



**C19**

**Communication**

**Council – June 25, 2024**

**CW(1) – Report No. 22 Item No. 3**

**DATE:** June 20, 2024  
**TO:** Mayor and Members of Council  
**FROM:** Haiqing Xu, Deputy City Manager, Planning and Growth Management  
**RE:** **COMMUNICATION – Council Meeting – June 25, 2024**

**Report #22, Item #3**

**171 MAPLECRETE LP AND 1930328 ONTARIO INC.: COMMUNITY INFRASTRUCTURE AND HOUSING ACCELERATOR FILE  
CIHA.23.003: 171 MAPLECRETE ROAD, 140-160 DOUGHTON ROAD AND BLOCK 2 ON REGISTERED PLAN 65M-4793, VICINITY OF MAPLECRETE ROAD AND DOUGHTON ROAD**

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### **Recommendation**

The Deputy City Manager, Planning and Growth Management recommends:

That the Recommendations in the staff report (Report 22, Item 3) Committee of the Whole (1) June 4, 2024, for 171 MAPLECRETE LP AND 1930328 ONTARIO INC.: COMMUNITY INFRASTRUCTURE AND HOUSING ACCELERATOR FILE CIHA.23.003: 171 MAPLECRETE ROAD, 140-160 DOUGHTON ROAD AND BLOCK 2 ON REGISTERED PLAN 65M-4793, VICINITY OF MAPLECRETE ROAD AND DOUGHTON ROAD be deleted and replaced with the following:

1. THAT Council endorse the conversion of Community Infrastructure and Housing Accelerator File to a Minister's Zoning Order ('MZO') request;
2. THAT Council endorse the Applicant to submit a request for a MZO to the Ministry of Municipal Housing and Affairs ('MMAH') with respect to the proposed Development; and,
3. THAT Council direct staff to work with the Applicant and the Ministry of Municipal Affairs and Housing to finalize a draft Minister's Zoning Order for Council's consideration that is in substantial conformity with Attachment 2 to this Communication.

### **Background**

The staff report for CIHA.23.003 was on the Committee of the Whole (1) Meeting Agenda of June 4, 2024. The report was subsequently deferred by Committee to the June 25, 2024, Council Meeting, as *Bill 185: Cutting Red Tape to Build More Homes Act, 2024*, (*Bill 185*) was in its third reading at the Legislative Assembly of Ontario.

*Bill 185* received Royal Assent on June 6, 2024, bringing into force changes to the *Planning Act*. Among these changes was the removal of the Community Infrastructure and Housing Accelerator ('CIHA') provisions established through *Bill 23: More Homes Built Faster Act, 2022*. The CIHA has been replaced with a new [Ministers Zoning Order \('MZO'\) Framework](#), which sets out process and requirements for such order requests.

Section 47 of the *Planning Act* authorizes the Minister of MMAH to make zoning orders regulating the use of land in Ontario. Zoning order requests are made or refused at the discretion of the minister. Requests may be submitted by parties such as ministries, municipalities, organizations, businesses, or individuals; and meet at least one of the following intake thresholds:

- requests that deliver on a provincial priority that is supported by a minister (for example, long-term care, hospitals, transit-oriented communities, educational facilities, housing priorities, economic development, manufacturing, etc.); or,
- requests that are supported by a single-tier or lower-tier municipality (for example, through a municipal council resolution or a letter from a mayor where the municipality has been designated with strong mayor powers).

Zoning orders can permit or prohibit the use of land, and regulate location, height, size and spacing of buildings and structures. Under the *Planning Act*, zoning orders do not have to be consistent with the Provincial Policy Statement. The *Planning Act* does not provide for a right to appeal the minister's decision to make a zoning order to the Ontario Land Tribunal. A key difference between the CIHA provisions and a MZO is that an MZO cannot impose conditions.

### ***The Applicant is requesting to convert their CIHA Application to an MZO***

Considering the repealed CIHA provisions, the Applicant is now seeking to convert their application to a MZO by way of a request that is supported by a municipality. To accompany the request to Council, the Applicant has submitted a draft letter to the Minister requesting an MZO (Attachment 1) and draft MZO document (Attachment 2).

Attachment 1 contains the draft form of a letter from the Applicant to the Minister, should Council choose to support the MZO. It outlines the Applicant's request and position with respect to how their proposal satisfies the province's MZO Framework requirements. City Staff is not a party to this letter, nor involved in drafting the letter. Should Council support the subject MZO request at a local level, a final version of the letter will form part of the Applicant's submission package to the Ministry.

Attachment 2 contains a draft Order prepared by the Applicant. The draft Order is based largely off Attachment 13 – Draft CIHA Order of the Staff Report. The Applicant's proposed revisions include:

- Deletion of the minimum 12.5m residential tower setback from the east property line and replacement with a minimum 5.0m residential tower setback;
- Removal of conditions (Appendix D);
- Addition of a provision requiring that 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 prior to issuance of an above grade building permit; and,

- Updated recital language to reflect the MZO provisions in the *Planning Act* (section 47(1)) rather than the CIHA provisions (previously subsection 34.1(9)); Should Council choose to support the MZO request, Staff are recommending that Council to direct staff to work with the Applicant and the Ministry of Municipal Affairs and Housing to prepare and finalize a Minister's Zoning Order that is in substantial conformity with the draft version included herein.

***Staff are satisfied that the conditions outlined in Attachment 13 of the Staff Report can be addressed through future Planning application(s)***

A key difference between the CIHA provisions and a MZO is that an MZO cannot contain conditions. Conditions 6 and 7 (relating to remediation of lands and the requirement for a Record of Site Condition) in Appendix D of Attachment 13 of the Staff Report are embedded into the new Draft Zoning Order (Attachment 2). Otherwise, Staff are satisfied that the previously identified conditions can be resolved through a subsequent Site Development Application process.

For more information, contact Christina Bruce, Director, Policy Planning and Special Programs, ext. 8231

**Attachments**

1. Draft MZO Request Letter (Landowner)
2. Draft Minister Zoning Order (Landowner)

Respectfully submitted by



Haiqing Xu, Deputy City Manager,  
Planning and Growth Management



June \_\_, 2024

Honourable Paul Calandra  
Minister of Municipal Affairs and Housing  
17<sup>th</sup> Floor  
777 Bay Street,  
Toronto, ON M7A 2J3

**RE: Request for Minister's Zoning Order  
Under section 47 of the Planning Act  
171 Maplecrete Road, 140 Doughton Road, 160 Doughton Road and Block 2 of  
Registered Plan 65M-4793 ("Subject Lands")  
City of Vaughan**

Dear Mr. Calandra,

We are writing as the development managers for 171 Maplecrete LP and 1933028 Ontario Inc., the registered owners of the Subject Lands noted above. We are respectfully requesting that you issue a Minister's Zoning Order ("MZO") under section 47 of the *Planning Act*, to facilitate the redevelopment of the Subject Lands in a manner that is described herein, which meets provincial priorities and policy objectives, and is supported by the local municipality.

### **Subject Lands**

The Subject Lands, having a site area of 14,065 square metres (151,395 square feet), are currently occupied by 1-storey buildings containing industrial uses. They are located south of Highway 7, between Maplecrete Road and Creditstone Road, and north of Doughton Road.

The VIVA rapid transit line ("BRT") Creditstone station is situated along the VIVA Orange line, which is located approximately 200 metres north of the Subject Lands. Further, the Vaughan Metropolitan Centre ("VMC") subway station, forming part of TTC Line 1, is located approximately 500 metres northwest of the Subject Lands.

A summary of the land uses surrounding the Subject Lands include the following:

### **NORTH**

2851 Highway 7- approved development consisting of two towers of 45 and 49 storeys.  
2901 Highway 7- approved development consisting of two towers of 45 and 49 storeys.

## **WEST**

Opposite Maplecrete Drive are a number of 1-storey commercial buildings.  
216-220 Doughton Road - approved development containing one 47-storey residential tower and one 49-storey residential tower, atop a 4-storey podium containing residential units and amenity space.

## **EAST**

Cluster of 1 to 2-storey industrial and commercial buildings with associated surface parking areas.

## **SOUTH**

Opposite Doughton Road are a cluster of 1 to 2-storey commercial buildings with associated surface parking areas.

185 Doughton Road and 108-112 Maplecrete Road - approved for two residential towers of 40-storeys and 43-storeys in height with a 4 to 6-storey podium containing at-grade retail space, residential units and amenity facilities.

## **Proposal**

The proposed development would permit a mixed-use, high-density transit-orientated development having a total gross floor area of 112,451 square metres (1,210,420 square feet).

The proposed development consists of five towers as follows:

- SW Residential Tower (27-storeys)
- SE Residential Tower (24-storeys)
- E Residential Tower (29-storeys)
- NE Residential Tower (29-storeys)
- NW Tower (30-storeys) comprising residential, office and hotel uses

The proposal includes 5,711 square metres (61,475 square feet) of office space, 8,218 square metres (88,460 square feet) of hotel use and 134 square metres (1,440 square feet) of retail space. The overall development will have 1,565 residential units, of which 182 of these units will be purpose-built rental units, representing a floor space index of 8.0 times the area of the Subject Lands. The proposal will also provide a central outdoor amenity area along Maplecrete Road, between the NW and SW towers.

## **Intake Threshold**

The Ministerial Zoning Order Framework identifies the minister will consider requests for zoning orders that meet at least one of the following intake thresholds. Outlined below are the intake thresholds and our response on how we believe they have been met:

- 1. Requests that deliver on a provincial priority that is supported by a minister (for example, long-term care, hospitals, transit-oriented communities, educational facilities, housing priorities, economic development, manufacturing, etc.).***

- The proposed development contains purpose-built rental, which is one of the provincial housing priorities.
- The proposed development also contains office and hotel uses, which is consistent with provincial priorities surrounding economic development.

**2. Requests that are supported by a single-tier or lower-tier municipality (for example, through a municipal council resolution or a letter from a mayor where the municipality has been designated with strong mayor powers)**

- On June 25, 2024, City of Vaughan Council passed a resolution supporting the landowner's request for a Minister's Zoning Order. However, this was initiated 1 year ago as a Community Infrastructure and Housing Accelerator process, to address Prime Minister Justin Trudeau's housing initiative.

We respectfully believe our request satisfies both intake thresholds as outlined above.

**Submission Expectations**

The Minister's Zoning Order Framework outlines 13 submission expectations that shall form part of any request for a Minister's Zoning Order. Outlined below are the submission expectations and our response on how they have been met:

- ***a description of the project and how it would support governmental objectives***
  - ✓ The proposed development, situated approximately 500 metres from the VMC TTC Subway Station, consists of a mixed-use development containing office, hotel, and service commercial uses, along with purpose-built rental and residential condominiums. The proposal contains various components that meet many government objectives including a mix of housing types and stimulating economic development through a mix of commercial uses including office, hotel and service commercial. It also fulfills government objectives of concentrating these types of activities and developments in designated Major Transit Station Areas resulting in a complete community.
- ***a map and description of the subject lands***
  - ✓ A map and description of the subject lands is attached as Appendix C to the draft zoning order.
- ***a copy of a draft zoning order***
  - ✓ A copy of the draft zoning order, as endorsed by the City of Vaughan, is attached.
- ***a description of consultation with the public and engagement with Indigenous communities***
  - ✓ The proposed development was the subject of a public meeting held by the City of Vaughan Committee of the Whole, on March 5, 2024. Notice was given to members of the community for an opportunity to provide their comments on the proposal.
  - ✓ The proposed development also went through extensive consultation with various Indigenous communities, as documented by the engagement summary prepared by MHBC Planning and forming part of this MZO request.

- **for municipally-supported zoning order requests:**
  - ✓ *evidence of municipal support for the proposed project*
    - The meeting minutes and Council resolution from the City of Vaughan Council meeting being held on June 25, 2024 will be attached as part of the request. The materials demonstrate City Council support of the proposed MZO request.
  - ✓ *information related to land ownership and name of the requestor*
    - The subject lands contain the following parcels and ownerships:
      - 171 Maplecrete Road – owned by 171 Maplecrete LP
      - 140 Doughton Road – owned by 171 Maplecrete LP
      - 160 Doughton Road – owned by 171 Maplecrete LP
      - Block 2, Plan 65M4793 – owned by 1930328 Ontario Inc.
- **rationale on why the project requires ministerial zoning relief rather than following municipal planning processes**
  - ✓ The proposed development was originally submitted to the City of Vaughan as an Official Plan Amendment and Zoning By-law Amendment application. It was ultimately converted to a Community Housing and Infrastructure Accelerator (“CIHA”) under section 34.1(9) of the *Planning Act*.
  - ✓ The CIHA application was supported by City of Vaughan staff based on the report that was made publicly accessible when it was posted on the Committee of the Whole Meeting Agenda of June 4, 2024.
  - ✓ The report was subsequently deferred by the Committee to City Council as Bill 185 was receiving Royal Assent.
  - ✓ It was determined that an Order issued by the Minister was mutually beneficial for the following reasons:
    - The applicant would be required to provide community benefits above and beyond a standard application going through the municipal planning approval process.
    - The Minister’s Order would allow the proposed development to proceed in advance of the City’s Secondary Plan update process. This will ensure that the delivery of housing is expedited to meet government housing and economic development objectives.
  - ✓ Prior to a formal CIHA request being submitted to the Minister, section 34.1(9) was repealed by the Province through Bill 185, and as a result, this request is now made under section 47 of the *Planning Act*.
- **a description of any licences, permits, approvals, permissions or other matters that would be required for the project after a zoning order is made**
  - ✓ If a Minister’s Zoning Order is issued, the proposed development will still require the following subsequent approvals:
    - Site Plan Control application(s)

- Building Permit application(s)
  - Draft Plan of Condo application(s), if applicable
- ***justification for the exemption of the application of provincial and local land use policies to downstream approvals, where requested***
  - ✓ The request for exemption of the application of provincial and local land use policies to downstream approvals will ensure that the development can proceed in advance of the Secondary Plan update. While the proposed development is generally consistent with the emerging Vaughan Metropolitan Centre Secondary Plan draft demonstration plans, the uncertainty in timing of those policies coming into force and effect could cause an indefinite delay to the proposed development.
- ***anticipated timelines related to applying for downstream approvals (for example, site plan, plan of subdivision, building permit)***
  - ✓ Following the issuance of a MZO, the landowner intends to submit a Site Plan application for Phase 1 of the development within 12 months.
  - ✓ Following approval of the Site Plan application by the City of Vaughan, within the 60 days approval period, the landowner intends to submit Building Permit application(s) for Phase 1 of the development within 18 months.
- ***anticipated timing for project completion***
  - ✓ Phase 1 of the development is anticipated to be completed within 5 years after Site Plan Approval is obtained.
  - ✓ Phase 2 of the development is anticipated to be completed within 3 years of the completion of Phase 1.
- ***justification for the use of any of the enhanced authorities, where requested***
  - ✓ No use of any of the enhanced authorities are being requested.
- ***information related to how and when servicing (water/wastewater) will be addressed***
  - ✓ The City of Vaughan has approved plans and funding in place to upgrade the servicing in the area over the next 1-2 years. The work conducted by the landowner's civil engineer confirms that the planned upgrades by the City of Vaughan will result in sufficient capacity for the proposed development which will be in place prior to the completion of the project.
  - ✓ The City typically provides allocation as part of the Zoning or Site Plan approval process. Given this proposal is being undertaken pursuant to section 47 of the *Planning Act*, allocation for each phase of development will be granted through the respective site plan approval process for each phase.
- ***a commitment that if a zoning order is made, the landowner will notify the minister 30 days in advance of the sale of any land it applies to***
  - ✓ The landowner is agreeable to this commitment.



For all the foregoing reasons, we trust that you will find our request for a Minister's Zoning Order is appropriate for the redevelopment of the lands, supported by the local municipality, and delivers on provincial priorities surrounding housing and economic development. We respectfully request that you issue an Order under section 47 of the Act, substantially in accordance with the draft Order attached to this request.

Respectfully submitted,

Liberty Development Corporation for and on behalf of 171 Maplecrete LP & 1930328 Ontario Inc.

Latif Fazel, Chief Executive Officer

cc: Haiqing Xu, Deputy City Manager  
Planning and Growth, City of Vaughan

Encl.

DRAFT

# ATTACHMENT 2: DRAFT MINISTER ZONING ORDER (LANDOWNER)

## ORDER

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

Subsection 47(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

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1. I hereby order pursuant to clause 47(1) of the *Planning Act*, further to a request from the landowner and Council of the City of Vaughan set out in a resolution dated June 25, 2024, 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 47(4.0.1) 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, and C, attached to this Order, form part of this Order.
2. This Order comes into force on the day this Order is made.

Made by:

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PAUL CALANDRA  
Minister of Municipal Affairs and Housing

Date made:

## APPENDIX A

### With respect to City of Vaughan, Regional Municipality of York Subsection 47(1) 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.

“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 47(1)(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 m<sup>2</sup> of Hotel uses, a minimum of 5,800 m<sup>2</sup> 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 m<sup>2</sup>.
- (l) The minimum combined amenity space requirement for indoor and outdoor amenity areas shall be 4.0 m<sup>2</sup> 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 5.0 m;

### Landscape Requirements

- (v) The minimum landscape strip abutting any street line shall be 3.0 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. Architecture 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 m<sup>2</sup>; 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 m<sup>2</sup> of Hotel uses;
    - ii. 5,800 m<sup>2</sup> 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 storey 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.
- (j) Prior to the issuance of an above-grade building permit, the owner shall submit a copy of a Ministry of the Environment, Conservation and Parks ('MECP') Record of Site Condition ('RSC') filed on the environmental site registry covering the subject lands or implementation and confirmation of completion of the Remedial Action Plan ('RAP') to the satisfaction of 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 in 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 47(1) 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.

“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 47(1)(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 m<sup>2</sup> of Hotel uses, a minimum of 5,800 m<sup>2</sup> 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. 1-88 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 m<sup>2</sup>.
- (l) The minimum combined amenity space requirement for indoor and outdoor amenity areas shall be 4.0 m<sup>2</sup> 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 5.0 m;

#### 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 1 shared Type B and D loading spaces are required.
- (u) A minimum of 0.5 spaces per 100 m<sup>2</sup> 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 m<sup>2</sup> 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. A minimum landscape strip of 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. Architecture Features

#### **Special Provisions**

- 5. In addition to the uses and requirement listed above, the following provisions shall apply:
  - (k) The maximum total Gross Floor Area (GFA) for all uses on the lands shall be the greater of:
    - iii. 112,451 m<sup>2</sup>; or
    - iv. The density permitted by the in-effect Vaughan Metropolitan Centre Secondary Plan.
  - (l) 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.
  - (m) The total Gross Floor Area of the development shall consist of a minimum of 11.5% non-residential uses.
  - (n) The minimum number of purpose-built rental dwelling units shall be 11.5% of the total dwelling units.
  - (o) The minimum Phase 1 development shall consist of the following:
    - i. 8,200 m<sup>2</sup> of Hotel uses;
    - ii. 5,800 m<sup>2</sup> of Office uses; and
    - iii. 182 purpose-built rental dwelling units.
  - (p) 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.

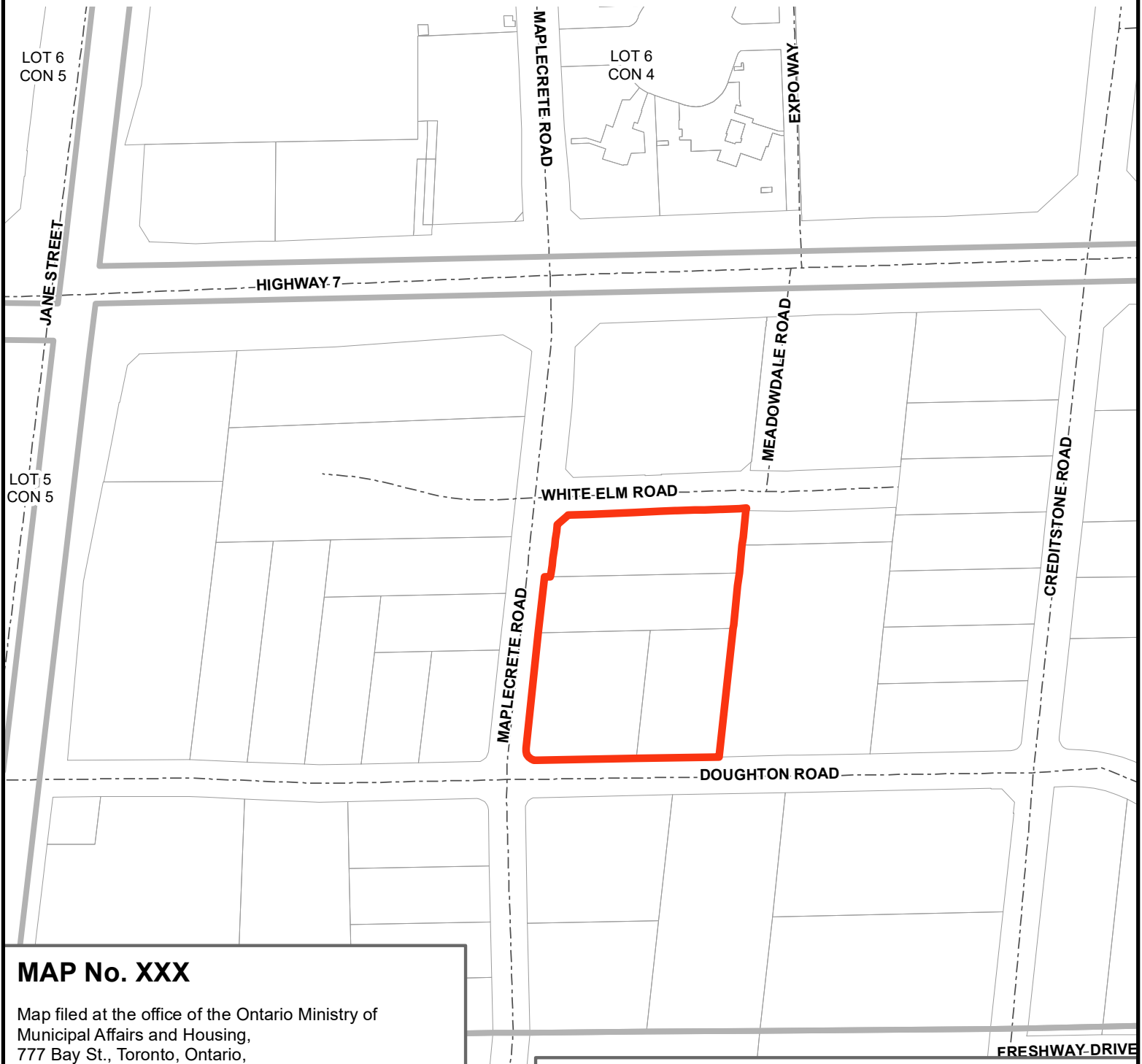
- (q) A long-term bicycle parking space required for a dwelling unit shall be required to be located within the following areas of a building:
- Within the ground floor area; or
  - On the 2nd storey or mezzanine within the ground floor area; or
  - On the first or second level located below grade; or
  - 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
- (r) 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.
- (s) 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.
- (t) Prior to the issuance of an above-grade building permit, the owner shall submit a copy of a Ministry of the Environment, Conservation and Parks ('MECP') Record of Site Condition ('RSC') filed on the environmental site registry covering the subject lands or implementation and confirmation of completion of the Remedial Action Plan ('RAP') to the satisfaction of 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 C**

Lots 4, 5, and 6, Plan 7797 and  
Block 2, 65M-4793  
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 Minister Zoning Order
-  Roads
-  Parcel Boundary
-  Lot & Concession

