By-Law 157-2022

**File:** Z.21.010  
**Related Files:** OP.21.007, DA.18.037  
**Location:** Part of Lot 5, Concession 4  
**Applicant:** 1930328 Ontario Inc.  
**City of Vaughan**



Subject Lands