

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 018-2017

A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board.

The Council of The Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Ontario Municipal Board Order Issue, dated the 28th day of November, 2013 (OMB File No.PL 100348/ 100349), attached hereto as Attachment "1", is hereby designated as By-law Number 018-2017.

Enacted by City of Vaughan Council this 21st day of February, 2017.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

J. HAMIL

ISSUE DATE:
November 28, 2013



PL100348

Ontario
Ontario Municipal Board
Commission des affaires municipales de l'Ontario

2174824 Ontario Inc., has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to Zoning By-law 1-88 to rezone the lands respecting 8294, 8298 and 8302 Islington Avenue from "R2 Residential Zone" to "RA3 Apartment Residential Zone" with exceptions in order to facilitate the development of two apartment buildings

Municipal File No.: Z.08.048

OMB File No.: PL100349

B E F O R E:

J. CHEE-HING
MEMBER

) Thursday, the 28th
)
) day of November 2013

THIS MATTER having come before the Board and the Board issued a Decision dated February 22, 2011 withholding its Order with respect to Zoning By-law 1-88 pending the execution of a Site Plan Agreement between the Applicant and the City of Vaughan;

THE BOARD having received a request from the parties to amend the Order issued on June 21, 2013 with revised Schedule 2 to reflect site conditions with respect to the south, east, and north setbacks, Schedule 3 to reflect the east setback along Islington Avenue following the transfer for lands to the Region of York for its road widening, and Schedule 4 to reflect the requirements for building permit;

THE BOARD ORDERS upon the request and consent of all parties that the Zoning By-law filed as Attachment "1", as noted in the Board's Decision issued on February 22, 2011, is to be replaced and substituted with the Zoning By-law in the manner attached as Attachment "1" to this Order.

SECRETARY



BY-LAW NUMBER ~~013~~ 2017

A By-law to amend City of Vaughan Zoning By-Law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the City of Vaughan;

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS

1 The City of Vaughan By-law Number 1-88, be and the same is hereby further amended by:

(a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from "R2 Residential Zone" to "RA3 Apartment Residential Zone and "OS1" Open Space Conservation Zone in the manner shown on the said Schedule "1".

(b) Adding the following Paragraph to Section 9 "EXCEPTIONS" :

(144) A. Notwithstanding anything to the contrary, the subject lands as shown on Schedule "E-15168" will be permitted an increased height and maximum density of 1.35 FSI in return for the provision of the following:

- (i) sustainability features as required by the OPA and detailed in the Minutes of Settlement at Schedule "C" thereto;
- (ii) more extensive green roof system with sedum carpet base and additional mixed planting or Photo Voltaic Solar Panel Installation with appropriate planting for screening purposes;
- (iii) Intensive landscaping/planting for the open areas on the site inclusive of the front yard and boulevard along Islington Avenue, and along the north and south lot lines to the satisfaction of the City and the TRCA;
- (iv) intensive landscaping/planting for the Open Space Conservation Zone at the rear of the site to the satisfaction of the City and the TRCA;

B (1) Notwithstanding the provisions of:

- (a) Section 2.0 respecting the Definitions of "Gross Floor Area", "Lot" and "FSI";
- (b) Subsection 3.17 respecting Portions of Buildings Below Grade;
- (c) Section 3.5 respecting Height Exceptions;
- (d) Subsection 3.8 respecting Parking Requirements,



- (e) Section 3.14(c) respecting Permitted Yard Encroachments and Restrictions,
- (f) Subsection 4.1.8 and Schedule "A" respecting Minimum Zone Requirements in the RA3 Apartment Residential Zone;
- (g) Subsection 7.2.1 and 7.2.3 respecting structures within the OS1 Zone and Calculation of Zone Requirements;
- (h) Section 4.1.4 b)) Respecting Parking Areas for Multiple Family Dwellings;

the following provisions shall apply to the RA3 lands shown as "Subject Lands" on Schedule "E-1576"

- ai) Gross Floor Area: means the total of all floors in a building above or below grade, measured from the outside of the exterior walls but excluding below grade parking areas, bicycle storage area, garbage rooms, elevator shafts, storage lockers, balconies and any other below grade amenity space area/common area;
- all) Lot: For the purposes of zoning conformity, the Subject Lands shall be deemed to be one lot;
- aii) FSI means the ratio of gross floor area to the lot area extended which includes 50% of the area of Islington Avenue fronting the subject site
- bi) the minimum setback for portions of buildings below grade shall be as shown on Schedule "E-1576"
- bii) the minimum setback for a stairwell from any property line will be .3m as shown on Schedule "E-1576A";
- c) roof access stairwells and mechanical penthouses shall not be subject to a height restriction or considered in the calculation of height as part of the overall structure as shown as Schedule "E-1576A"
- d) the minimum parking spaces shall be provided as follows:
 - i) Dwelling Unit - 1 spaces / dwelling unit,
 - ii) Visitor Parking: - .20 spaces/dwelling unit including one (1) handicapped parking space
- e) balconies which are open and unenclosed may extend 1.8m into the front yard and .5m into a side yard. Ground floor patios may extend a maximum of 2.4m into the front yard as further shown on Schedule "E-1576B".
- fi) the Minimum Yard Requirements shall be as shown on Schedule "E-1576A"
- fii) the minimum Lot Area shall not apply;
- fiii) the Maximum Building Height shall be as shown on Schedule "E-1576B";
 - i) the Maximum Building Height shall not exceed 5 storeys and/or 17m;
 - ii) the Maximum Building Height for the 4th and 5th storeys shall be stepped back 4.5m from the floor below facing Islington Avenue.



- (iv) the Maximum Gross Floor Area shall be 6780.40m²; the maximum FSI shall be 1.35 based on an extended lot area of 5022.49m²,
- gi) A fire exit walkway shall be permitted as shown on Schedule "E-¹⁵⁷⁶A"
- gii) Lands zoned OS1 shall be used in calculating lot area, gross floor area and yards for uses for adjacent zones
- hi) Section 4.1.4b) i) shall not apply

(c) Adding Schedules "E-¹⁵⁷⁶", "E-¹⁵⁷⁶A", "E-¹⁵⁷⁶B" - attached hereto as Schedules "1", "2", "3" and "4" respectively.

(d) Deleting Key Map 7B and substituting therefor the Key Map 7B attached hereto as Schedule "5".

2. Schedules "1", "2", "3", "4" and "5" shall be and hereby form part of this By-law

Mayor
BOARD ORDER # PL 100348/100349
November 28, 2013

City Clerk



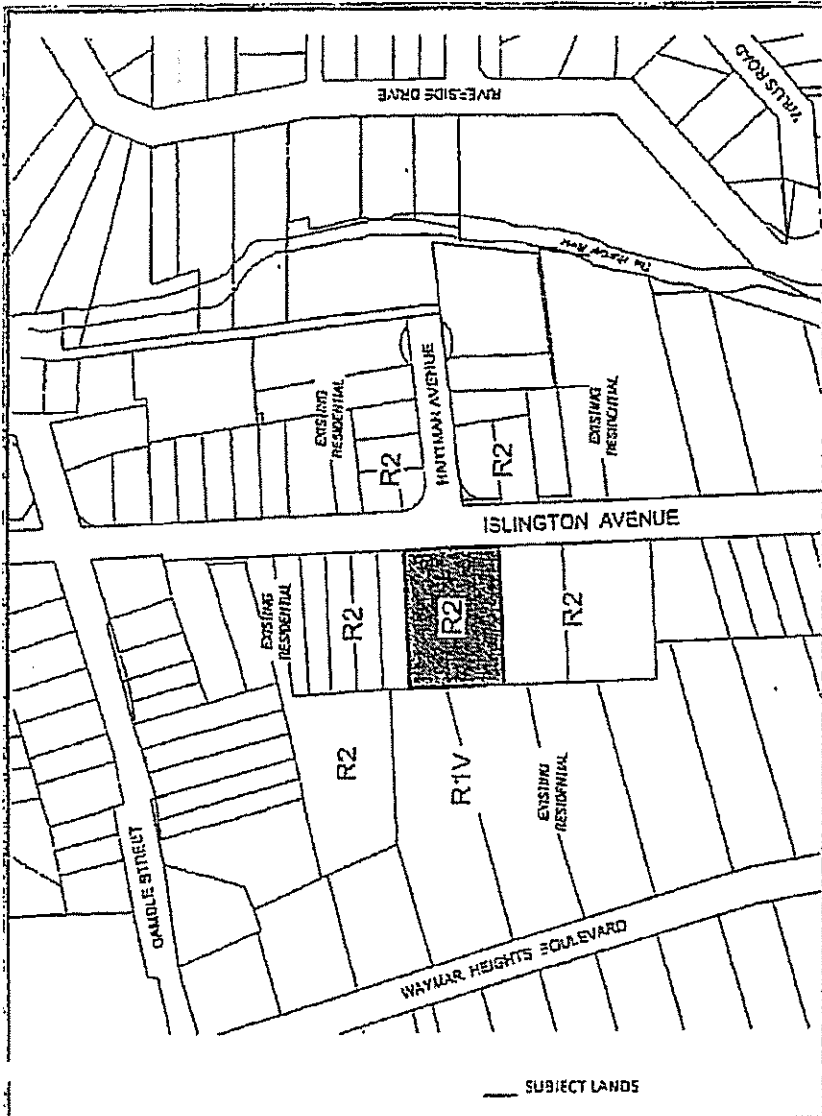
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SUMMARY TO BY-LAW -20117

The Subject Lands are located on the west side of Islington Avenue, directly across from Hartman Avenue, and area municipally known as 8294, 8298, and 8302 Islington Avenue, being Lots 2,3 and 4 of Registered Plan M-1107, in Part of Lot 9, Concession 7, City of Vaughan.

On February 7 2011 the Ontario Municipal Board considered and endorsed a settlement related to the Subject Lands in Case Nos. PL100348 and PL100349.

The purpose of this by-law is to rezone the Subject Lands from R2 Residential Zone to RA3 Apartment Residential Zone and OS1 Open Space Conservation Zone with site specific exceptions to facilitate the development of the subject lands with a building ranging from 3 storeys and/or 11 metres to 5 storeys and/or 17 metres residential condominium building with a maximum GFA of 6780 40m². The By-law provides the following exceptions to By-Law 1-86.

- i) provides definitions for "Gross Floor Area", "FSI", and "Lot"
- ii) provides minimum yard setbacks for buildings below grade as shown on the Schedule to the By-law;
- iii) permits a maximum building height as shown on the schedule to the By-law;
- iv) exempts access stairwells and mechanical penthouses from maximum building height;
- v) permits the number of parking spaces to be provided as follows
 - i) residential dwelling unit - 1 spaces/ unit
 - ii) visitor parking - .20 spaces/unit including 1 (one) handicapped unit
- vi) permits yard encroachments for balconies and patios as shown on the Schedule to the By-law,
- vii) provides minimum yard setbacks for above grade buildings as shown on the Schedule to the By-law;
- viii) requires no minimum lot area
- ix) permits a maximum gross floor area of 6780 40m²
- x) permits fire exit walkways in the OS1 Open Space Conservation Zone, and
- xi) permits lands zoned OS1 Open Space Conservation Zone to be used in



— SUBJECT LANDS

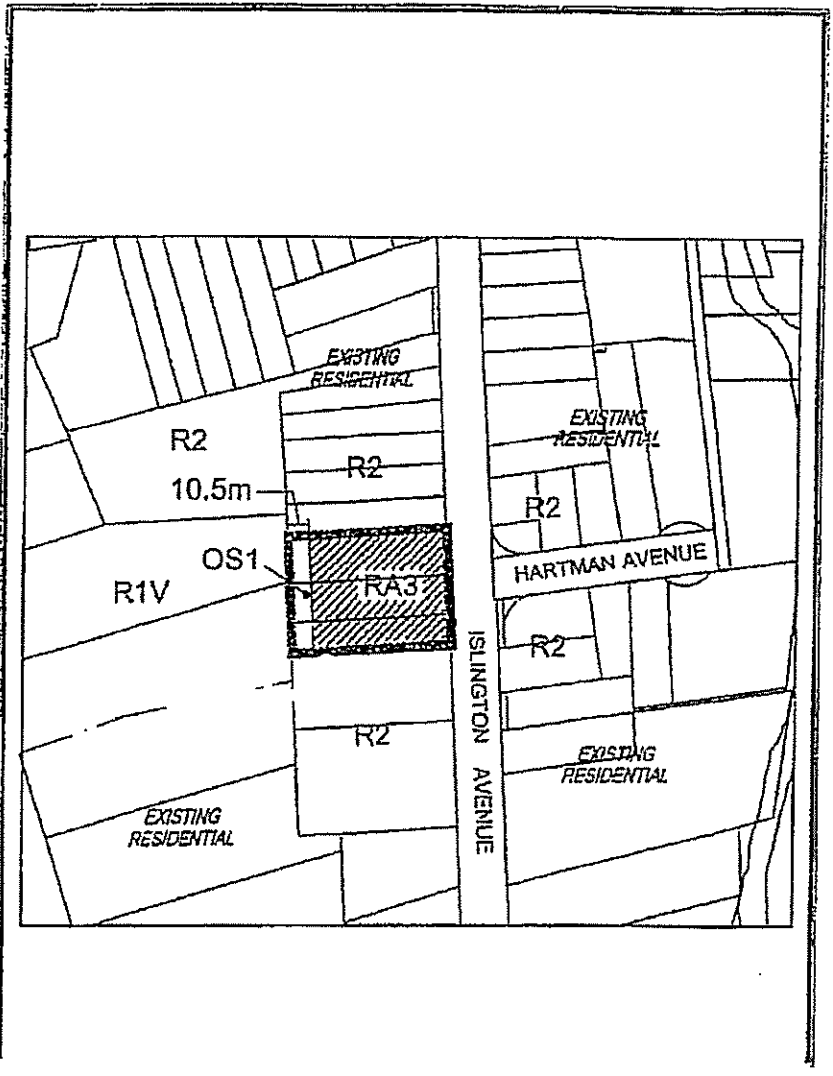
NOT TO SCALE

LOCATION MAP
 TO BY-LAW 018-2011
 PASSED THE 21ST DAY OF FEB, 2011

FILE NO. Z.08.048
 RELATED FILE NO. OP 08.013
 LOCATION: 8294, 8298, 8302 Islington Ave
 APPLICANT: 2174824 Ontario Inc.
 CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR
 BOARD ORDER # PL 100348/100349
 November 28, 2013 CLERK



NOT TO SCALE

THIS IS SCHEDULE '1'
 TO BY-LAW 018-2011
 PASSED THE 21ST DAY OF FEB, 2011

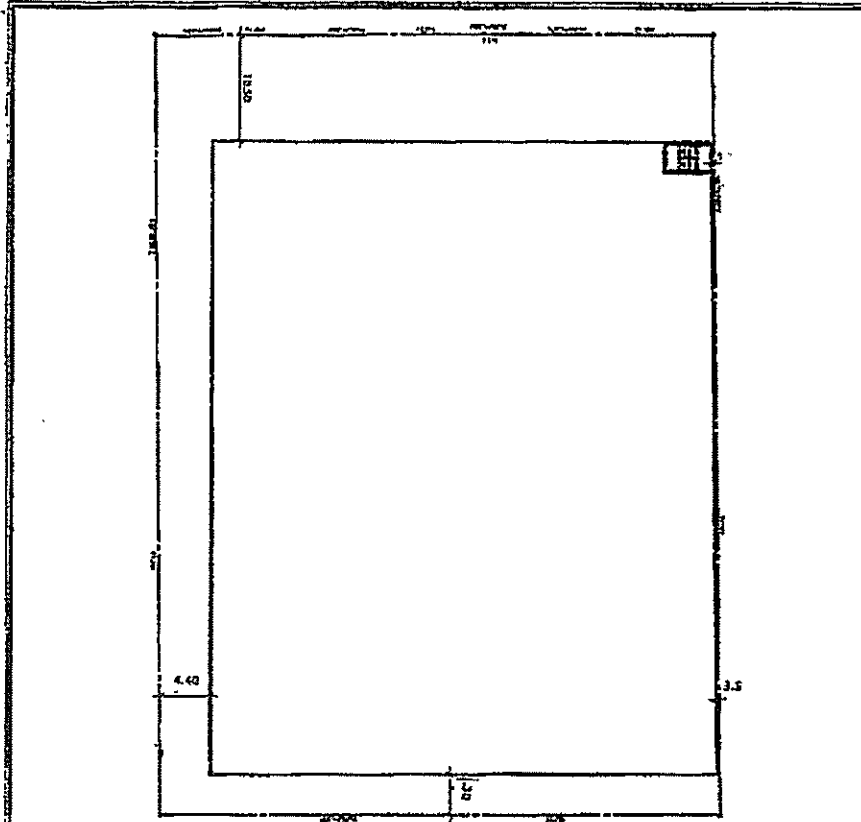
FILE NO. Z.08.048
 RELATED FILE NO. OP.08.013
 LOCATION 8294, 8298, 8302 Islington Ave
 APPLICANT: 2174824 Ontario Inc.
 CITY OF VAUGHAN

SIGNING OFFICERS

 MAYOR

 CLERK

BOARD ORDER # PL 100348/100349
 November 28, 2013



157.6
 THIS IS SCHEDULE 'E-XXXX'
 TO BY-LAW 1-88
 SECTION 3(XXXX) 1446

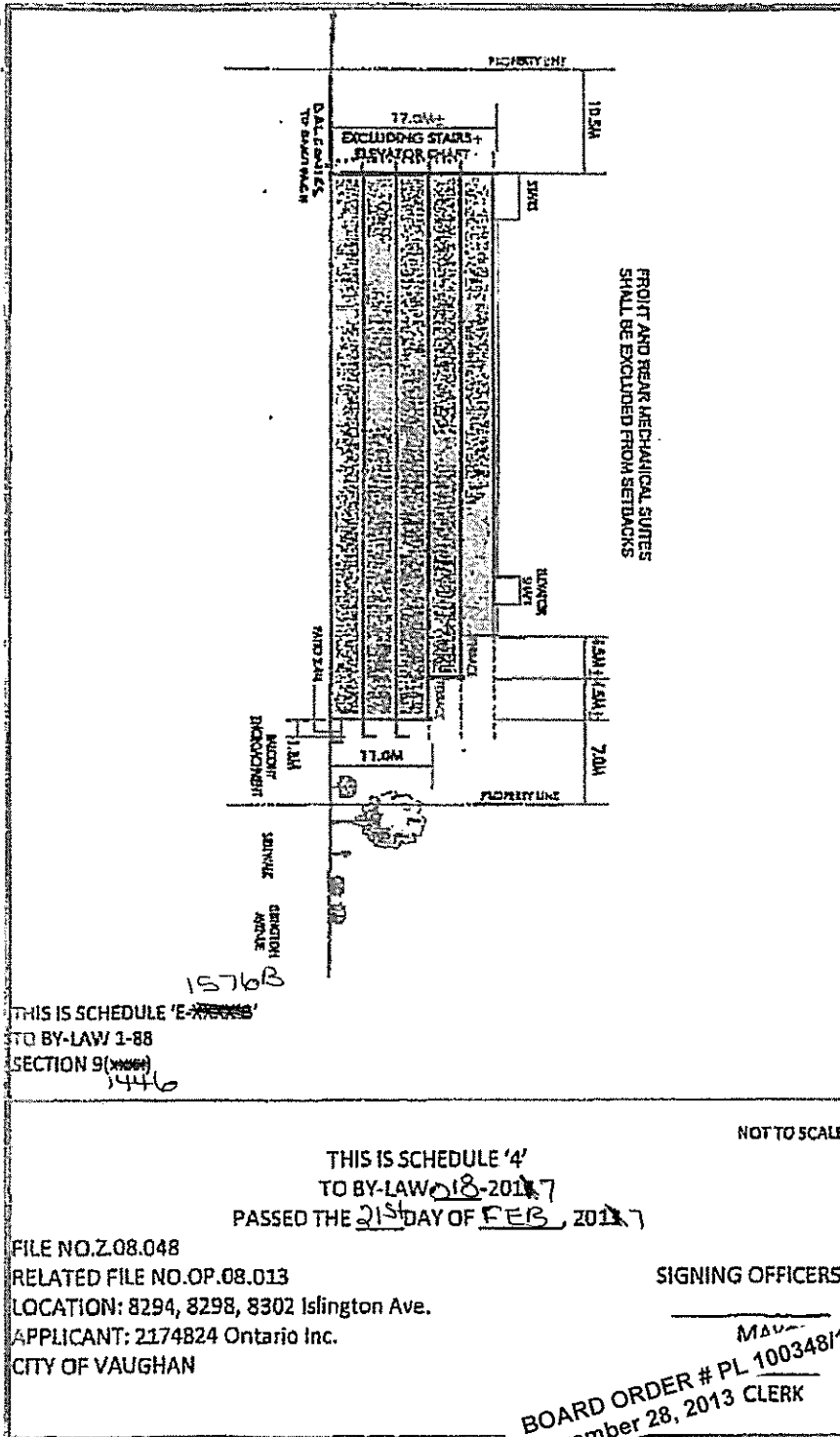
NOT TO SCALE

THIS IS SCHEDULE '2'
 TO BY-LAW 18-2011
 PASSED THE 21ST DAY OF FEB, 2011

FILE NO. Z.08.048
 RELATED FILE NO. OP.08.013
 LOCATION: 8294, 8298, 8302 Islington Ave.
 APPLICANT: 2174824 Ontario Inc.
 CITY OF VAUGHAN

SIGNING OFFICERS

 MAYOR
 BOARD ORDER # PL 100348/100349
 November 28, 2013 CLERK



1576B
 THIS IS SCHEDULE 'E-~~1000~~'
 TO BY-LAW 1-88
 SECTION 9(1000)
 1446

NOT TO SCALE

THIS IS SCHEDULE '4'
 TO BY-LAW 18-2017
 PASSED THE 21ST DAY OF FEB, 2017

FILE NO. Z.08.048
 RELATED FILE NO. OP.08.013
 LOCATION: 8294, 8298, 8302 Islington Ave.
 APPLICANT: 2174824 Ontario Inc.
 CITY OF VAUGHAN

SIGNING OFFICERS

MAJ
 BOARD ORDER # PL 100348/100349
 November 28, 2013 CLERK

RA3 & OS1 9()



THIS IS SCHEDULE 'E' ~~XXXX~~ 1576
TO BY-LAW 1-88
SECTION 9(~~XXXX~~)
1446

KEY MAP 79
BY-LAW 1-88

NOT TO SCALE

THIS IS SCHEDULE 'S'
TO BY-LAW 18-2011 7
PASSED THE 21ST DAY OF FEB, 2011 7

FILE NO. Z.08.048
RELATED FILE NO. OP.08.013
LOCATION: 8294, 8298, 8302 Islington Ave.
APPLICANT: 2174824 Ontario Inc.
CITY OF VAUGHAN

SIGNING OFFICERS:

MAYOR

BOARD ORDER # PL 100348/100349
November 28, 2013 CLERK