

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 082-2013**

**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 R3 Residential Zone to RM2 Multiple Residential Zone and R4 Residential Zone and R3 Residential Zone, in the manner shown on the said Schedule “1”.
  - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1388) A. Notwithstanding the provisions of:

    - a) Subsection 2.0 respecting the Definition of a “Lot”;
    - b) Subsection 3.8 a) respecting Parking Requirements;
    - c) Subsection 3.21 respecting Frontage on a Public Street;
    - d) Subsection 4.1.4. (b) i), ii) and f) respecting Parking Areas for Multiple Family Dwellings and Dimension 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, R3 Residential Zone and R4 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;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1515”:

    - ai) for the purpose of zoning compliance 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) the following parking requirements shall apply to the subject lands:
  - i) a minimum of 128 parking spaces shall be permitted, calculated as follows: 114 residential spaces and 14 visitor parking spaces with dimensions of 2.7 x 5.8 m for the lands zone RM2 Multiple Residential Zone;
  - ii) Parking provided at a rate of 2.0 space per unit for lands zoned R3 Residential Zone;
  - iii) Parking provided at a rate of 2.0 spaces per unit for lands zoned R4 Residential Zone;
- ci) buildings or structures may front onto a private road;
- di) for lands zoned RM2 a strip of land not less than 1.2 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) the maximum width for the private common element driveway at the street curb shall be 7.0m;
- ei) the minimum amenity area shall be 52 m<sup>2</sup> per unit;
- fi) the minimum lot area shall be provided as follows:
  - RM2 Multiple Residential Zone - 110 m<sup>2</sup> per unit;
  - R3 Residential Zone - 325 m<sup>2</sup> per lot;
  - R4 Residential Zone - 250 m<sup>2</sup> per lot;
- fii) the minimum yard requirements for lands zoned RM2 Multiple Residential Zone shall be as follows:
  - Front Yard (Detached unit) - 0.58 m to porch (excluding Kipling Avenue road widening);
  - 2.0 m to dwelling (excluding Kipling Avenue road widening);
  - 1.0 m to sight triangle;

- Front Yard (townhouse units) - 4.0 m from townhouse and 2.5 m to covered porch and stairs to private road;
- 6.0 m from garage to private road;
- Rear Yard – Block 1 shall be 1.45 m;
- Interior Side Yard – Blocks 2, 3 and 7 (east lot line) shall be 1.25 m;
- fiii) the minimum yard requirements for the lands zoned R3 Residential Zone shall be as follows:
- Front Yard - 0 m to steps/porch and 2.0 m to existing dwellings (8238, 8228 and 8248 Kipling Avenue) excluding road widening;
  - Exterior Side Yard - 8248 Kipling Avenue - 1.0 m;
    - 8238 Kipling Avenue - 2.0 m;
    - 8228 Kipling Avenue - 2.0 m (dwelling) .059 m to (porch) and 0.0 m (stairs);
  - Rear Yard - 4.5 m - 8228 Kipling Avenue
    - 4.5 m – 8248 Kipling Avenue;
    - 0 m to deck – 8248 Kipling Avenue;
    - 1 m to deck/patio – 8238 Kipling Ave;
  - Rear Yard Garage - 0.5 m (8238 Kipling Avenue and 8228 Kipling Avenue);
  - Minimum Distance between a Detached Garage in the Rear Yard and the Nearest Wall of the Dwelling:
    - 4.5 m (8238 Kipling Avenue);
    - 1.0 m (8228 Kipling Avenue);
  - Interior Side Yard to Garage - 0.0 m for garages (8238 and 8228 Kipling Avenue);
- fiv) the minimum yard requirements for the lands zoned R4 Residential Zone shall be as follows:
- Rear Yard - 5.0 m (dwelling) and 0.35 m to garage;
  - Minimum Distance Between a Detached Garage in the Rear Yard and Nearest Wall of the Dwelling - 1.1 m;
  - Interior Side Yard (Garage) - 0.0 m;
  - Front Yard Setback - 1.5 m to porch and 3 m to dwelling, (excluding road widening);
- fv) the maximum building height in the RM2 Multiple Residential Zone shall be 3-storeys or 11 m;

- gi) a maximum of 56, 3-storey freehold street townhouse dwelling units and 1 detached dwelling unit served by a Private (Common Element) Condominium Road shall be permitted;
- hi) for the purpose of the freehold street townhouse units, the rear yard shall be based on the individual freehold lot.”
- c) Adding Schedule “E-1515” 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

### **SUMMARY TO BY-LAW 082-2013**

The Subject Lands are located on the west side of Kipling Avenue, south of Gordon Drive, and east of the Canadian Pacific Railway line being Part of Lot 9, Concession 8, known municipally as 8222, 8228, 8234, 8238, 8246 and 8248 Kipling Avenue, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone and R4 Residential Zone and R3 Residential Zone to permit 56 townhouse units, 1 detached unit, 1 semi-detached unit and the preservation of 1 heritage dwelling and 2 contributing heritage buildings.

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

- a minimum of 128 parking spaces shall be permitted, calculated as follows: 114 residential spaces and 14 visitor parking spaces with dimensions of 2.7 x 5.8 m for the lands zone RM2 Multiple Residential Zone;
- Parking provided at a rate of 2.0 space per unit for lands zoned R3 Residential Zone;
- Parking provided at a rate of 2.0 spaces per unit for lands zoned R4 Residential Zone;
- buildings or structures may front onto a private road;
- for lands zoned RM2 a strip of land not less than 1.2 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;
- the maximum width for the private common element driveway at the street curb shall be 7.0m;
- the minimum amenity area shall be 52 m<sup>2</sup> per unit;
- the minimum lot area shall be provided as follows:
  - i) RM2 Multiple Residential Zone - 110 m<sup>2</sup> per unit;
  - ii) R3 Residential Zone - 325 m<sup>2</sup> per lot;
  - iii) R4 Residential Zone - 250 m<sup>2</sup> per lot;
- the minimum yard requirements for lands zoned RM2 Multiple Residential Zone shall be as follows:
  - i) Front Yard Detached unit - 0.58 m to porch (excluding Kipling Avenue road widening);
    - 2.0 m to dwelling (excluding Kipling Avenue road widening);
    - 1.0 m to sight triangle;
  - ii) Front Yard (townhouse units) - 4.0 m from townhouse to private road;
    - 6.0 m from garage to private road;
- Rear Yard – Block 1 shall be 1.45 m;
- Interior Side Yard – Blocks 2, 3 and 7 (east lot line) shall be 1.25 m.
- the minimum yard requirements for the lands zoned R3 Residential Zone shall be as follows:
  - i) Front Yard - 0 m to steps/porch and 2.0 m to existing dwellings (8238, 8228 and 8248 Kipling Avenue) excluding road widening;
  - ii) Exterior Side Yard - 8248 Kipling Avenue - 1.0 m;
    - 8238 Kipling Avenue - 2.0 m;
    - 8228 Kipling Avenue - 2.0 m;
  - iii) Rear Yard - 4.5 m - 8228 Kipling Avenue
    - 4.5 m – 8248 Kipling Avenue;
    - 0 m to deck – 8248 Kipling Avenue;
    - 1 m to deck/patio – 8238 Kipling Ave;
- Rear Yard Garage - 0.5 m (8238 Kipling Avenue and 8228 Kipling Avenue);
- Minimum Distance between a Detached Garage in the Rear Yard and the Nearest Wall of the Dwelling:
  - 4.5 m (8238 Kipling Avenue);
  - 1.0 m (8228 Kipling Avenue);
- Interior Side Yard to Garage - 0.0 m for garages (8238 and 8228 Kipling Avenue);
- the minimum yard requirements for the lands zoned R4 Residential Zone shall be as follows:
  - Rear Yard - 5.0 m (dwelling) and 0.35 m space to garage;
- Minimum Distance between a Detached Garage in the Rear Yard and Nearest Wall of the Dwelling - 1.1 m;
- Interior Side Yard (Garage) - 0.0 m;
- Front Yard Setback - 1.5 m to porch and 3 m to dwelling, (excluding road widening);
- the maximum building height in the RM2 Multiple Residential Zone shall be 3-storeys or 11 m;
- a maximum of 56, 3-storey freehold townhouse dwelling units and 1 detached dwelling unit served by a Private (Common Element) Condominium Road shall be permitted;
- for the purpose of the freehold townhouse units, the rear yard shall be based on the individual freehold lot.