

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## BY-LAW NUMBER 077-2013

### **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 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) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from M2 General Industrial Zone and M3 Transportation Industrial Zone to RM2 Multiple Residential Zone, OS2 Open Space Park Zone and A Agricultural Zone in the manner shown on the said Schedule "1".
  - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1386) A. Notwithstanding the provisions of:

    - a) Subsection 2.0 respecting the Definition of a Lot;
    - b) Subsection 3.8 a), f) respecting Minimum Parking Requirement and Aisle Width;
    - c) Subsection 3.21 respecting Frontage on Public Street;
    - d) Subsection 4.1.4. b) and f) respecting Parking Areas for Multiple Family Dwellings and Dimensions of Driveways;
    - e) Subsection 4.1.6 b) respecting Minimum Amenity Area;
    - f) Subsection 4.1.8 and Schedule "A" respecting Residential Zone Requirements and the Minimum Zone Standards in the RM2 Multiple Residential Zone;
    - g) Subsections 4.1.7 and 4.9 respecting the Uses Permitted in the RM2 Multiple Residential Zone;
    - h) Subsection 4.1.1, respecting Accessory Buildings and Structures;
    - i) Subsection 7.1.1, 7.1.2 and 7.3 respecting the Uses Permitted in the OS2 Open Space Park Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1513":

- ai) for the purpose of zoning conformity in this Paragraph a "Lot" shall be defined as follows:

Lot - The subject lands shall be deemed to be one lot, with a

common element road, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control, consent, and any easements or restrictions;

- bi) a minimum of 118 parking spaces shall be permitted as follows:
    - 106 residential spaces and 12 visitor parking spaces.
  - ci) buildings or structures may front onto a private road;
  - di) a strip of land not less than 2.0 m in width around the periphery of an outdoor parking area and within the lot on which the said parking area is situated shall be used for no other purpose than landscaping, but shall not be screened by a landscape earthen berm or an evergreen hedgerow from the street or adjacent premises, but this shall not prevent the provision of access driveways across the said strip;
  - dii) a 4.5 m wide road (one-way) for the portion of the road (approximately 98 m) along the western lot line (except at the westerly access location);
  - ei) the minimum amenity area shall be 52 m<sup>2</sup> per unit;
  - fi) the minimum lot area shall be 104 m<sup>2</sup> per unit;
  - fii) the minimum setback from a garage to the front lot line shall be 6.0m;
  - fiii) the minimum front yard to the dwelling (Porter Avenue West) shall be 4.5 m and 3.0 m to the porch/stairs (Porter Avenue);
  - gi) a maximum of 53 Freehold Multiple Family Dwelling units with a maximum building height of 3-storeys (11.5m) served by a private (Common Element Condominium) road shall be permitted;
  - hi) for the purpose of freehold townhouse units the rear yard shall be based on the individual freehold lot;
  - ii) the following uses shall be permitted on the lands zoned OS2 Open Space Park Zone as shown on Schedule "1"
    - Public Square;
    - Open Space/Parkette including play ground equipment
    - Public Trail;
    - Maintained Buffer Berm.
- c) Adding Schedule "E-1513" attached hereto as Schedule "1".
- d) Deleting Key Map 8B and substituting therefor the Key Map 8B attached hereto as Schedule "2".

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

Enacted by City of Vaughan Council this 25<sup>th</sup> day of June, 2013.

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk

Authorized by Item No.14 of Report No.19  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
April 23, 2013

### **SUMMARY TO BY-LAW 077-2013**

The lands subject to this By-law are located on the west side of Kipling Avenue and south of the Canadian Pacific Railway line, opposite of Porter Avenue East, known municipally as 8100 Kipling Avenue, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from M2 General Industrial Zone and M3 Transportation Industrial Zone to RM2 Multiple Residential Zone, OS2 Open Space Park Zone and A Agricultural Zone to permit 53 freehold townhouse units, including a public square, a pedestrian trail and a buffer berm.

The By-law provides the following site-specific zoning exceptions:

- i) minimum amenity area reduced to 52 m<sup>2</sup>/unit;
- ii) the minimum lot area shall 104 m<sup>2</sup>/unit;
- iii) a strip of land not less than 2.0 m shall be provided around the periphery of a parking area;
- iv) minimum setback to a garage shall be 6.0 m
- v) permit a one way road at the western lot line, and
- vi) definition for a lot.