

ATTACHMENT 13: DRAFT CIHA ORDER

ORDER

With respect to the City of Vaughan, Regional Municipality of York, CIHA Order XXX-XXX

Subsection 34.1(9) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

1. I hereby order pursuant to clause 34.1(9)(a) of the *Planning Act*, further to a request from the Council of the City of Vaughan set out in a resolution dated [DATE], that:
 - a. The zoning requirements attached as Appendices A and B apply to the lands in the City of Vaughan, Regional Municipality of York, set out in Appendix C.
 - b. Pursuant to subsection 34.1(12) of the *Planning Act*, the following do not apply to any Site Plan Application, Draft Plan of Subdivision Application, and Draft Plan of Condominium Application:
 - i. A policy statement issued under subsection 3(1) of the *Planning Act*,
 - ii. A Provincial Plan; and
 - iii. An Official Plan; and
 - c. Appendices A, B, C and D, attached to this Order, form part of this Order.
2. This Order comes into force on the day this order is made.

Made by:

PAUL CALANDRA
Minister of Municipal Affairs and Housing

Date made:

APPENDIX A

With respect to City of Vaughan, Regional Municipality of York Subsection 34.1(9) of the *Planning Act* and Zoning By-law 001-2021

Definitions

1. In this Order,

“Architectural Features” means features used to enhance the visual appearance of a building, which may include pilasters, brackets, cornices, columns, balustrades, and similar building features that are attached to the main walls of a building.

“CIHA Order Conditions” means the requirements listed in Appendix D to this Order, pursuant to subsection 34.1(13) of the *Planning Act* that shall be satisfied prior to the approval of any future Site Plan Application.

“Height” means in reference to a building or structure, the vertical distance measured from established grade to:

- i. In the case of a flat roof, including any roof where more than half of the roof area has a slope of 15 degrees or less above the horizontal, the highest point of the roof surface or parapet, whichever is the greater;
- ii. in the case of a sloped roof, the mean height between the eaves and the ridge; or,
- iii. In the case of any structure with no roof, the highest point of the structure

“Lands” or “Subject Lands” means the entirety of the parcel outlined in red on Appendix C.

“Order” means the order made by the Minister of Municipal Affairs and Housing pursuant to clause 34.1(9) (a) of the *Planning Act* with respect to the City of Vaughan, Regional Municipality of York.

“Parking Space” means a rectangular area measuring at least 2.7m by 5.7m, exclusive of any aisles or ingress or egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage or carport and private driveway leading thereto.

“Phase 1” means a portion of the development consisting of:

- A minimum of 8,200 m² of Hotel uses, a minimum of 5,800 m² of Office uses, a minimum of 182 Purpose-Built Rental Dwelling Units, and up to an additional 800 Residential Dwelling Units.

“Phase 2” means the balance of the proposed development subsequent to Phase 1.

“Purpose-Built Rental” means housing built specifically for long-term rental accommodation.

“Zoning By-law” means Zoning By-Law No. 001-2021 of the City of Vaughan.

Application

2. This Order applies to lands in the City of Vaughan in the Regional Municipality of York, in the Province of Ontario, being the Lands outlined in red on a map attached to the order as Appendix C.

Zoning By-law

3. That Zoning By-law 001-2021 of the City of Vaughan, as amended from time to time and in its entirety, applies to the lands shown on the map set out in Appendix C of this order, and subject to the exceptions noted below.

Vaughan Metropolitan Centre Station Zone (V1)

4. Every use of land and every erection, location or use of any building or structure is prohibited on the Lands identified as “*Vaughan Metropolitan Centre Station Zone*” (V1) on the map referred to in Appendix C of this order except as noted below:

Permitted Uses:

- (a) Uses permitted under Table 10-2, Vaughan Metropolitan Centre Station Zone (V1) inclusive of all listed additional requirements of the Zoning By-law, save and except for Note 4.

Lot and Building Requirements:

- (b) For the purpose of determining zoning compliance for the lands, the front yard shall be White Elm Road.
- (c) The minimum front yard setback shall be 3.0 m.
- (d) The minimum rear yard setback shall be 3.0 m.
- (e) The minimum interior yard setback shall be 3.0 m.
- (f) The minimum exterior yard setback shall be 3.0 m.
- (g) The Build-to-zone requirements shall not apply.
- (h) The setback to all sight triangles shall be 1.5 m.
- (i) The minimum setback from a lot line to the nearest part of a building below finished grade shall be 0.0 m.
- (j) Architectural Features and elements may encroach 1.0 m into a required front, rear or exterior side yard.
- (k) The maximum residential tower floor plate for each building shall be 850 m².
- (l) The minimum combined amenity space requirement for indoor and outdoor amenity areas shall be 4.0 m² per unit.
- (m) Provisions 4.3.2 and 4.3.3 shall not apply
- (n) A minimum of 0.4 parking spaces per dwelling unit are required.
- (o) A minimum of 269 shared parking spaces for visitor and non-residential uses are required.
- (p) A minimum of 3 Type D, 2 Type B and 1 shared Type B and D loading spaces are required.
- (q) The maximum height of any building on the lands shall be the greater of:
 - i. 40-storeys; or

- ii. The height permitted by the in-effect Vaughan Metropolitan Centre Secondary Plan

Podium and Tower Requirements

- (r) The maximum podium height shall be 27.0 m or 6-storeys.
- (s) The minimum tower separation between all buildings shall be 25.0 m.
- (t) The minimum tower step-back shall be 2.0 m.
- (u) Minimum setback to the tower portion of any building on the Subject Lands to the east property line shall be 12.5m;
 - i. Notwithstanding the above, the minimum east side yard setback to the tower portion of any building may be reduced to 5 m, only if development applications are approved on the lands to the east and includes a 20 m road abutting the full length of the east property line of the Subject Lands, and that the application approvals shall be in full force and effect; or, the Owner enters into an Agreement with the adjacent landowner to the east agreeing to the reduced setback to the satisfaction of the City.

Landscape Requirements

- (v) The minimum landscape strip abutting any street line shall be 2.0 m, however, a minimum landscape strip of 1.5 m shall be provided to the sight triangle at the southwest corner of Maplecrete Road and Doughton Road.
- (w) Permitted encroachments into the landscape strip:
 - i. Bicycle Parking
 - ii. Hard Landscaping
 - iii. Entry/Access areas to buildings
 - iv. Architectural Features/elements

Special Provisions

- 5. In addition to the uses and requirement listed above, the following provisions shall apply:
 - (a) The maximum total Gross Floor Area (GFA) for all uses on the lands shall be the greater of:
 - i. 112,451 m²; or
 - ii. The density permitted by the in-effect Vaughan Metropolitan Centre Secondary Plan.
 - (b) Servicing allocation for the Subject Lands shall be capped at 1,565 dwelling units. Further allocation in excess of 1,565 dwelling units shall be subject to an updated Functional Servicing Report and Transportation Impact Study Addendum and/or Letter to demonstrate sufficient capacity exists for the additional dwelling units.
 - (c) The total Gross Floor Area of the development shall consist of a minimum of 11.5% non-residential uses.
 - (d) The minimum number of purpose-built rental dwelling units shall be 11.5% of the total dwelling units.
 - (e) The minimum Phase 1 development shall consist of the following:
 - i. 8,200 m² of Hotel uses;
 - ii. 5,800 m² of Office uses; and

- iii. 182 purpose-built rental dwelling units.
- (f) A long-term bicycle parking space shall be located wholly within the building where the principal use is located and for which the bicycle parking space is required.
- (g) A long-term bicycle parking space required for a dwelling unit shall be required to be located within the following areas of a building:
 - Within the ground floor area; or
 - On the 2nd story or mezzanine within the ground floor area; or
 - On the first or second level located below grade; or
 - Bicycle parking may be provided in one level increments below grade commencing with the third level below grade and moving down, provided that a combined minimum of 50% of the parking area for the first and second parking levels below grade are dedicated to long-term bicycle parking spaces
- (h) 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 condominium, consent, conveyance of private or public roads, strata title agreements, or other permissions, and any easements or registrations that are granted.
- (i) The Owner agrees the Site Development Agreement for **Phase 2** will not be executed by the City of Vaughan until all the required building permits for **Phase 1** have been issued by the City.

Terms of Use

- 6.** (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.
- (2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building, or structure is lawfully so use on the day this Order comes into force.
- (3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.
- (4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

APPENDIX B

With respect to City of Vaughan, Regional Municipality of York Subsection 34.1(9) of the *Planning Act* and Zoning By-law 1-88

Definitions

1. In this Order,

“Architectural Features” means features used to enhance the visual appearance of a building, which may include pilasters, brackets, cornices, columns, balustrades, and similar building features that are attached to the main walls of a building.

“CIHA Order Conditions” means the requirements listed in Appendix D to this Order, pursuant to subsection 34.1(13) of the *Planning Act* that shall be satisfied prior to the approval of any future Site Plan Application.

“Gross Floor Area” means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, electrical room, elevator shaft, refuse chute, escalators, vehicle and bicycle parking areas, loading areas located above or below grade.

“Height” means in reference to a building or structure, the vertical distance measured from established grade to:

- iv. In the case of a flat roof, including any roof where more than half of the roof area has a slope of 15 degrees or less above the horizontal, the highest point of the roof surface or parapet, whichever is the greater;
- v. in the case of a sloped roof, the mean height between the eaves and the ridge; or,
- vi. In the case of any structure with no roof, the highest point of the structure

“Lands” or “Subject Lands” means the entirety of the parcel outlined in red on Appendix C.

“Order” means the order made by the Minister of Municipal Affairs and Housing pursuant to clause 34.1(9) (a) of the *Planning Act* with respect to the City of Vaughan, Regional Municipality of York.

“Parking Space” means a rectangular area measuring at least 2.7m by 5.7m, exclusive of any aisles or ingress or egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage or carport and private driveway leading thereto.

“Phase 1” means a portion of the development consisting of:

- A minimum of 8,200 m² of Hotel uses, a minimum of 5,800 m² of Office uses, a minimum of 182 Purpose-Built Rental Dwelling Units, and up to an additional 800 Residential Dwelling Units.

“Phase 2” means the balance of the proposed development subsequent to Phase 1.

“Purpose-Built Rental” means housing built specifically for long-term rental accommodation.

“Zoning By-law” means Zoning By-Law No. 001-2021 of the City of Vaughan.

Application

2. This Order applies to lands in the City of Vaughan in the Regional Municipality of York, in the Province of Ontario, being the Lands outlined in red on a map attached to the order as Appendix C.

Zoning By-law

3. That Zoning By-law 1-88 of the City of Vaughan, as amended from time to time and in its entirety, applies to the lands shown on the map set out in Appendix C of this order, and subject to the exceptions noted below.

Corporate Centre Zone (C9)

4. Every use of land and every erection, location or use of any building or structure is prohibited on the Lands identified as “Corporate Centre Zone” (C9) on the map referred to in Appendix C of this order except as noted below:

Permitted Uses:

- (a) All the permitted uses under Section 5.10 for the C9 Corporate Centre Zone.

Lot and Building Requirements:

- (b) For the purpose of determining zoning compliance for the lands, the front yard shall be White Elm Road.
- (c) The minimum front yard setback shall be 3.0 m.
- (d) The minimum rear yard setback shall be 3.0 m.
- (e) The minimum interior yard setback shall be 3.0 m.
- (f) The minimum exterior yard setback shall be 3.0 m.
- (g) The Build-to-zone requirements shall not apply.
- (h) The minimum setback to all sight triangles shall be 1.5 m.
- (i) The minimum setback from a lot line to the nearest part of a building below finished grade shall be 0.0 m.
- (j) Architectural features and elements may encroach 1.0 m into a required front, rear or exterior side yard.
- (k) The maximum residential tower floor plate for each building shall be 850 m².
- (l) The minimum combined amenity space requirement for indoor and outdoor amenity areas shall be 4.0 m² per unit.
- (m) The maximum height of any building on the lands shall be the greater of:
 - i. 40-storeys; or
 - ii. The height permitted by the in-effect Vaughan Metropolitan Centre Secondary Plan

Podium and Tower Requirements

- (n) The maximum podium height shall be 27.0 m or 6-storeys.

- (o) The minimum tower separation between all buildings shall be 25.0 m.
- (p) Minimum setback to the tower portion of any building on the Subject Lands to the east property line shall be 12.5m;
 - i. Notwithstanding the above, the minimum east side yard setback to the tower portion of any building may be reduced to 5 m, only if development applications are approved on the lands to the east and includes a 20 m road abutting the full length of the east property line of the Subject Lands, and that the application approvals shall be in full force and effect; or, the Owner enters into an Agreement with the adjacent landowner to the east agreeing to the reduced setback to the satisfaction of the City.

Parking Requirements

- (q) A minimum of 0.4 parking spaces per dwelling unit are required.
- (r) A minimum of 0.15 visitor parking spaces per dwelling unit are required.
- (s) A minimum of 269 shared parking spaces for visitor and non-residential uses are required.
- (t) A minimum of 3 Type D, 2 Type B and shared Type B and D loading spaces loading spaces are required.
- (u) A minimum of 0.5 spaces per 100 m² GFA of Office uses is required.
- (v) A minimum of 0.25 spaces per guest room is required.
- (w) A minimum of 0.7 spaces per 100 m² GFA of Retail uses is required.

Landscape Requirements

- (x) Notwithstanding Sections 3.13 and 5.1.1, only a minimum landscape strip of 3.0 m shall be provided along a lot line which abuts a street line and shall be used for no other purpose than landscaping. 1.5 m shall be permitted abutting the site triangle at the southwest corner of Maplecrete Road and Doughton Road.
- (y) Permitted encroachments into the landscape strip:
 - i. Bicycle Parking
 - ii. Hard Landscaping
 - iii. Entry/Access areas to buildings
 - iv. Architectural Features/elements

Special Provisions

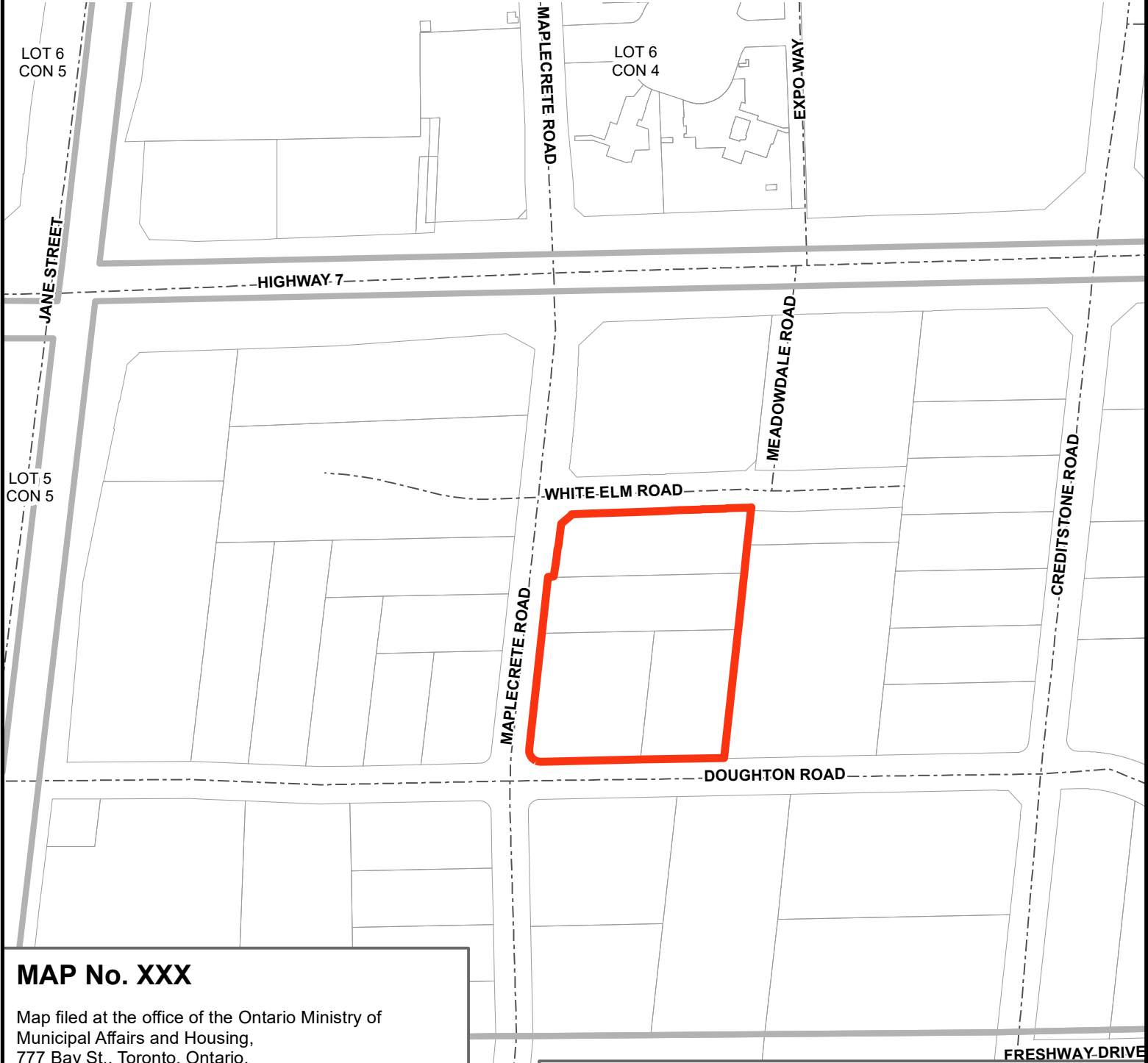
- 5. In addition to the uses and requirement listed above, the following provisions shall apply:
 - (j) The maximum total Gross Floor Area (GFA) for all uses on the lands shall be the greater of:
 - iii. 112,451 m²; or
 - iv. The density permitted by the in-effect Vaughan Metropolitan Centre Secondary Plan.
 - (k) Servicing allocation for the Subject Lands shall be capped at 1,565 dwelling units. Further allocation in excess of 1,565 dwelling units shall be subject to an updated Functional Servicing Report and Transportation Impact Study Addendum and/or Letter to demonstrate sufficient capacity exists for the additional dwelling units.

- (l) The total Gross Floor Area of the development shall consist of a minimum of 11.5% non-residential uses.
- (m) The minimum number of purpose-built rental dwelling units shall be 11.5% of the total dwelling units.
- (n) The minimum Phase 1 development shall consist of the following:
- i. 8,200 m² of Hotel uses;
 - ii. 5,800 m² of Office uses; and
 - iii. 182 purpose-built rental dwelling units.
- (o) A long-term bicycle parking space shall be located wholly within the building where the principal use is located and for which the bicycle parking space is required.
- (p) A long-term bicycle parking space required for a dwelling unit shall be required to be located within the following areas of a building:
- Within the ground floor area; or
 - On the 2nd story or mezzanine within the ground floor area; or
 - On the first or second level located below grade; or
 - Bicycle parking may be provided in one level increments below grade commencing with the third level below grade and moving down, provided that a combined minimum of 50% of the parking area for the first and second parking levels below grade are dedicated to long-term bicycle parking spaces
- (q) 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 condominium, consent, conveyance of private or public roads, strata title agreements, or other permissions, and any easements or registrations that are granted.
- (r) The Owner agrees the Site Development Agreement for **Phase 2** will not be executed by the City of Vaughan until all the required building permits for **Phase 1** have been issued by the City.
- (s) Notwithstanding the provisions of this Order, as it applies to By-law 1-88, in the event of a conflict, the requirements of By-law 001-2021 and CIHA Order XXX-XXX shall prevail.

Terms of Use

6. (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.
- (2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building, or structure is lawfully so use on the day this Order comes into force.
- (3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.
- (4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Lots 4, 5, and 6, Plan 7797 and
Block 2, 65M-4793
Part of Lot 5, Concession 4,
City of Vaughan, Regional Municipality of York



MAP No. XXX

Map filed at the office of the Ontario Ministry of
Municipal Affairs and Housing,
777 Bay St., Toronto, Ontario,





Planning Act

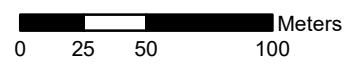
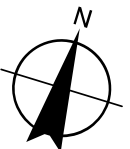
Ontario Regulation: XXX/24

Date:

Original Signed By: **Minister of Municipal Affairs
and Housing**

Legend

-  Lands Subject to CIHA Order
-  Roads
-  Parcel Boundary
-  Lot & Concession



APPENDIX D

CIHA Order Conditions

The following materials, items, and tasks shall be submitted/completed to the satisfaction of the Minister of Municipal Affairs and Housing and/or the City of Vaughan ('the City'):

City of Vaughan: VMC Development Engineering Conditions

1. For City Council to adopt a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Policy assigning capacity to the subject lands.
2. The Owner shall provide an updated Functional Servicing Report to the satisfaction of the VMC Development Engineering.
3. The Owner shall provide an updated Transportation Impact Study where such report requires additional information and addresses all Transportation Engineering comments prior to the final approval of the application, to the satisfaction of the City.
4. The Owner shall enter into a Development Agreement with the City to design and construct all applicable external municipal infrastructure (such as road widening, boulevard improvements and servicing upgrade) required that are necessary to benefit the subject lands to the satisfaction of the City. The Development Agreement shall be registered against the subject lands to which it applies, and upon execution, the Owner shall satisfy conditions of the City, financial or otherwise, all to the satisfaction of the City.
5. The Owner shall provide an Updated Air Quality/ Land Use Compatibility Study which includes the entire subject lands to assess for any potential adverse effects on the proposed sensitive land use from the adjacent industrial facilities and transportation right of ways to the satisfaction of the Development Engineering Department.
6. The Owner's ESA reports have identified areas of contamination in excess of applicable Ministry of the Environment, Conservation and Parks (MECP) at the subject lands. As a result, the Owner is requested to submit a Remedial Action Plan (RAP) that addresses these exceedances, in accordance with the City's RAP checklist. The Owner is also requested to provide the City with a reliance letter for all environmental reports (Phase One ESAs, Phase Two ESAs and the RAP), in accordance with the City's reliance letter template.
7. As a result of the required remediation of the site, as well as the proposed change to a more sensitive land use, the Owner shall submit a copy of a Ministry of the Environment, Conservation, and Parks (MECP) Record of Site Condition filed on the environmental site registry covering the subject lands or implementation and confirmation of completion of the RAP to the satisfaction of the City.

City of Vaughan: VMC Urban Design Conditions

8. Prior to removing this CIHA Order condition, final Site Plan, Colour Rendered Elevations and Perspective drawings, Context Map, Landscape Master Plan, Urban Design and Sustainability Brief, Tree Inventory and Arborist Report, Tree Preservation Plan, Pedestrian Level Wind Study and Sun/Shadow Study will be approved to the satisfaction of the VMC Program

The following materials, items, and tasks shall be submitted/completed to the satisfaction of the Minister of Municipal Affairs and Housing and/or the Regional Municipality of York ('York Region').

York Region Conditions

9. Prior to final Site Plan approval, implement the planned internal road/connections network as shown in the approved VMC Secondary Plan
10. Prior to final Site Plan approval, if not already arranged or completed by others, provide preliminary design and cost estimate to construct south approach to the Highway 7 and Maplecrete Road intersection as per Regional standards
11. Prior to final Site Plan approval, provide a drawing to show the layout of active transportation facilities and connections internal to the site and to the boundary roads
12. The Owner shall agree to provide direct shared pedestrian/cycling facilities and connections from the proposed development to boundary roadways to support active transportation and public transit, where appropriate
13. Prior to final Site Plan approval, provide a revised Transportation Study to address all comments related to the Transportation Impact Study dated January 2024 prepared by LEA Consulting
14. The Owner shall agree to, if not already arranged or completed by others, implement/construct Maplecrete Road between Highway 7 and White Elm Road to its ultimate configuration to accommodate the subject development
15. The Owner shall agree to implement all recommendations, including TDM measures, as recommended in the revised Traffic Impact Study, to the satisfaction of the Region

Canadian National Railway (CN Rail) Conditions

16. CN Rail will review the submitted Noise Impact Study. Subject to the review of the Report, the CN Rail may consider other mitigation measures recommended by the Noise Consultant