

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 092-2017

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

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 an 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 Schedule “1” and substituting therefor the Schedule “1” attached hereto.
 - b) Deleting Schedules “E-1044” and “E-1044A” and substituting therefor the Schedules “E-1044” and “E-1044A” attached hereto as Schedules “2” and “3”, respectively, thereby removing the Holding Symbol “(H)” on a portion of the lands shown as “Subject Lands” on Schedule “1”, and zoning the Subject Lands C10 Corporate District Zone, attached hereto as Schedule “4”.
 - c) Deleting Schedule “E-1445” and substituting therefor the Schedule “E-1575”, attached hereto as Schedule “4”.
 - d) Deleting Key Map 5B and substituting therefor the Key Map 5B attached hereto as Schedule “5”.
 - e) Deleting clause 1.c)a) of Exception Paragraph 9(1445) and substituting therefor with the following:
 - “a) Subsections 2.0 respecting the definition of Lot, Amenity Area, and Parking Space;”
 - f) Adding the following clauses after clause d) in Exception Paragraph 9(1445):
 - “e) Subsection 5.1.1 respecting Landscaping Area;
 - f) Subsection 5.1.4 respecting Uses Permitted, All Commercial Zones and Subsection 5.11 respecting Uses Permitted in the C10 Corporate District Zone;
 - g) Subsection 5.1.6 respecting Outdoor Patio;
 - h) Subsection 4.1.6 respecting Minimum Amenity Area;
 - i) Subsection 3.14 respecting Permitted Yard Encroachments and Restrictions;
 - j) Subsection 3.17 respecting Portions of Buildings Below Grade;”
 - g) Adding the following new clauses after ai) in Exception Paragraph 9(1445) as follows:
 - “aii) for the purposes of this by-law, the amenity area in Building Area 2 shall also

- include the Gross Floor Area (GFA) of the ground floor lounges;
- a) for the purposes of this by-law, the minimum dimension for a parking space in Building Area 2 shall be 2.7 m by 5.6 m;”
- h) Deleting clause bi) in Exception Paragraph 9(1445) and substituting therefore with the following:
- “bi) required vehicle parking shall be permitted to be provided off-site for Building Area 1;
- bii) access to Building Area 1 shall be permitted from the adjacent lands to the west;”
- i) Adding the following new clauses after clause bii) in Exception Paragraph 9(1445) as follows:
- “biii) access to Building Area 2 shall be permitted from the adjacent lands to the south and west;
- biv) the maximum width of an access driveway shall be 12 m on the Building Area 2 lands;
- bv) the minimum parking requirements for Building Area 2 shall be 0.5 parking spaces per dwelling unit and commercial parking, in association with a commercial parking lot use, may be used for visitor parking associated with a residential use;
- bvi) a minimum of 50 short-term bicycle parking spaces and 600 long-term bicycle parking spaces shall be provided on the Building Area 2 lands;”
- j) Deleting clause ci) in Exception Paragraph 9(1445) and substituting therefor with the following:
- “ci) a maximum of two (2) loading spaces shall be required and shall be required to be wholly enclosed in Building Area 1;”
- k) Deleting clauses di) and dii) in Exception Paragraph 9(1445) and substituting therefor with the following:
- “di) the maximum building height for Building Area 1 shall be 50 m or 9-storeys, exclusive of all rooftop mechanical equipment and parapets;
- dii) the maximum density for Building Area 1 shall be 13,803 m² GFA in addition to 10,000 m² dedicated to a major office use, which is exempted from density (GFA) calculation;”
- l) Adding the following new clauses after clause dii) in Exception Paragraph 9(1445):
- “diii) the maximum building height for Building Area 2 shall be 176 m (55-storeys), exclusive of all mechanical equipment and architectural features, of which 26-storeys and 4-storeys are attributed to the transfer of unused building height from “Donor Site 1” and “Donor Site 2”, respectively, as shown Schedule “1”;
- div) the maximum density for Building Area 2 shall be 94,006 m² GFA, of which 39,177 m² GFA and 5,891 m² GFA are attributed to the transfer of unused GFA from “Donor Site 1” and “Donor Site 2”, respectively, as shown on Schedule “1”;

- ei) the minimum landscape strip width for Building Area 2 shall be 1 m abutting Portage Parkway and 1.8 m abutting (future) Buttermill Avenue;
- fi) the following additional uses may be permitted within Building Area 2:
 - i) Apartment Dwelling;
 - ii) Street Townhouse Dwelling;
 - iii) Commercial Parking Lot;
- gi) for Building Area 2, provision e) of subsection 5.1.6 respecting Outdoor Patio shall not apply;
- hi) the minimum amenity area for Building Area 2 shall be 12.2 m² per dwelling unit;
- ii) for Building Area 2, the maximum yard encroachment for balcony projections along the front yard (Portage Parkway) and the rear yard (south property line) shall be 1.9 m; and
- ji) for Building Area 2, the minimum setback from Portage Parkway to the nearest part of the building below finished grade shall be 0 m.”
- m) Adding the following new clauses after clause div) in Exception Paragraph 9(959):
 - “dv) the maximum permitted density and building height (number of storeys) for “Area 1”, as shown on Schedule “E-1044” and Schedule “E-1044A”, shall be as follows:
 - Density: 3,288 m² GFA;
 - Building Height: 6-storeys, based on a minimum building floor plate size of 548 m². The maximum building height may be reduced based on a building floor plate size greater than 548 m². Should the GFA divided by the building floor plate result in a partial storey, the maximum building height will be rounded down;”

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

Enacted by City of Vaughan Council this 27th day of June, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

SUMMARY TO BY-LAW 092-2017

The lands subject to this By-law are located on the west side of Millway Avenue between Apple Mill Road and Portage Parkway, in Lot 6, Concession 5, City of Vaughan.

The purpose of this by-law is to remove the Holding Symbol "(H)" on a portion of the Subject Lands and facilitate a residential development consisting of two 55-storey residential apartment buildings, a 7-storey integrated parking structure (commercial parking lot use), and eleven street townhouse dwellings. A restaurant and ancillary outdoor patio is also permitted.

This By-law amends site-specific Exception 9(1445) by delineating two building areas and integrating language to clarify these areas, being "Building Area 1" (the approved mixed-use building under Zoning By-law Amendment File Z.16.003) and "Building Area 2" (the residential development under Zoning By-law Amendment File Z.17.005). It also incorporates the transfer of unused density and building height from two donor sites identified on Schedule "1" of this By-law, being "Donor Site 1" and "Donor Site 2".

This By-law recognizes the remaining maximum building height of 50 m or 9-storeys and density of 1.5 FSI or 13,803 m² GFA on "Donor Site 1", which is permitted in "Building Area 1" through site-specific Exception 9(1445). This By-law further recognizes the remaining maximum building height of 2-storeys and density of 3,288 m² on "Donor Site 2", which is subject to site-specific Exception 9(959).

To facilitate the residential development in "Building Area 2", the following site-specific zoning exceptions, which build on the existing site-specific Exception 9(1445) and adjusts existing site-specific Exception 9(959), are permitted:

- a) definitions for Amenity Area and Parking Space (size);
- b) permission to access the Subject Lands from the lands to the south and west;
- c) increased driveway widths;
- d) reduced parking standards;
- e) reduced bicycle parking standards;
- f) increased maximum building height, attributed to the unused building heights from "Donor Site 1" and "Donor Site 2";
- g) increased maximum density (GFA), attributed to the unused density from "Donor Site 1" and "Donor Site 2";
- h) recognized remaining building height and density on "Donor Site 1" and "Donor Site 2", subject to site-specific Exceptions 9(959) and 9(1445);
- i) reduced the landscaping strip width along Portage Parkway and (future) Buttermill Avenue;
- j) additional uses of Apartment Dwelling, Street Townhouse Dwelling, and Commercial Parking Lot;
- k) flexibility to the use of Outdoor Patios;
- l) reduced amenity area standards;
- m) encroachments of balconies projections; and
- n) reduced setback to Portage Parkway for portions of the building below finished grade.

This By-law also deletes and replaces Schedule "4" of original Exception 9(1445), which was inadvertently identified as "Schedule E-1445", whereas it should have been identified as "Schedule E-1575".