

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 071-2019

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 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) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from “C10(H) Corporate District Zone” with the Holding Symbol “(H)”, and subject to site-specific Exception 9(959) to “C10 Corporate District Zone”, thereby removing the holding Symbol “(H)”, in the manner shown on the said Schedule “1”.
 - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1477) Notwithstanding the provisions of:

 - a) Subsection 2.0 respecting Definitions for Lot, and Parking Space;
 - b) Subsection 3.8 respecting Parking Requirements and 3.8.1 respecting Parking Requirements for the Vaughan Metropolitan Centre;
 - c) Subsection 3.17 respecting Portions of Buildings Below Grade;
 - d) Subsection 4.1.6 respecting Minimum Amenity Area;
 - e) Subsection 5.1.1 respecting Landscaping Area in the C10 Corporate District Zone;
 - f) Subsection 5.11 respecting Permitted Uses in the C10 Corporate District Zone;
 - g) Subsection 5.1.5 respecting Commercial Zone requirements and Schedule “A2”, respecting the Zone Requirements in the C10 Corporate District Zone;

The following provisions shall apply to the lands shown as “Subject Lands”, on schedule “E-1608”, attached hereto as Schedule “1”.

- “ai) LOT - For the purpose of this By-law, the Subject Lands are deemed to be one lot, regardless of the number of dwellings 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 arrangements or other permissions and any easements or registration that are granted, shall be deemed to comply with this provision of Zoning By-law 1-88;

- a ii) PARKING SPACE - Means a rectangular area measuring at least 2.7 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 or carport and private driveway leading thereto.
- b i) the minimum residential parking requirements shall be 0.41 parking spaces per dwelling unit;
- b ii) a minimum of 221 visitor parking spaces (0.15 parking spaces per dwelling unit) shall be permitted within the on-site commercial parking facility and may be utilized as shared off-site residential, commercial, and commercial paid parking spaces, for Buildings B1, B2 and B3 within the development block;
- c i) the minimum setback from the property to the nearest part of the building below finished grade shall be 0 m;
- d i) the minimum amenity area shall be 1 m² per dwelling unit
- e i) the minimum landscape strip width shall be:
 - Jane Street: 0.8 m
 - Portage Parkway: 1.5 m
- f i) the following additional uses shall be permitted:
 - i) Apartment Dwelling;
 - ii) Commercial Parking Lot;
 - iii) Dry Cleaning Establishment;
 - iv) Equipment Sales/Rental Establishment;
 - v) Health Care;
 - vi) Pet Grooming Establishment;
 - vii) School, Technical or Commercial;
 - viii) Store, Convenience Retail;
 - iv) Studio; and,
 - xi) Restaurant;
 - xiii) a maximum of 185 m² of non-residential gross floor area for a retail pavilion in the north-west plaza, with an additional 215 m² for community space shall be permitted.
- g i) the following development standards shall apply:
 - i) the minimum rear yard setback (Millway Avenue) shall be 2 m;

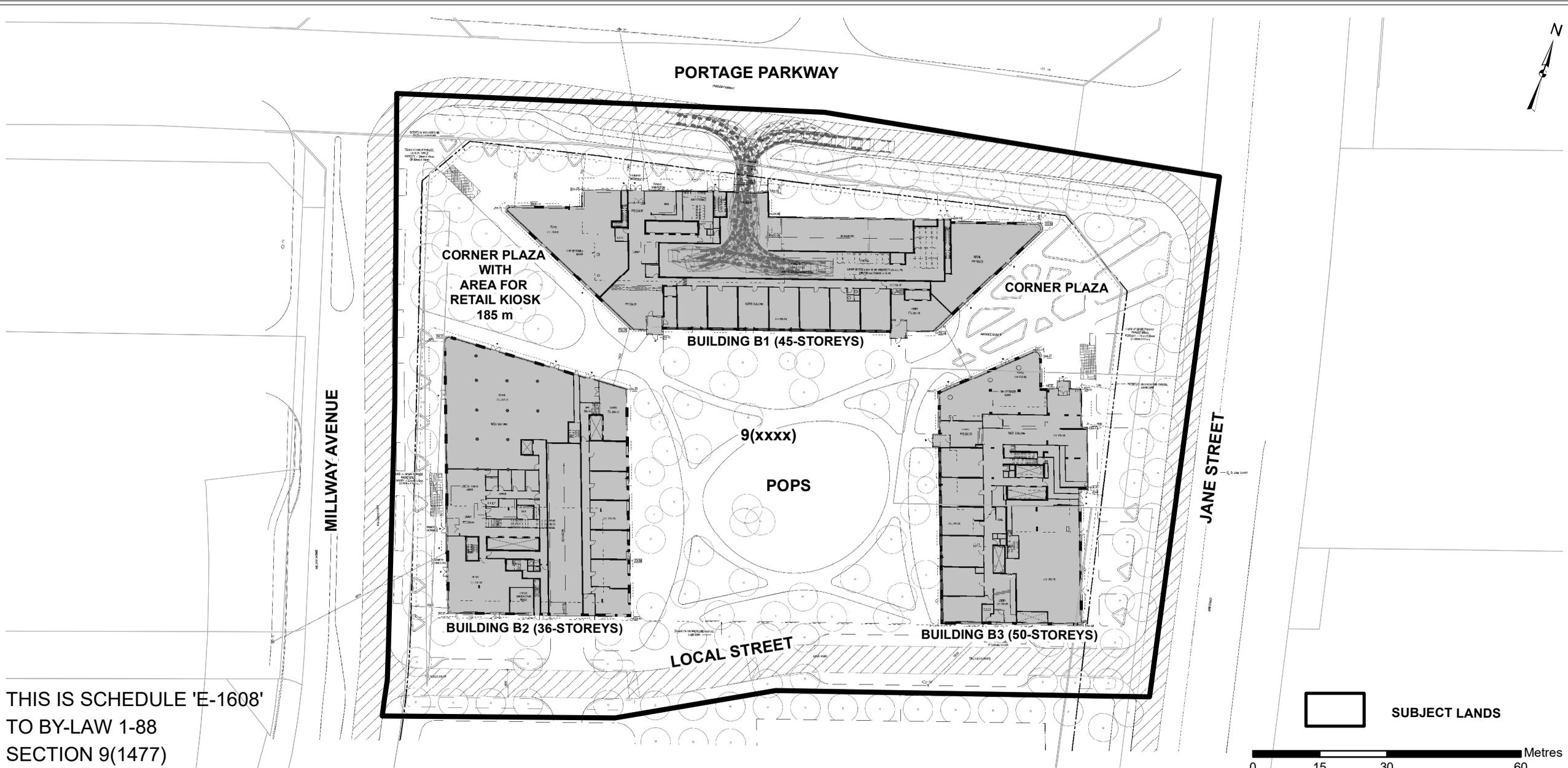
- ii) the maximum building heights shall be exclusive of all mechanical equipment and architectural features:
 - Building B1 shall be 151.5 m (45-storeys);
 - Building B2 shall be 120.5 m (36-storeys);
 - Building B3 shall be 164.5 m (50-storeys);
 - iii) the maximum gross floor area for the Subject Lands, as shown on Schedule “1” shall be 120,245 m² (with an additional 215 m² gross floor area to be added in the pavilion for “community space”), with a Floor Space Index (FSI) of 7.1, with a potential for an additional 929 m² being devoted to mechanical uses, to the satisfaction of the City;
 - iv) the increase to maximum height and density provided in fi)ii) and fi)iii), exclusive of all mechanical equipments and architectural features, shall be subject to Section 37 of the *Planning Act*, which shall be conditional until such time as the Owner pays to the City a Section 37 contribution in the amount of \$3,450,000.00 prior to the issuance of the first Building Permit for any above-grade structure(s) to the satisfaction of the City and in accordance with the executed Section 37 Agreement between the City and Owner dated May 14, 2019.
- c) Adding Schedule “E-1608” attached hereto as Schedule “1”.
 - d) Deleting Schedule “E-1044” and substituting therefor “E-1044” attached hereto as Schedule “2”.
 - e) Deleting Schedule “E-1044A” and substituting therefor E-1044” attached hereto as Schedule “3”.
 - f) Deleting Key Map 5B and substituting therefor the Key Map 5B attached hereto as Schedule “4”.

2. Schedules “1”, “2”, “3” and “4” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 14th day of May, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk



THIS IS SCHEDULE 'E-1608'
 TO BY-LAW 1-88
 SECTION 9(1477)

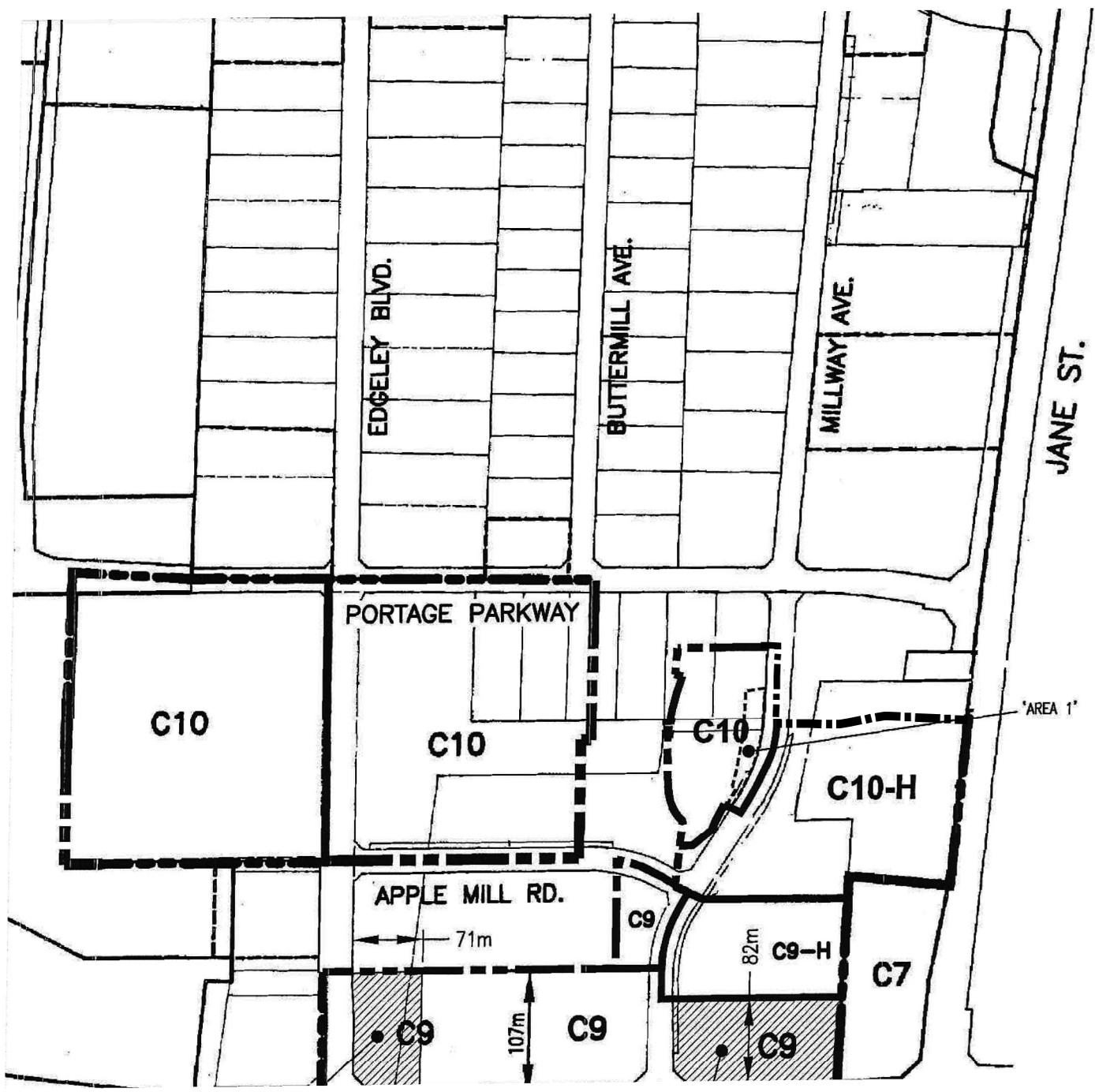
FILE: Z.18.030
RELATED FILE: OP.18.018
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

**THIS IS SCHEDULE '1'
 TO BY-LAW 071-2019
 PASSED THE 14TH DAY OF MAY, 2019**

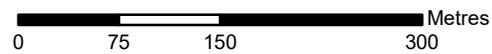
SIGNING OFFICERS

 MAYOR

 CLERK



THIS IS SCHEDULE 'E-1044'
 TO BY-LAW 1-88
 SECTION 9(959)



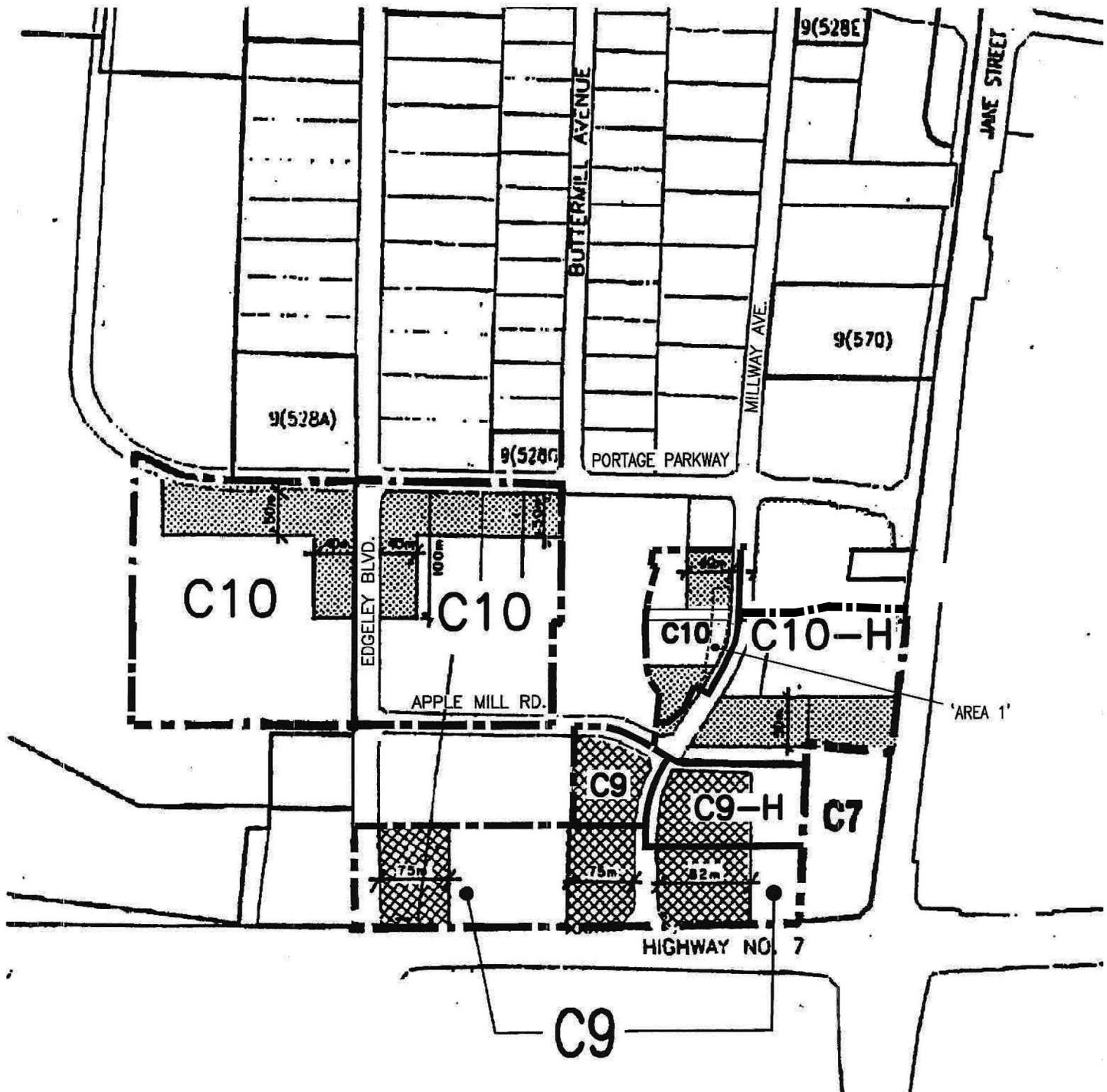
THIS IS SCHEDULE '2'
 TO BY-LAW 071-2019
 PASSED THE 14TH DAY OF MAY, 2019

FILE: Z.18.030
RELATED FILE: OP.18.018
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

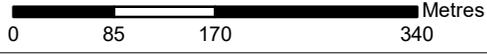
SIGNING OFFICERS

_____ MAYOR

_____ CLERK



THIS IS SCHEDULE 'E-1044A'
 TO BY-LAW 1-88
 SECTION 9(959)



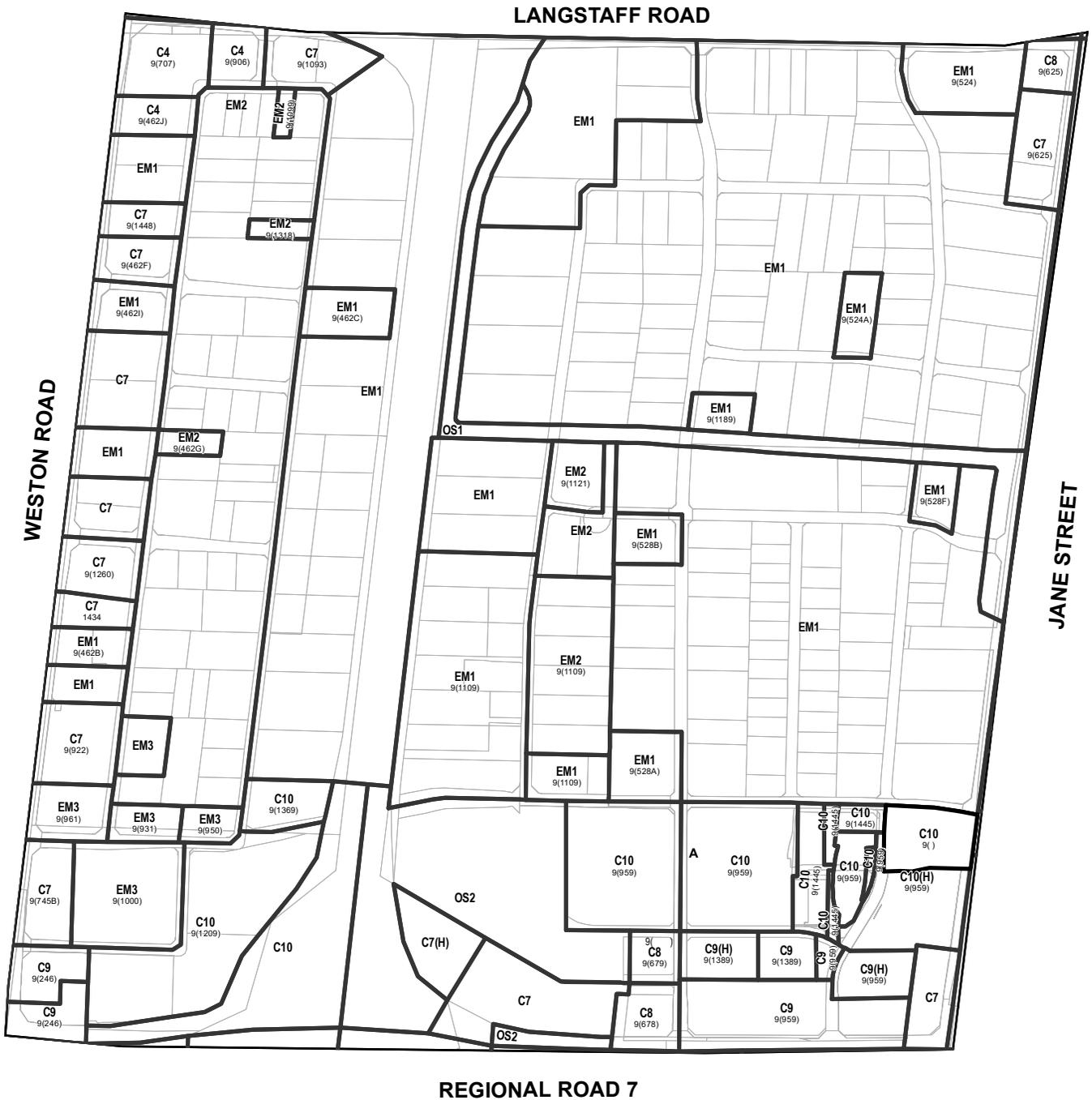
THIS IS SCHEDULE '3'
 TO BY-LAW 071-2019
 PASSED THE 1ST DAY OF MAY, 2019

FILE: Z.18.030
RELATED FILE: OP.18.018
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

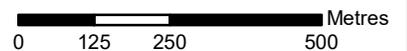
SIGNING OFFICERS

 MAYOR

 CLERK



KEY MAP 5B
 BY-LAW NO. 1-88



**THIS IS SCHEDULE '4'
 TO BY-LAW 071-2019
 PASSED THE 14TH DAY OF MAY, 2019**

FILE: Z.18.030
RELATED FILE: OP.18.018
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

SIGNING OFFICERS

_____ MAYOR

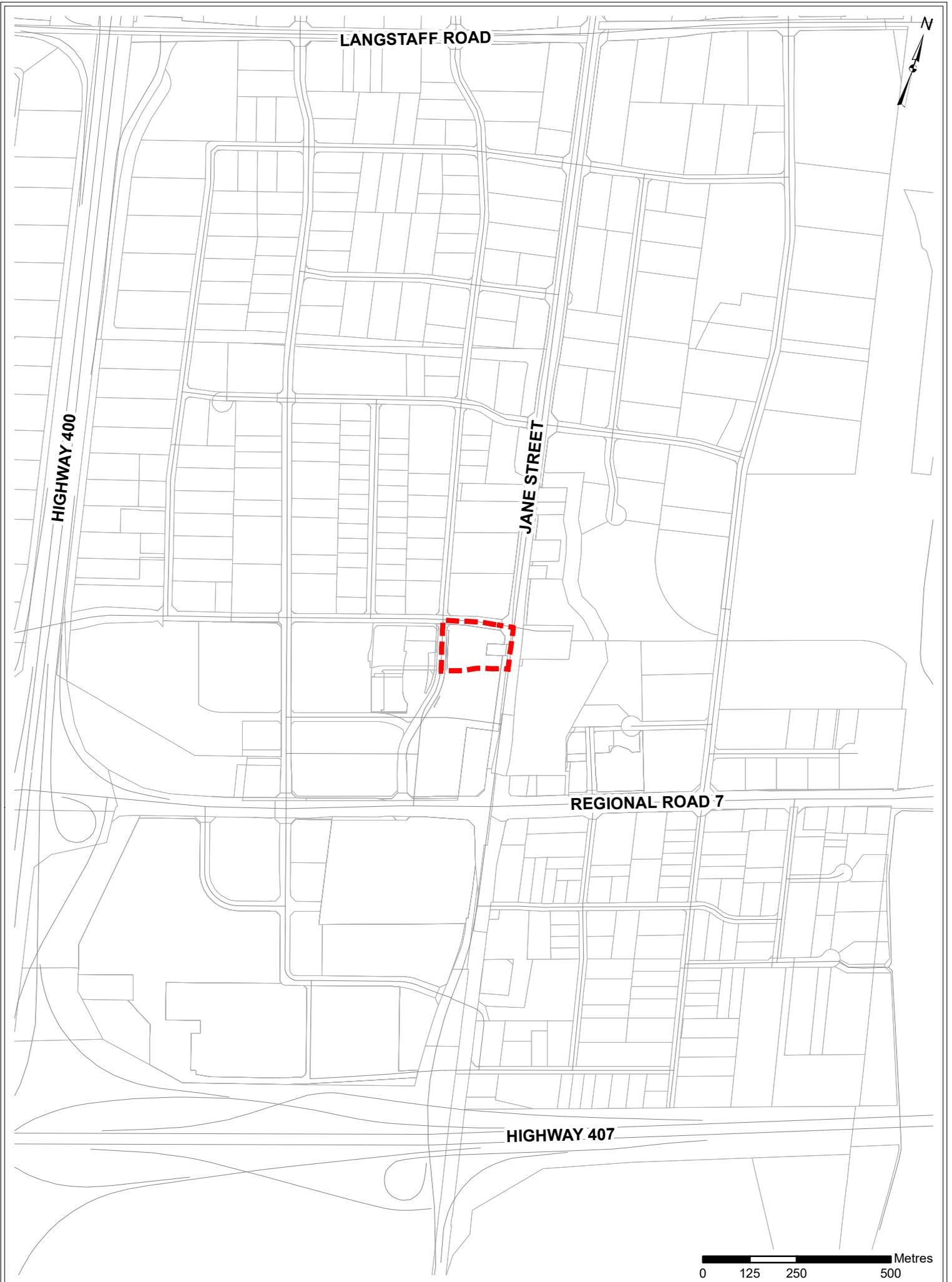
_____ CLERK

SUMMARY TO BY-LAW 071- 2019

The lands subject to this By-law are located south of Portage Parkway, and west of Jane Street in Part of Lots 6 and 7, Concession 5, in the Vaughan Metropolitan Centre, City of Vaughan.

The purpose of this By-law is to rezone the lands to this By-law from "C10(H) Corporate District Centre Zone" with the Holding Symbol "(H)", and subject to site-specific Exception 9(959) to "C10 Corporate District Zone", thereby removing the Holding Symbol "(H)", to permit the proposed development. This By-law creates a new exception and schedules and includes the following site-specific zoning exceptions:

- a) Site-specific definitions for Lot and Parking Space;
- b) Minor reductions to the parking requirements in the Vaughan Metropolitan Centre;
- c) Reduction of setbacks for portions of buildings below grade;
- d) Reduced minimum amenity area requirements;
- e) Reduced minimum landscape strip widths;
- f) Permission for additional uses in addition to the permitted uses within the C10 Corporate District Centre Zone;
- g) Site-specific development standards; and,
- h) Provisions for the increase in maximum building height and density for Buildings B1, B2, and B3, pursuant to Section 37 of the *Planning Act*, to be applied specifically in return for the provision of on-site and off-site community benefits totaling \$3,450,000.00 with contributions to public easements over the privately-owned public space, gateway feature installation, streetscape enhancements, community pavilion, architectural enhancements to screen the TTC building; and contributions to the City's community centre/library.



LOCATION MAP TO BY-LAW 071-2019

FILE: Z.18.030

RELATED FILE: OP.18.018

LOCATION: Part of Lots 6 and 7, Concession 5

APPLICANT: Penguin-Calloway (Vaughan) Inc.

CITY OF VAUGHAN

 **SUBJECT LANDS**