

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 005-2023**

**A By-law to amend City of Vaughan By-law 1-88, as amended by By-law 033-2019.**

**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 but not approved at this time, with which the matters herein set out are not in conformity;

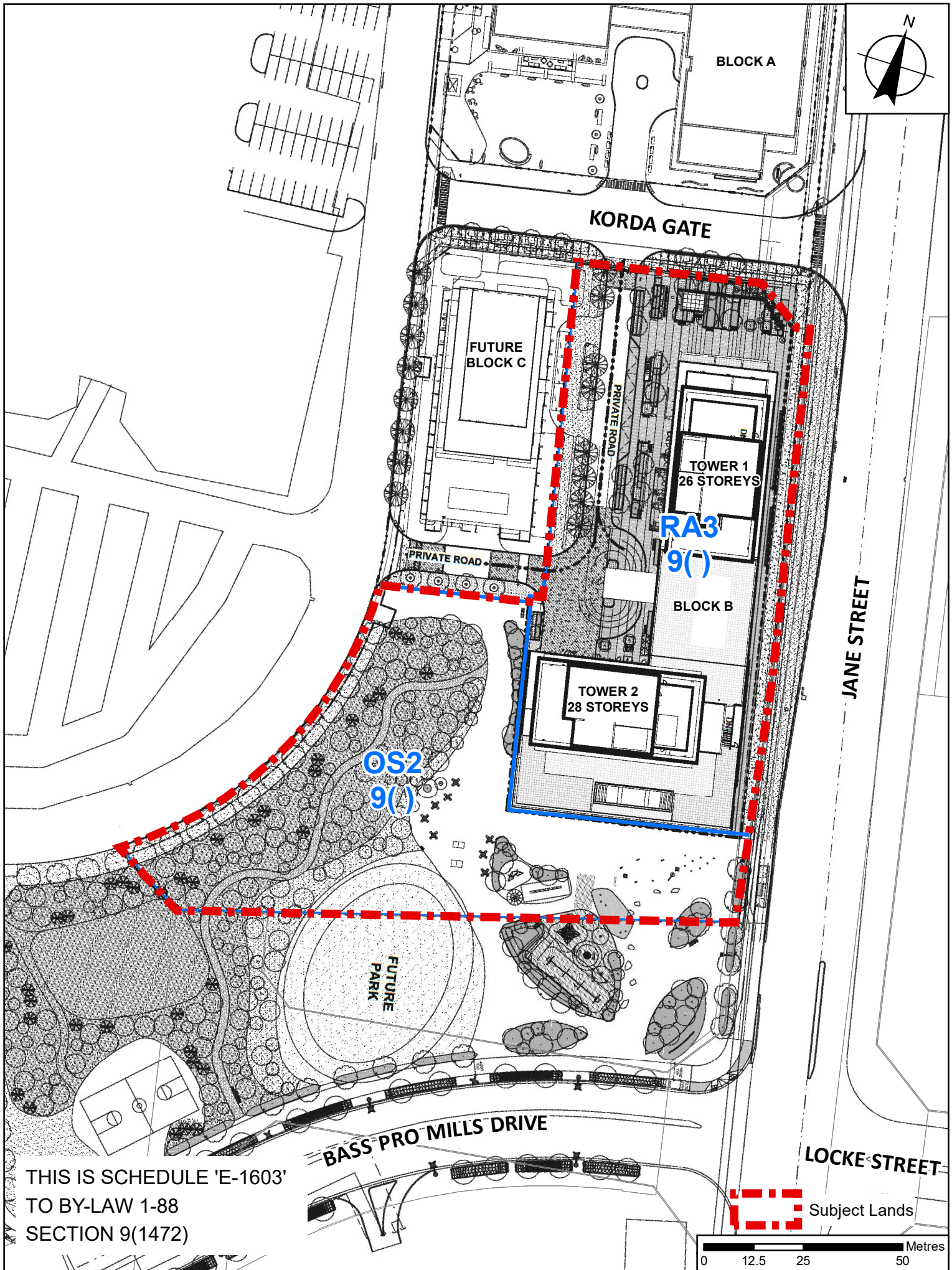
**NOW THEREFORE** the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
  - a) Deleting Schedule “E-1603” and substituting therefor the Schedule “E-1603” attached hereto as Schedule “1”, thereby deleting the Holding Symbol “(H)” from a portion of the lands and effectively zoning the Subject Lands RA3 Apartment Residential Zone and OS2 Open Space Park Zone, subject to site-specific Exception 9(1472).
  - b) Deleting Key Map 5C and substituting therefor the Key Map 5C attached hereto as Schedule “2”, thereby removing the Holding Symbol “(H)” from a portion of the lands shown as “Subject Lands” on Schedule “E-1603”.
2. Schedules “1” and “2” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 24<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Steven Del Duca, Mayor

\_\_\_\_\_  
Todd Coles, City Clerk



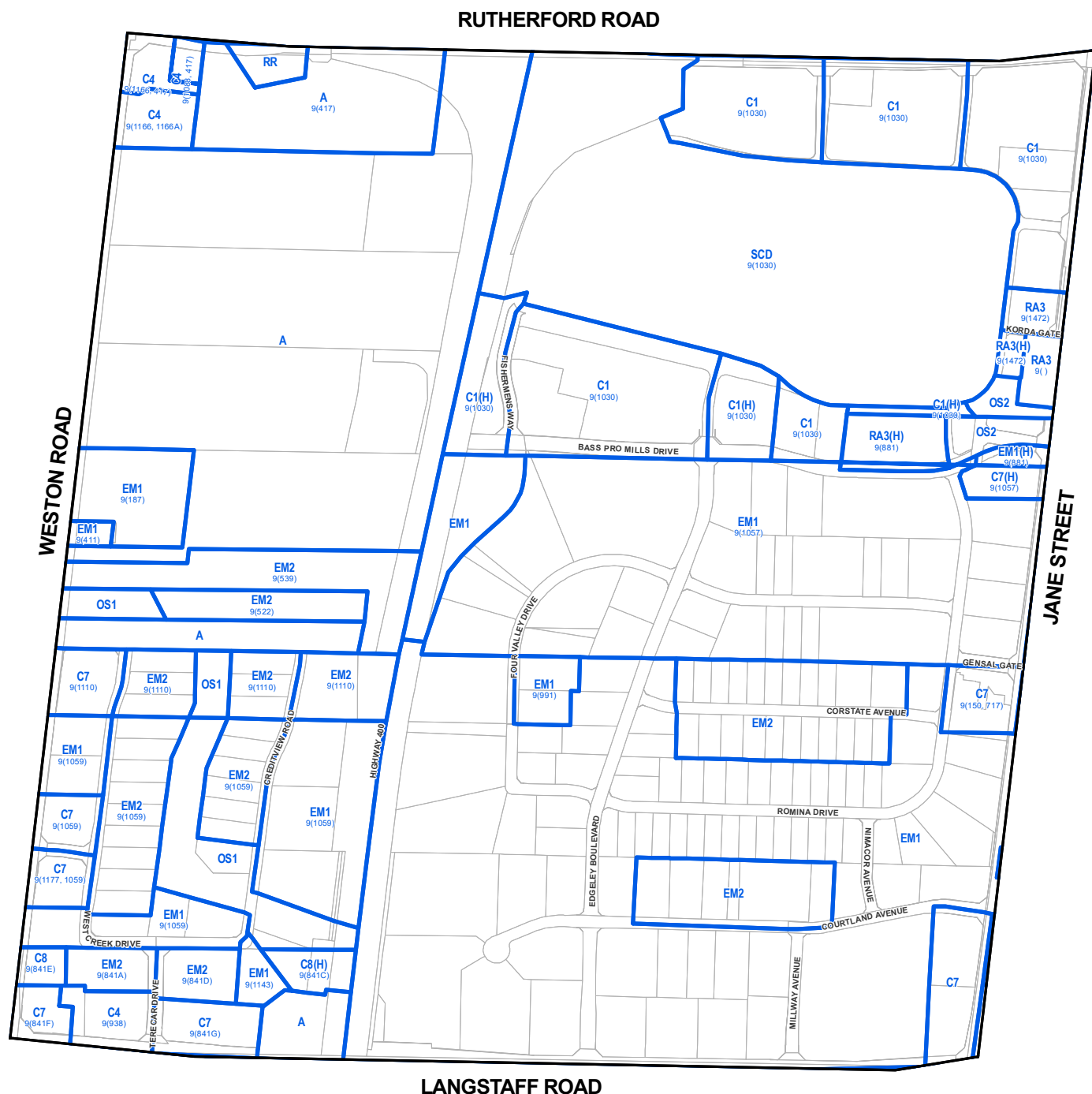
THIS IS SCHEDULE '1'  
TO BY-LAW 005-2023  
PASSED THE 24TH DAY OF JANUARY, 2023

**FILE:** Z.19.032  
**RELATED FILES:** OP.07.001, Z.09.038, DA.19.084  
**LOCATION:** Part of Lot 14, Concession 5  
8960 Jane Street  
**APPLICANT:** Granerola Residences Ltd.  
**CITY OF VAUGHAN**

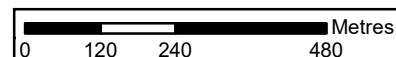
Signing Officers

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



**KEY MAP 5C**  
**BY-LAW No. 1-88**



THIS IS SCHEDULE '2'  
TO BY-LAW 005-2023  
PASSED THE 24TH DAY OF JANUARY, 2023

**CITY OF VAUGHAN**

CLERK



### **SUMMARY TO BY-LAW 005-2023**

The lands subject to this By-law are located west of Jane Street and south of Rutherford Road, being Part Block 1, Plan 65M-3696, Parts 3, 4, 5, 6 and 7 Plan 65R-38270; City of Vaughan, municipally known as 8960 Jane Street.

The purpose of this by-law is to remove the Holding Symbol “(H)” from a portion of the Subject Lands, which are zoned RA3(H) Apartment Residential Zone and OS2 Open Space Park Zone. The by-law will facilitate the development of a 26 and 28-storey apartment building connected by a 5 and 6-storey podium, having a total of 566 residential dwelling units, 688.36 m<sup>2</sup> of at-grade commercial uses, approximately 420 m<sup>2</sup> of community space, and 779 underground parking spaces.

The Subject Lands were originally zoned with the Holding Symbol “(H)” by By-law 033-2019, which was approved by the Local Planning Appeal Tribunal through an Order issued on September 17, 2018, as Board File No. PL 110420. A By-law to remove the Holding Symbol “(H)” on the Subject Lands or any portion of the Subject Lands shall not be enacted until such time as the conditions approved by the Local Planning Appeal Tribunal and outlined in By-law 033-2019 have been satisfied. The conditions to remove the Holding Symbol “(H)” for Phase 1 Lands (2021 Horizon) are as follows:

- a) A Development Concept Report, including supporting studies, has been submitted to the satisfaction of the City of Vaughan and York Region;
- b) A subdivision agreement or development agreement has been executed and registered with respect to the Subject Lands securing the conveyance and construction of the public street, the conveyance of the Jane Street widening along the frontage of the Subject Lands, the conveyance of public parkland within the lands zoned OS2 Open Space Park Zone, the payment of cash-in-lieu of parkland in accordance to Section 42 of the *Planning Act*, and the extension of public services with respect to the development of the Phase 1 Lands and, if efficient and practical, the Phase 2 Lands;
- c) Arrangements have been made satisfactory to the City of Vaughan and York Region for the completion of the extension of Bass Pro Mills Drive to Jane Street;
- d) Final approval of a Site Development Application(s) has been obtained for the Phase 1 Lands, or portion thereof from which the Holding Symbol “(H)” is being removed, in accordance with Section 41 of the *Planning Act*;
- e) An agreement pursuant to Section 37 of the Planning Act has been executed and registered, providing for the payment of \$1,471,622 with respect to increases in height and density for the development of the Phase 1 Lands and Phase 2 Lands, and for the provision of a Public Indoor Recreation Space (“PIRS”) within Block 'B' of the Phase 1 Lands, if the City of Vaughan identifies a need for such space. Payment of the Section 37 amount shall be pro-rated based upon the percentage of the approved number of units and payable prior to the issuance of the first Building Permit for any above grade structure(s) (other than the temporary sales office). A preliminary Park Master Plan, a preliminary Facility Fit Study and a cost estimate for the PIRS shall be provided, if required, to the satisfaction of the City of Vaughan;
- f) At the City of Vaughan's request, entering into a Park Developer Build Agreement with the City to construct the entire public park block in accordance with the City of Vaughan's Developer Build Parks Policy (Policy No. 07.2.05), which agreement will include "Schedule 'D' - Base Work Requirements for Assumption of a Conveyed Park Block", as shown on Schedule "E-1603A", attached hereto as Schedule "3", to the satisfaction of the City of Vaughan Manager of Parks Development Planning Department;
- g) A cost sharing agreement has been executed to the City's satisfaction to secure the proportionate share of the works required to service and deliver the entire public park block(s);
- h) Water supply and sewage servicing capacity has been identified by York Region and allocated to the Phase 1 Lands, or portions thereof, by the City of Vaughan;
- i) Any necessary agreements required to ensure the orderly development of the Phase 1 Lands, or portions thereof, have been executed among benefiting landowners, and the City of Vaughan and/or York Region where appropriate, for

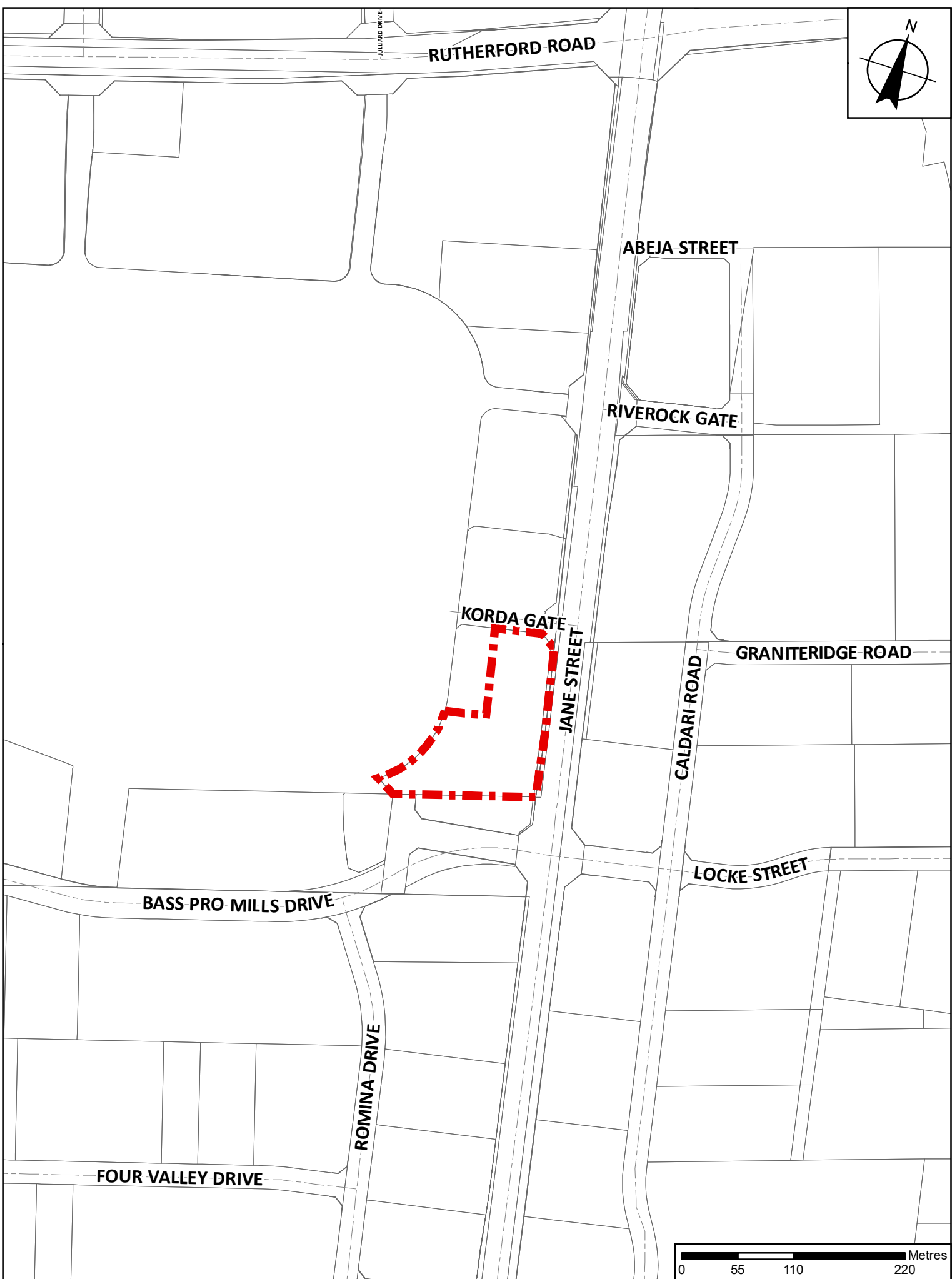
- municipal servicing;
- j) If required, a Stratified Arrangement Agreement shall be executed, to the satisfaction of the City of Vaughan, for underground parking in the OS2 Open Space Park Zone for the use of the residents, employees or visitors of the Phase 1 and the Phase 2 Lands;
  - k) Prior to the removal of the Holding Symbol "(H)" for Block 'B', if required by the City, an Agreement shall be executed, to the satisfaction of the City of Vaughan, to provide any necessary easements to facilitate the PIRS respecting access, servicing utilities, and maintenance.
  - l) Prior to the removal of the Holding Symbol "(H)" for Block 'B', a final Park Master Plan, a final Facility Fit Study and cost estimate for the PIRS shall be provided, if required, no later than six (6) months prior to paragraph xiii) below, to the satisfaction of the City of Vaughan; and
  - m) Prior to the removal of the Holding Symbol "(H)" for Block 'B', a PIRS Agreement shall be executed meeting the City's requirements with respect to the PIRS, but only in the event that the City decides it wishes to acquire the PIRS, which decision shall be made by no later than the later of:
    - I. twelve (12) months from the Board's Order approving Schedules A and B; and
    - II. three (3) months after the release for sale of the units in Building A2, provided that the City is provided written notice not less than three (3) months from the intended date of the release for sale of the units in Building A2;

The Holding Symbol "(H)" can be removed from the Subject Lands effectively zoning the Subject Lands, RA3 Apartment Residential Zone as the conditions respecting the holding provisions have been satisfied as follows:

- ai) York Region and City of Vaughan have confirmed several reports (i.e., Construction Management, Dewatering, Travel Demand Management, Urban Design Brief, etc.) have been submitted by the Owner and approved which accumulatively translate to the Development Concept Report. Therefore, condition a) is satisfied.
- bi) The Development Agreement for Phase 1 Lands (Blocks A and B) has been executed and is with City of Vaughan for registration. Therefore, condition b) is satisfied.
- ci) York Region and City of Vaughan have made the appropriate arrangements and proceeded with the completion of the extension of Bass Pro Mills Drive. Therefore, condition c) is satisfied.
- di) Vaughan Council on April 20, 2021, approved Site Development Application DA.19.084 to permit the development of a 26 and 28-storey apartment buildings that are connected by a 5 and 6-storey podium, a total of 566 residential dwelling units, 688.36 m<sup>2</sup> of at-grade commercial uses and approximately 420 m<sup>2</sup> of community space and 779 underground parking spaces. Through the submission of the Site Plan, 27 additional units were added, bringing the total number of residential units to 566. In summary, the Phase 1 lands (Blocks A & B) together contain a proposed total of 1,152 dwelling units exceeding the maximum permitted 1,125 units. The Owner filed a minor variance application File A144/21 and obtained an approval from the Committee of Adjustment on Thursday, August 12, 2021. Therefore, condition d) is satisfied.
- ei) A Section 37 Agreement for Phase 1 and 2 lands has been executed and registered on December 03, 2021, providing for the payment of \$1,471,622 with respect to increases in height and density for the development of the Phase 1 Lands and Phase 2 Lands. Therefore, condition e) is satisfied.
- fi) Parks Infrastructure Planning and Development has confirmed the Development Build Park Agreement requirements have been incorporated into the Development Agreement executed by the Owner and City of Vaughan. Therefore, condition f) is satisfied.
- gi) The Cost Sharing Agreement has been executed and registered on March 5, 2021, between Genazzano Highrises Inc., Granerola Residences Ltd., and Mammone to secure the proportionate share of the works required to service and deliver the entire public park block(s). Therefore, condition g) is satisfied.

- hi) Vaughan Council on December 15, 2020, and December 7, 2021, approved the allocation of water and sewage servicing capacity for Site Development Application DA.19.084 for 566 residential apartment units. Therefore, condition h) is satisfied.
- ii) All required agreements have been finalized and executed to ensure the orderly development of the Phase 1 Lands, or portions thereof, have been executed among benefiting landowners, and the City of Vaughan and/or York Region where appropriate, for municipal servicing. Therefore, condition i) is satisfied.
- ji) Development Planning and Parks Infrastructure Planning and Development have confirmed a Stratified Arrangement Agreement is not required for Phase I lands but is required for Phase II. Therefore, condition j) is satisfied.
- ki) Parks Infrastructure Planning and Development has confirmed all remaining conditions pertaining to the PIRS have been satisfied and captured within the Purchase and Sales Agreement between the Owner and City of Vaughan. Therefore, conditions k) l) m) are satisfied.

Therefore, the Holding Symbol “(H)” can be removed from the Subject Lands.



LOCATION MAP  
TO BY-LAW 005-2023

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**RELATED FILES:** OP.07.001, Z.09.038, DA.19.084  
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 Subject Lands