

**Attachment 5 – Proposed Zoning Exceptions to Zoning By-law 001-2021
Subsection 14.1155.1**

Table 1:

	Existing Provisions in 14.1155.1	Proposed Exceptions to 14.1155.1
1.	The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” is removed pursuant to Subsection 36(1) of (3) of the <i>Planning Act</i> :	No change proposed.
a.	<p>Notwithstanding anything in this By-law to the contrary, lands zoned with the Holding Symbol “(H)” shall be used only for the production of field crops, or a <u>use</u> legally existing as of the date of the enactment of this By-law. Notwithstanding the foregoing, the following uses are permitted prior to the removal of the Holding Symbol “(H)”:</p> <ul style="list-style-type: none"> i. One (1) <u>temporary sales office</u>, in accordance with Subsection 5.11.2 respecting <u>temporary sales office</u> in the City of Vaughan By-law 001-2021; and ii. Below-grade <u>parking structure</u> including shoring, excavation and servicing work for a use permitted under the RM3 Zone, including site-specific exceptions permitted herein. 	No change proposed.
b.	The removal of the Holding Symbol “(H)” from the Subject Lands is contingent on satisfying the following conditions to the satisfaction of the respective department:	No change proposed.
i.	<p>Submit a revised Functional Servicing and Stormwater Management Report which addresses all outstanding comments and includes the following information to the satisfaction of the Development Engineering Department:</p> <ul style="list-style-type: none"> a) Short-term construction and long-term dewatering information and recommendations provided in the Geotechnical Investigation prepared by Terraprobe Inc., dated August 31, 2021 and the Hydrogeological 	No change proposed.

	<p>Assessment prepared by Terraprobe Inc., dated September 8, 2021;</p> <p>b) Unit count information for approved and proposed development applications within the immediate vicinity including the following, to identify any required wastewater and/or water infrastructure improvements to service the Development: Vaughan NW RR Propco LP – OP.20.008, Z.20.016, DA.20.022; G Group Major Mackenzie Inc. – 3812 Major Mackenzie Drive West (Files OP.21.019 & Z.21.040); Celvin Estates Inc. – 101309/10144/10160 Weston Road (Files Z.16.018 & 19T-16V003); and Maplequest (Vaughan) Developments Inc. (Files DA.17.082 & DA.17.118). Should any infrastructure improvements be identified external to the Subject Lands, as required to service the development, the Owner shall enter into an Agreement with the City to secure for the construction and conveyance of the identified improvements to satisfaction of the City, including an Agreement by the City and/or Region for any applicable Development Charge credit for any infrastructure improvement including front-ended infrastructure.</p>	<p>No change proposed.</p>
<p>ii.</p>	<p>A peer review of the Noise Report prepared by Valcoustics Canada Ltd., shall be undertaken to determine the feasibility of the Class 4 acoustical area designation for the Subject Lands, to the satisfaction of the Development Engineering Department. Should the Subject Lands be designated as a Class 4, the Owner shall pay the surcharge fee in accordance with the fees and charges by-law and the noise by-law shall be amended to reflect the Class 4 designation for the Subject Lands.</p>	<p>No change proposed.</p>
<p>iii.</p>	<p>Submit the Phase Two Environmental Site Assessment (ESA) report used to file RSC</p>	<p>No change proposed.</p>

	#232453 entitled “Phase Two Environmental Site Assessment Update, 3850 Major Mackenzie Drive West, City of Vaughan,” dated May 5, 2022, prepared by Soil Engineers Ltd., and a letter of Reliance for their ESA reports, to the satisfaction of the Development Engineering Department.	
iv.	Submit a revised Transportation Mobility Plan (‘TMP’) prepared by Crozier Consulting Engineers, addressing the outstanding comments to the satisfaction of the Development Engineering Department;	No change proposed.
v.	<p>As the Subject Lands require the future ‘Sunset Terrace extension’ to be constructed with interest from the adjacent lands known as G Group Major Mackenzie Drive Inc. – 3812 Major Mackenzie Drive West (Files OP.21.019 & Z.21.040), the “H” is to only be lifted under one of the following two scenarios:</p> <p>a) The ‘Sunset Terrace extension’ is constructed by the Owner or adjacent landowner to the east and the Owner has secured the necessary lands external to the Subject Lands to be conveyed to the City, free of all costs and encumbrances, prior to the occupancy of any units on the Subject Lands; or</p> <p>b) The Owner has demonstrated that an alternate interim roadway for the ‘Sunset Terrace extension’ can be achieved through a comprehensive Transportation Impact Study (‘TIS’) including, but not limited to, functional design drawings, to the satisfaction of the City. The Owner shall identify and secure any necessary lands required to facilitate the interim solution, including lands external to the Subject Lands to be conveyed to the City, free of all costs and encumbrances, prior to the occupancy of any units on the Subject Lands.</p>	No change proposed.
vi.	An amending Subdivision Agreement has been executed and registered on title to the	No change proposed.

	Subject Lands (without clearing of Conditions of Draft Plan Approval or Plan Registration), to facilitate the creation of Block 1 (being the Subject Lands) and Block 7 of Plan of Subdivision File 19T-17V004 (being the westerly portion of Sunset Terrace), the removal of the hammer-head turn around the release of associated easement, noted as Parts 4 and 5 on Plan 65R-40113.	
	Existing Provisions in 14.1155.2 – Lot and Building Requirements	Proposed Exceptions to 14.1155.2 – Lot and Building Requirements
1.	The following provisions shall apply to the lands zoned by RM3 Multiple Unit Residential Zone, as shown on Figure E-1723:	The following provisions shall apply to the lands zoned by RM3 Multiple Unit Residential Zone, as shown on Figure E-1723:
a.	A maximum of 30% of the required minimum outdoor amenity area may consist of amenity area located on a rooftop or terrace.	No change proposed.
b.	Total Minimum Lot Area: 8,800 m ²	No change proposed.
c.	Minimum front yard (abutting Major Mackenzie Drive): 5 m and 0.6 m to a sight triangle.	Minimum front yard (abutting Major Mackenzie Drive): 3.0 m
d.	Minimum rear yard (abutting Sandwell Street): 2.6 m and 1.0 m to a sight triangle.	No change proposed.
e.	Minimum interior yard (abutting Sydney Circle): 5.0 m	Minimum interior side yard (abutting neighbouring lands to the east): 3.0 m
f.	Minimum exterior yard (abutting Sunset Terrace): 5.0 m and 1.0 m to a sight triangle.	Minimum exterior side yard (abutting Sandwell Street): 4.0 m, except Block 1 shall be 3.0 m.
g.	Minimum setback to a below-grade parking structure shall be 0.0 m from any ultimate street line, after any road widenings.	No change proposed.
h.	Maximum building height shall be 45 metres or 12-storeys, except within 10 metres of the northern property line where the maximum building height shall be 16.5 metres or 4 storeys abutting Sandwell Street as shown on Schedule “1”.	Maximum building height – 45 m or 12-storeys, except within 10 m of the northern property line where the max building height shall be 16.5 m or 4 storeys abutting Sandwell Street. The maximum height for Multiple Unit Townhouse Dwelling shall be 13.0 m or 4-storeys.
i.	A rooftop mechanical penthouse shall be permitted to exceed the maximum height required by this By-law to maximum of 5.7 metres. Rooftop mechanical equipment or a rooftop mechanical penthouse shall not be considered a storey for the purposes of this By-law.	Provision removed.

j.	Sills, air conditioners, other than central air conditioning units, belt cornices, eaves, gutters, canopies, chimney pilasters and windows, shall not project more than 1.25 m into any required yard.	No change proposed.
k.	An intake shaft that is incidental to a below-grade parking structure shall have a minimum setback of 0.6 m from any lot line and may be located in any minimum yard.	An intake shaft that is incidental to a below-grade parking structure shall have a minimum setback of 0.6 m from any lot line and shall be located in any minimum yard.
l.	Maximum height of a rooftop mechanical penthouse: 5.7 m	No change proposed.
m.	Minimum podium height: shall not apply.	No change proposed.
n.	Maximum podium height: shall not apply.	No change proposed.
o.	Minimum tower step-back: shall not apply.	No change proposed.
p.	Minimum tower floor plate: shall not apply.	No change proposed.
q.	Minimum tower separation: shall not apply.	No change proposed.
r.	The 45-degree angular plane provisions shall not apply.	No change proposed.
s.	Minimum landscape strip width abutting a street line: 1.0 m abutting Sandwell Street and Major Mackenzie Drive West, and 0.6 m abutting Sunset Terrace or at a sight triangle.	Minimum landscape strip abutting a street line or interior side lot line: 1.0 m
t.	Bicycle parking, hard and soft landscape such as raised planters, patio stones, and walkways, intake shafts and transformers shall be permitted in the landscape strip.	No change proposed.
u.	Minimum width for stacked Bicycle Parking Space: 0.45 m	No change proposed.
v.	No provision for retaining wall height originally included in Section 14.1155.1	A retaining wall with a maximum height of 1.80 m shall be permitted within 0.0 m from any lot line.
14.1155.3 – Bicycle Parking Space		
1.	Short-term bicycle parking spaces shall be permitted within the required landscape strip and shall be set back 1.0 m from a street line.	No change proposed.
14.1155.4 – Other Provisions		
1.	The following provisions shall apply to the lands labelled “Subject Lands”, as shown on Figure “E-1723”:	The following provisions shall apply to the lands labelled “Subject Lands”, as shown on Figure “E-1723”:
a.	FRONT LOT LINE – Means the lot line of the Subject Lands that abuts the Major Mackenzie Drive West street line.	No change proposed.
b.	LOT – For the purposes of zoning conformity, that regardless of the number of buildings constructed, 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	No change proposed.

	permissions, and any easements or registrations that are granted, the Subject Lands shall be deemed to be one (1) lot.	
c.	No provision permitting Multiple Unit Townhouse Dwelling originally included in Section 14.1155.1	Multiple Unit Townhouse Dwelling shall be permitted.