

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 176-2018

A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 157-2018.

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) Deleting Key Map 4C and substituting therefor the Key Map 4C attached hereto as Schedule “1”, thereby removing the Holding Symbol “(H)” on a portion of the lands shown as “Subject Lands” on Schedule “E-1597”; and effectively zoning the subject lands RA3 Apartment Residential Zone.
 - b) Deleting Schedule “E-1597”; and substituting therefor the Schedule “E1597”; attached hereto as Schedule “2”, thereby deleting the Holding Symbol “(H)” on a portion of the lands.
2. Schedules “1” and “2” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 27th day of September, 2018.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 4 of Report No. 22
of the Committee of the Whole (Closed Session)
Adopted by Vaughan City Council on
June 5, 2017

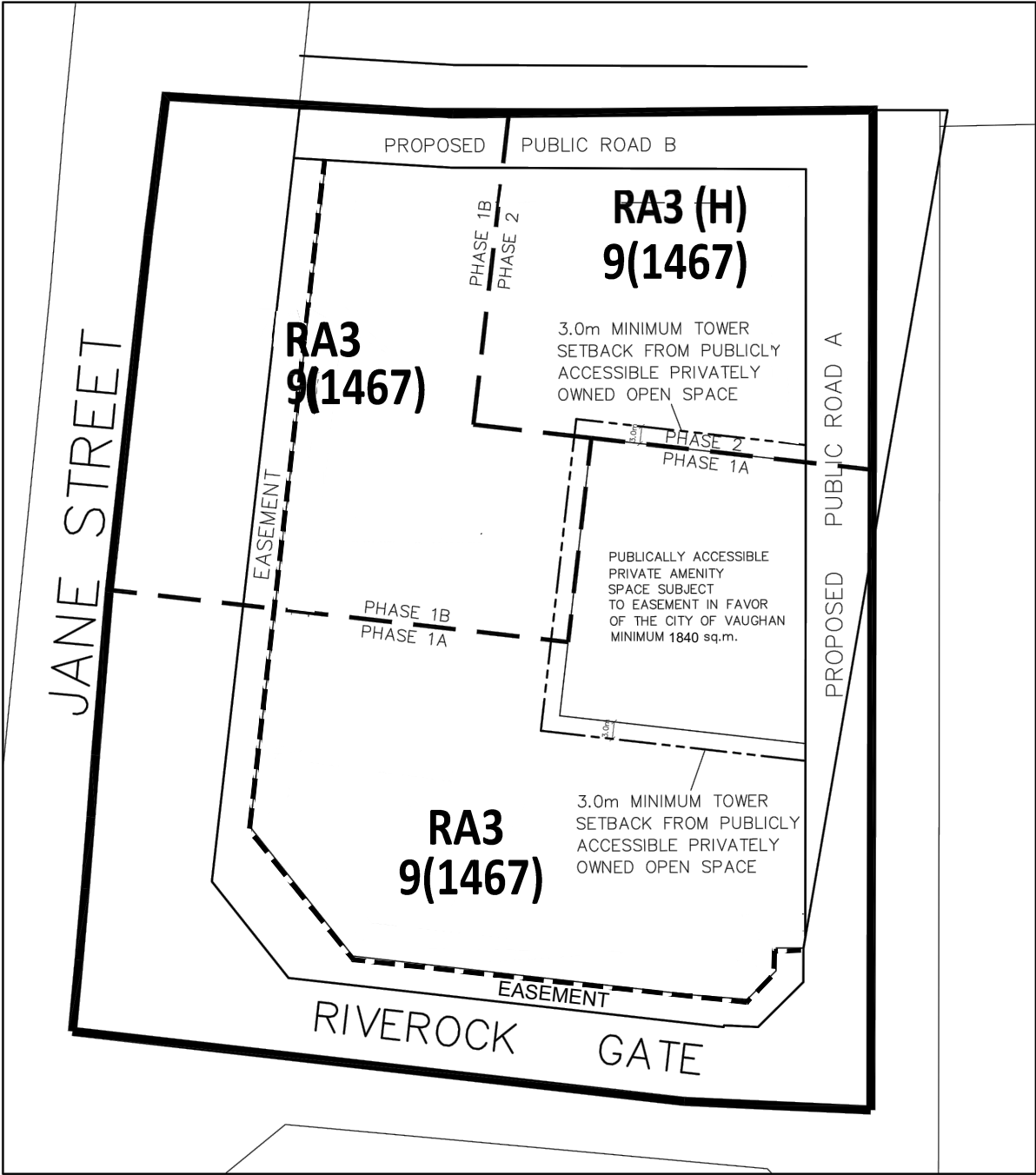
OMB/LPAT Decision dated August 27, 2018.

LEGEND

- SUBJECT LANDS
- PHASE BOUNDARIES



The subject lands are designated as a Class 4 Area pursuant to NPC-300



THIS IS SCHEDULE 'E - 1597'
TO BY-LAW 1-88
SECTION 9(1467)

NOT TO SCALE

THIS IS SCHEDULE '2'
TO BY-LAW 176 - 2018
PASSED THE 27th DAY OF Sept , 2018

FILE No. Z.18.014
RELATED FILES: OP.05.020 & Z.07.029
LOCATION: Part of Lot 4, Concession 15
APPLICANT: TESMAR HOLDINGS INC.
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

SUMMARY TO BY-LAW 176-2018

The lands subject to this By-law are located on the northeast corner of Jane Street and Riverrock Gate, in Lot 15, Concession 4, City of Vaughan.

The purpose of this By-law is to remove the Holding Symbol "(H)" from a portion of the subject lands, which are zoned RA3 Apartment Residential Zone with site-specific exceptions, to facilitate the development of 2 residential apartment buildings of 20 and 23-storeys, above a podium not exceed 6-storeys.

On January 25, 2018 and January 26, 2018, in an Oral Decision, the Ontario Municipal Board (OMB) approved the applications which will facilitate the development of the subject lands for 2 residential towers of 23 and 20 storeys above a 6-storey podium. The concept includes vacant lands that may be developed as a future phase and will require a minimum of 5,000 square metres of non-residential gross floor area to be included in a minimum 3-storey building. On August 27, 2018, the OMB issued its Decision.

The subject lands were originally zoned with the Holding Symbol "(H)" by By-law 157-2018, until such time that:

Phase 1a

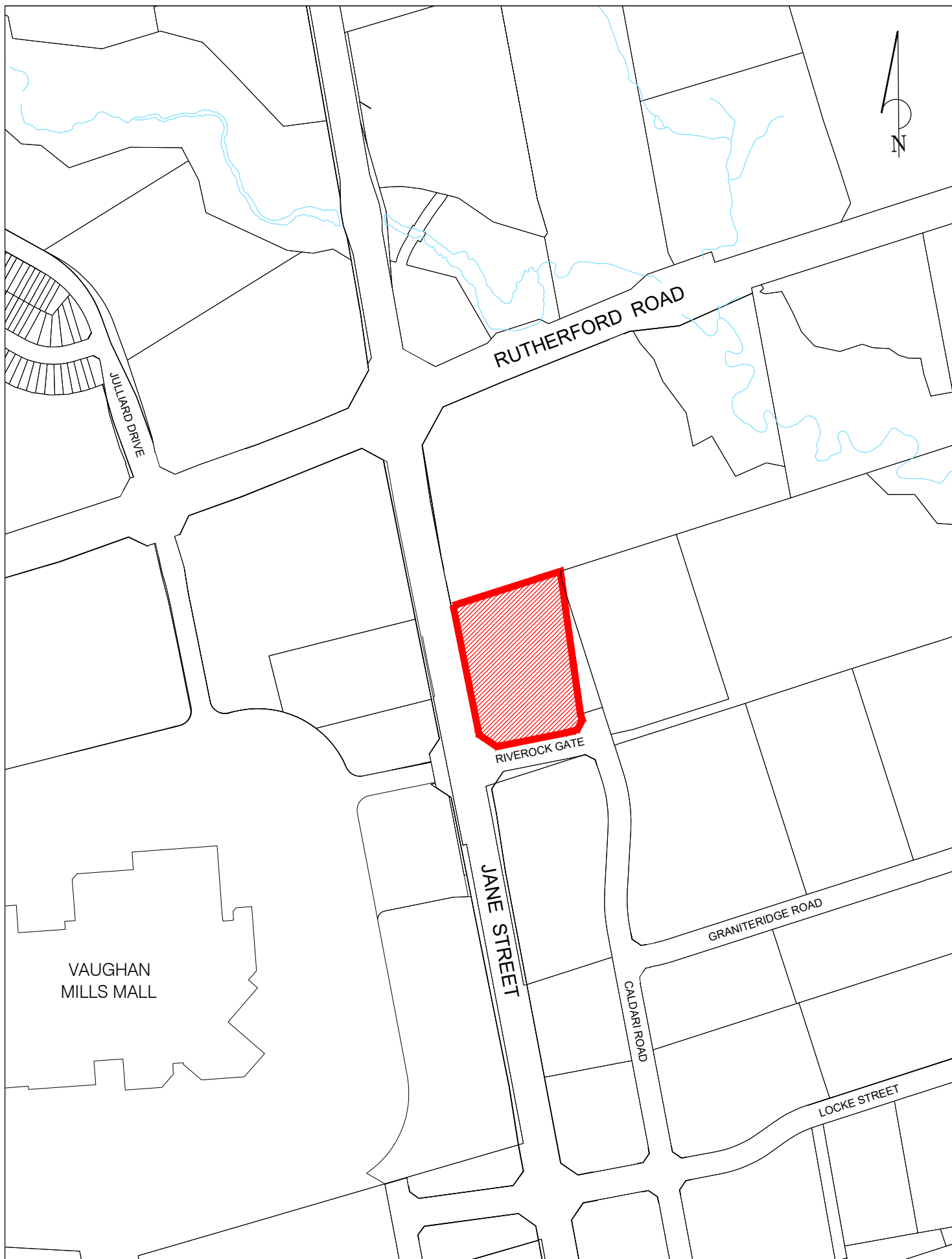
- i. Water and sewer servicing capacity being identified and allocated by the City of Vaughan;
- ii. City of Vaughan being in receipt of confirmation of the Ministry of Environment's Acknowledgement/Registration of the Record of Site Condition;
- iii. The submission of an Environmental Noise Impact Study and an Environmental Vibration Report, prepared in consultation with the operator of the "*Rail Yard*" and the "*Existing Industrial Lands*", to the satisfaction of the City of Vaughan. For the purposes of this Zoning By-law a "*Rail Yard*" is defined as the McMillan Rail Yard and the "*Existing Industrial Lands*" are defined as the Maple Stamping Plant;
- iv. The provision and/or securing of any required noise mitigation and control measures at the Owner's expense as the City of Vaughan may require;
- v. If necessary, the execution of agreements satisfactory to the City of Vaughan between the Owner and owner(s) of neighbouring lands containing stationary noise sources to secure any noise mitigation measures which may be required on these neighbouring lands, as the City may require;
- vi. The approval of a Site Development Application by Vaughan Council or the Ontario Municipal Board for the proposed development;
- vii. The execution of a site plan agreement, or other such agreement, satisfactory to the City of Vaughan to be registered on title which obligates the Owner to include in all Offers of Purchase and Sale, warning clauses for the Subject Lands and to provide notice of the Class 4 Area classification to prospective purchasers of residential units on the Subject Lands;
- viii. A resolution is passed by Vaughan Council classifying the site as a Class 4 Area;
- ix. The execution of an agreement with the City of Vaughan to construct the proposed public road "A" (extension of Caldari Road) to the new proposed public road "B" (east-west road) and the construction of proposed public road "B" to Jane Street, or suitable interim alternative to the satisfaction of the City of Vaughan, and requiring said public roads to be completed prior to first occupancy of Phase 1a; and,
- x. Submission of a Traffic Impact Study for Phase 1 to the satisfaction of the City of Vaughan and York Region.

Phase 1b

- i. Water and sewer servicing capacity being identified and allocated by the City of Vaughan;
- ii. City of Vaughan being in receipt of confirmation of the Ministry of Environment's Acknowledgement/Registration of the Record of Site Condition;
- iii. The submission of a noise and vibration impact study, prepared in consultation with the operator of the "*Rail Yard*" and the "*Existing Industrial Lands*", to the satisfaction of the City of Vaughan;
- iv. The provision and/or securing of any required noise mitigation and control measures at the Owner's expense as the City of Vaughan may require;
- v. If necessary, the execution of agreements satisfactory to the City of Vaughan between the Owner and owner(s) of neighbouring lands containing stationary noise sources to secure any noise mitigation measures which may be required on these neighbouring lands as the City of Vaughan may require
- vi. The approval of a Site Development Application by Vaughan Council or the Ontario Municipal Board for the proposed development;
- vii. The execution of a site plan agreement, or other such agreement satisfactory to the City of Vaughan to be registered on title which obligates the Owner to include in all Offers of Purchase and Sale, warning clauses for the subject lands and to provide notice of the

- Class 4 Area classification to prospective purchasers of residential units on the Subject Lands;
- viii. A resolution is passed by Vaughan Council classifying the site as a Class 4 Area;
 - ix. That public road "A" (extension of Caldari Road) to public road "B" (east-west road) and public road "B", or suitable interim alternative, are constructed to the satisfaction of the City of Vaughan;
 - x. The execution of an agreement with the City that provides for the extension of public road "A" (Caldari Road) north of public road "B" to a signalized (when warranted) intersection with Rutherford Road, including the signalized intersection and any required, related upgrades to Rutherford Road and public road "B" in its ultimate form, to the satisfaction of the City of Vaughan and York Region. Said agreement shall require that these roads be constructed prior to first occupancy of Phase 1b unless construction at a later phase is supported by a Traffic Impact Study to the satisfaction of the City of Vaughan and Region of York; and,
 - xi. Submission of a Traffic Impact Study to the satisfaction of the City of Vaughan and York Region.

The conditions noted above have now been satisfactorily fulfilled and therefore, the Holding Symbol "(H)" can be removed.



NOT TO SCALE

LOCATION MAP

TO BY-LAW 176 - 2018



SUBJECT LANDS

FILE No. Z.18.014
RELATED FILES: OP.05.020 & Z.07.029
LOCATION: Part of Lot 4, Concession 15
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