

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 036-2023**

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

**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 an amendment to the Vaughan Official Plan adopted by Council but 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 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” (8277 Islington Avenue) on Schedule “1” attached hereto from the “R2 Residential Zone” and subject to site specific Exception Paragraph 9(656) to the “RA3 Apartment Residential Zone” and the “OS1 Open Space Conservation Zone” with the Holding Symbol “(H)”, in the manner shown on the said Schedule “1”.
  - b) Amending the site-specific Exception Paragraph 9(1471) for the lands shown as “Subject Lands” (8625 Islington Avenue) shown on Schedule “1” attached hereto, in the manner shown on the said Schedule “1” subject to the site-specific exceptions;
  - c) Deleting Exception Paragraph 9(656) from Section 9.0 “EXCEPTIONS” in its entirety and replacing it with the word “DELETED”;
  - d) Deleting Exception Paragraph 9(1471) from Section 9.0 “EXCEPTIONS” and adding the following new Paragraph 9(1471):

“(1471) A The following provisions will apply to all lands zoned with the Holding Symbol “(H)” until the Holding Symbol “(H)” is removed pursuant to Section 36(3) or (4) of the *Planning Act*:

Lands zoned with the Holding Symbol “(H)” shall be used only for the uses(s) legally existing as of the date of the enactment of By-law 036-2023. The removal of the Holding Symbol “(H)” is contingent upon the following:

- a) That Council shall pass a resolution confirming the availability of capacity from the York Sewage Servicing System and water supply from the York Water Supply System for a total of 80 residential dwelling units, to the satisfaction of the Vaughan Development Engineering Department;
- b) That the Owner shall confirm the residential development has been floodproofed and safe access to the site is provided during a Regulatory flood event, plus freeboard, to the satisfaction of the Toronto and Region Conservation Authority (“TRCA”);

B. Notwithstanding the provisions of:

- a) Subsection 2.0 respecting the Definition of Building Height
- b) Subsection 2.0 and Subsection 4.15.5 respecting the Definition of Parking Space;
- c) Subsection 3.8 a), b) c) and d) respecting Parking Requirements for Apartment Dwelling;
- d) Subsection 3.8.2 respecting Bicycle Parking Requirements;
- e) Subsection 3.13 respecting Minimum Landscaped Area;
- f) Subsection 3.14 b) c) respecting Yard Encroachments and Restrictions;
- g) Subsection 3.17 respecting Portions of Buildings Below Grade;
- h) Subsection 4.1.1 i) respecting Accessor Buildings and Structures;
- i) Subsection 4.1.6 respecting Amenity Area;
- j) Subsection 4.12 respecting Permitted Uses in RA3 Apartment Residential Zone and Subsection 7.2 OS1 Open

Space Conservation Zone;

- k) Schedule “A” respecting the zone standards in the RA3 Apartment Residential Zone respecting Minimum Lot Area, Minimum Exterior Side Yard, Maximum Minimum Interior Side Yard, Minimum Rear Yard, Building Height, and the Developable Lot Area and Maximum Floor Space Index;

The following provisions shall apply to the lands identified as “Subject Lands” on Schedule “E-1601”, attached hereto as Schedule “2”:

- ai) BUILDING HEIGHT: Means the vertical distance between the average elevation of the finished grade at the front of the building (for the purpose of this definition, the front of the building shall be the wall containing the entrance to Islington Avenue) to the highest point of the building (exclusive of the mechanical room);
- bi) PARKING SPACE: Notwithstanding Section 2, Subsection 93, respecting the definition of a parking space, a parking space shall mean a rectangular area measuring at least 2.6 metres by 5.7 metres, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles and shall include a private garage, and a private driveway leading to private garage and visitor parking spaces;
- bii) PARKING SPACE (Layby): Means a rectangular area located outdoors adjacent to the driveway entrance measuring at least 2.7 X 6.7 m;
- ci) the following minimum parking requirements shall apply:
  - i) Apartment Dwelling: 1.48 spaces per unit = 119 spaces
  - ii) Visitor: 0.20 spaces per unit = 16 spaces
  - iii) Total Parking Required = 135 spaces
- cii) The minimum length of an accessible parking space shall be 5.7 m;
- di) the following minimum bicycle parking requirements shall

apply:

- i) 40 Long-Term Indoor Spaces: at 0.5 spaces per unit
- ii) 8 Short-Term Outdoor Spaces: at 0.1 spaces per unit
- iii) Minimum bicycle parking aisle width: 1.75 m
- iv) Minimum bicycle parking space dimensions:  
0.6 X 1.8 m
- v) Minimum vertical clearance from floor: 1.9 m;
- ei) the minimum landscaped strip width within the front yard setback along Islington Avenue shall be 3.1 m;”
- fi) the following yard encroachments shall apply:
  - i) the maximum permitted encroachment to open stairs, planter boxes, terrace, and airshaft, into the minimum 5.7 m front yard setback, shall be 2.6 m;
  - ii) the maximum permitted encroachment to the utility transformer into the minimum 5.7 m front yard setback, shall be 1.1 m;
  - ii) the maximum permitted encroachment to the below grade wall of the parking structure and protrusions of the wall as a retaining wall; at grade terraces, cantilevered terraces, above grade balconies; landscape planters and the underground garage ramp into the required minimum 3.9 m rear yard setback, shall be 3.6 m;
- gi) the minimum side yard setback to the underground parking structure retaining walls shall be:
  - i) 0.7 m at the north interior side yard
  - ii) 0.3 m east rear yard
  - iii) 0.05 m south interior side yard
- hi) the maximum height of the accessory retaining wall which forms part of the underground garage/parking structure shall be:

- i) 0.8 m in height and setback 0.7 m from north interior side yard)
- ii) 1.5 m in height and setback 0.05 m (south interior side-yard
- ii) minimum of 365 m<sup>2</sup> of total combined indoor and outdoor amenity area shall be provided for 80 dwelling units;
- ji) the following uses shall be permitted in the RA3 Residential Zone:
  - An apartment building with a maximum building height of 6-storeys (22.0 metres) exclusive of the rooftop mechanical room and containing a maximum of 80 dwelling units distributed over 6 residential storeys, shall only be permitted outside the Special Policy Area Limits shown on Schedule “E-1601” as amended. No residential unit shall be permitted above the 6<sup>th</sup> floor/storey and the rooftop mechanical room shall only be used for mechanical purposes.
  - A driveway access and underground parking structure shall only be permitted within the Special Policy Area Limits identified as “Special Policy Area Limit OLT File No. PL170558” on Schedule “E-1601”, as amended, on the subject lands.
  - No habitable areas of the residential development are permitted within the Special Policy Area Limits identified as “Special Policy Area Limit OLT File No. PL170558” on Schedule “E-1601” as amended.
  - Lands zoned OS1 Open Space Conservation Zone, identified on Schedule “E-1601”, shall be conveyed into public ownership, and used for open space purposes only;
- ki) the following requirements shall apply for the “RA3 Apartment

Residential Zone” to the subject lands shown on Schedule “E-1601”;

- i) maximum developable lot area shall be 3,673 m<sup>2</sup>;
- ii) maximum gross floor area (GFA) shall be 9478 m<sup>2</sup>
- iii) maximum Floor Space Index (FSI) is 2.6 times the area of the lot;
- iv) the maximum number of dwelling units shall not exceed 80 dwelling units;
- v) minimum lot area per unit shall be 45 m<sup>2</sup> . The Lands zoned OS1 Open Space Conservation Zone shall be excluded from the calculation of lot area;
- vi) minimum front yard setback (to Islington Avenue ROW) shall be 5.7 m;
- vii) minimum front yard setback (to Islington Avenue ROW) to underground garage shall be 0.3 m;
- viii) minimum rear yard setback (to OS1 Open Space Conservation Zone) shall be 3.9 m;
- ix) minimum interior side yard setback (north) shall be 4.0 m and no balconies shall be located within the north side yard setback
- x) no portion of any building or structure shall exceed the maximum building height shown with the letter “H”, signifying maximum height, on Schedule “E-1601” exclusive of any accessory roof construction such as a chimney, tower, steeple parapets, guardrails, stair enclosures, elevator or mechanical room;
- xi) the maximum building height shall be 22.0 metres (6-storeys) as shown on Schedule “E-(1601)” as amended, and shall be measured at the average grade elevation on the Islington Avenue frontage;
- xii) the mechanical penthouse room above the 6-storey

portion of the building shall not exceed 4.0 m in height and shall be used for mechanical equipment and elevator areas. No residential units or any other uses shall be permitted above the 6<sup>th</sup> floor.

- c) Deleting Schedule “E – 735” and Schedule “E – 1601” and, substituting therefore the Schedule “E-1601” attached hereto as Schedule “2”.
- d) Deleting Key Map 7B and substituting therefor the Key Map 7B attached hereto as Schedule “3”.

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

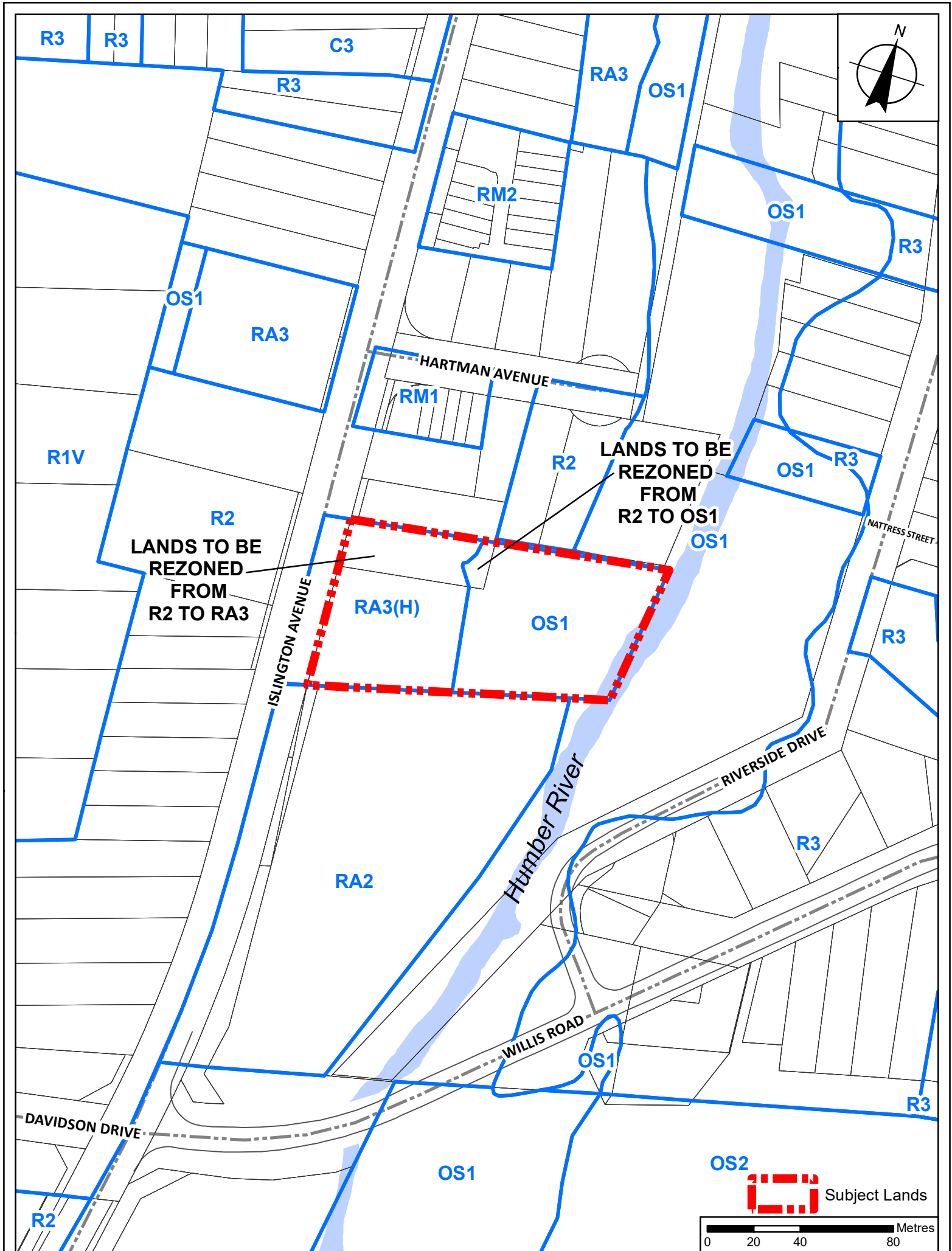
Enacted by City of Vaughan Council this 25<sup>th</sup> day of April, 2023.

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Steven Del Duca, Mayor

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Todd Coles, City Clerk

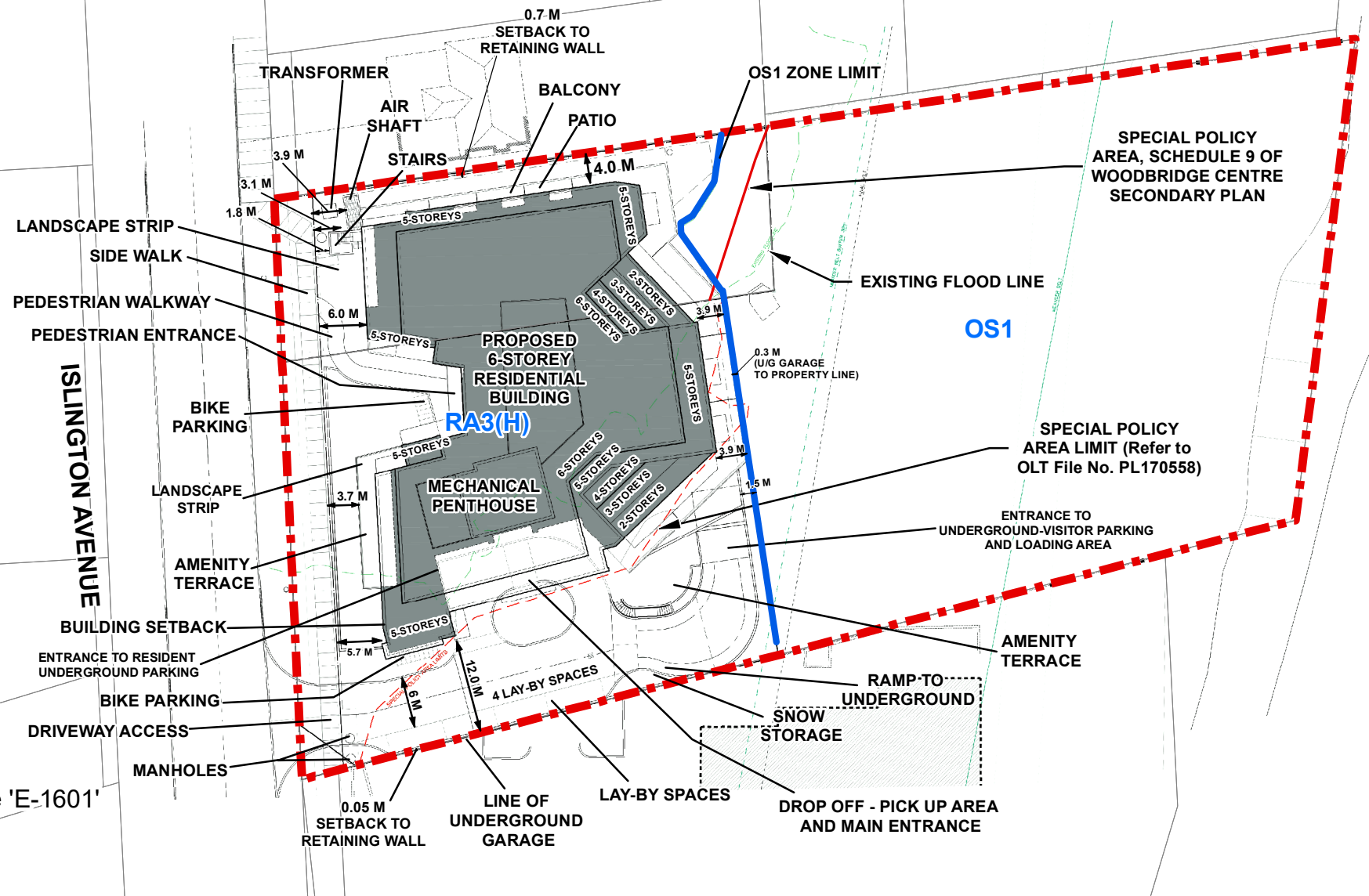


This is Schedule '1'  
To By-Law 036-2023  
Passed the 25th Day of April, 2023

**File:** Z.21.003  
**Related File:** OP.21.002  
**Location:** Part of Lot 9, Concession 7  
8265 and 8277 Islington Avenue  
**Applicant:** DCFM Developments Ltd.  
**City of Vaughan**

Signing Officers  
  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Clerk





This is Schedule 'E-1601'  
To By-Law 1-88  
Section 9(1471)

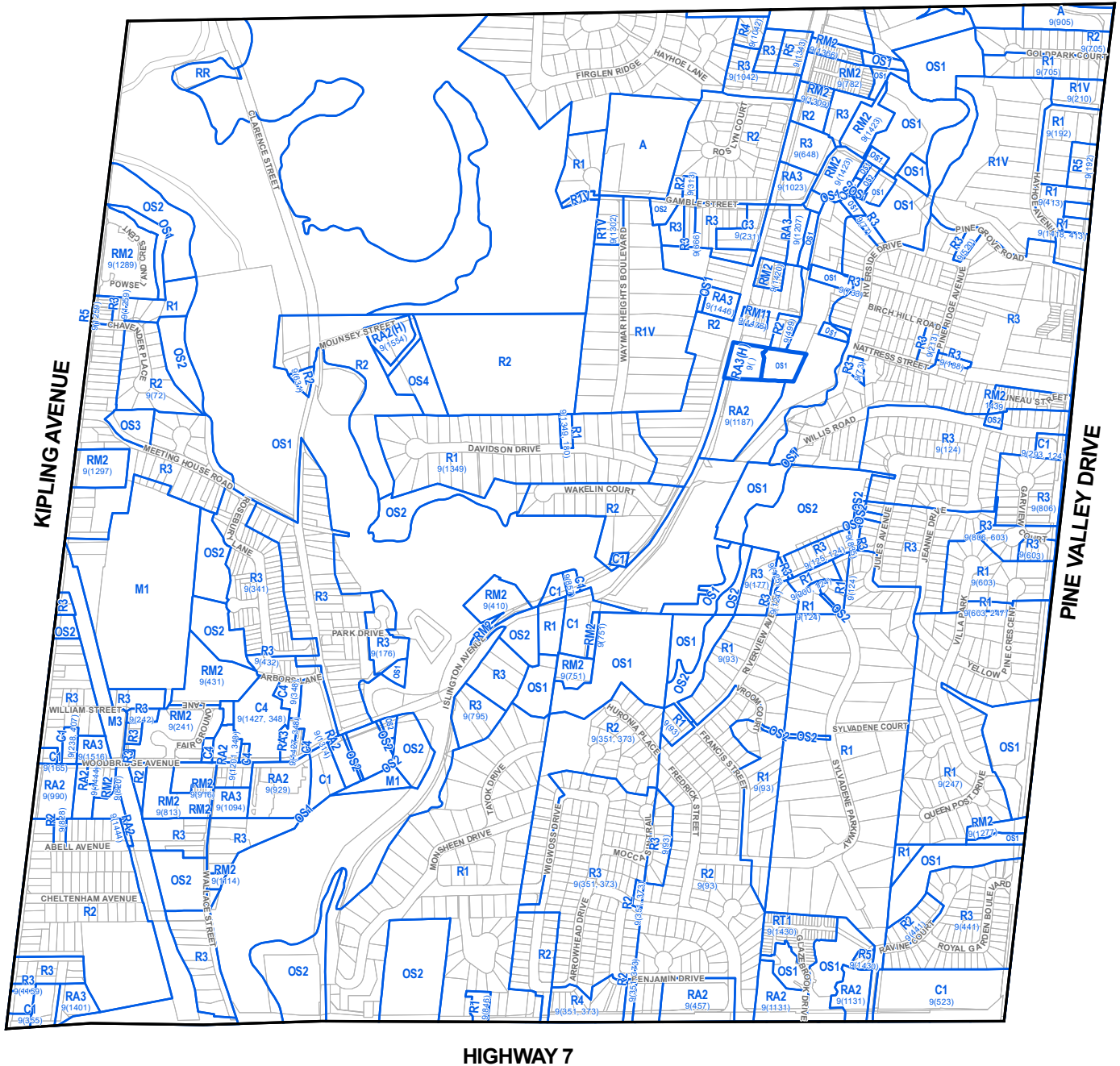
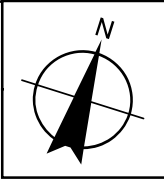
**File:** Z.21.003  
**Related File:** OP.21.002  
**Location:** Part of Lot 9, Concession 7  
8265 and 8277 Islington Avenue  
**Applicant:** DCFM Developments Ltd.  
**City of Vaughan**

This is Schedule '2'  
To By-Law 036-2023  
Passed the 25th Day of April, 2023

Signing Officers

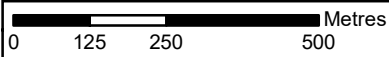
Mayor

Clerk



HIGHWAY 7

Key Map 7B  
By-Law No. 1-88



This is Schedule '3'  
To By-Law 036-2023  
Passed the 25th Day of April, 2023

File: Z.21.003  
Related File: OP.21.002  
Location: Part of Lot 9, Concession 7  
8265 and 8277 Islington Avenue  
Applicant: DCFM Developments Ltd.  
City of Vaughan

SIGNING OFFICERS  
\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
CLERK

### **SUMMARY TO BY-LAW 036-2023**

The lands subject to this By-law are located on the east side of Islington Avenue south of Hartman Avenue, being Lots 6, 7, 7A and 8 on Registered Plan (M-1110), in Lot 9, Concession 7, known municipally as 8265 and 8277 Islington Avenue, City of Vaughan.

The purpose of this by-law is to create a new site-specific exception and schedule that covers the combined subject lands known municipally as:

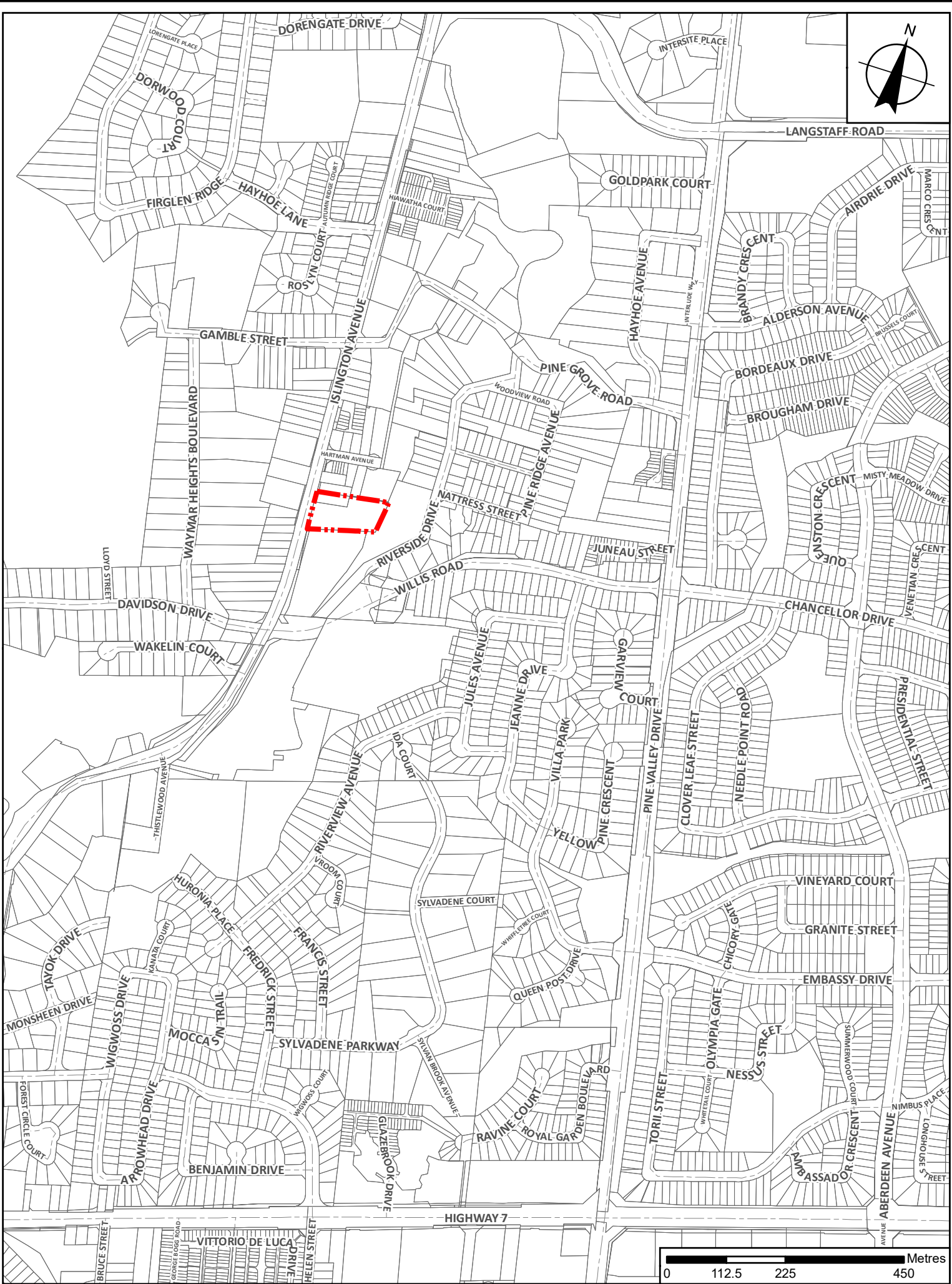
- a) 8277 Islington Avenue being rezoned from “R2 Residential Zone” subject to site-specific Exception 9(656), to “RA3(H) Apartment Residential Zone” with the Holding Symbol “(H)”, and “OS1 Open Space Conservation Zone; and,
- b) amending the “RA3(H) Apartment Residential Zone” with the Holding Symbol “(H)”, and “OS1 Open Space Conservation Zone” subject to the site-specific Exception 9(1471) for 8265 Islington Avenue to permit the following site-specific zoning exceptions on both 8265 and 8277 Islington Avenue to permit the development of a 6-storey, 80 unit apartment building on the combined lands through a future Site Development Application:
  - i) Site-specific definitions for building height and parking space
  - ii) Reductions in parking requirements
  - iii) Restrict habitable areas from being located within the limits of the Special Policy Area and require floodproofing to the satisfaction of TRCA
  - iv) Require conveyance of the OS1 Open Space Conservation zoned lands to public authority (TRCA)
  - v) Reduce minimum landscape strip width along Islington Avenue
  - vi) Reduce setback widths from the property lines to the building
  - vii) Increase permitted yard encroachments
  - viii) Reduce setbacks to portions of buildings below grade and to retaining walls above grade
  - ix) Provide site-specific minimum development standards for developable area; lot area; amenity area; yard setbacks; driveway width; parking stall dimensions, bicycle parking stall dimensions,
  - x) Provide for a minor increase to the maximum density (FSI) and the maximum building height measured in storeys and in metres; and
  - xi) Limit the total number of residential dwelling units within the building to 80 units
- c) add conditions for the removal of the Holding Symbol “(H)” to”
  - i) Require the Toronto and Region Conservation Authority Approval of a future Site Development Application which shall address all outstanding comments provided through the review of the related Official Plan Amendment and Zoning By-law Amendment Files (OP.21.002 and Z.21.003) to the satisfaction of the TRCA;
  - ii) Water and sanitary servicing capacity shall be identified and allocated by Vaughan Council in accordance with the City’s approved Servicing Capacity Distribution Protocol assigning capacity for the Development;
  - iii) The Owner shall address all comments to the satisfaction of the Toronto and Region Conservation Authority (the ‘TRCA’) and the implementing Zoning By-law shall include the following:

“Owner shall confirm that the residential development has been floodproofed and safe access to the site is provided during a Regulatory flood event, plus freeboard, to the satisfaction of the TRCA.”
  - iv) The Owner shall address all Environmental Noise Assessment comments to the satisfaction of the Development Engineering Department;

- v) The Owner shall submit a copy of the acknowledged Ministry of the Environment, Conservation and Parks ('MECP') Record of Site Condition ('RSC') filed on the Environmental Site Registry including all referenced environmental site assessment reports with reliance from the environmental consultant to the satisfaction of the Development Engineering Department, the TRCA and York Region;

This By-law shall not come into force until Official Plan Amendment Number 97 (OPA 97) is in full force and effect (File OP.21.002).





# Location Map To By-Law 036-2023

**File:** Z.21.003  
**Related File:** OP.21.002  
**Location:** Part of Lot 9, Concession 7  
8265 and 8277 Islington Avenue  
**Applicant:** DCFM Developments Ltd.  
**City of Vaughan**



Subject Lands