

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 089-2013

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 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) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from A Agricultural Zone and OS1 Open Space Conservation Zone, to R5(H) Residential Zone with the addition of the Holding Symbol “H”, A Agricultural Zone, OS1 Open Space Conservation Zone, and OS2 Open Space Park Zone in the manner shown on the said Schedule “1”.
 - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1390) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-*1517”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(3) or (4) of the Planning Act:

 - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of the enactment of By-law 089-2013, or the production of field crops.”

B. Notwithstanding the provisions of:

 - a) Subsection 4.0 and Schedule “A” respecting the Minimum Zone Requirements;
 - b) Subsection 4.0 and Schedule “A” respecting Maximum Lot Coverage;
 - c) Subsection 3.14(c) respecting a covered porch encroachment into a required front yard;
 - d) Subsection 4.1.1 j) respecting the Maximum Height of Retaining Wall on a property line between two residential lots;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-*1517”:

 - ai) the Minimum Rear Yard Setback for Lots 1, 2, 4, and 19-27 shall be 6.0 m;
 - aii) structures, including pools, are prohibited within 3.0 m of the rear

lot line for Lots 1-5 and 19-29 (inclusive). This clause shall not prevent boundary fencing and retaining walls;

a) structures, including pools, are prohibited within 2.5 m of the rear lot line for Lots 14-18 inclusive. This clause shall not prevent boundary fencing and retaining walls;

b) the Minimum Exterior Side Yard Setback for Lot 10 shall be 2.8 m (to dwelling) and 1.7 m (porch to a daylight triangle);

c) the minimum setback from the railway to a dwelling shall be 30 m;

d) the Maximum Lot Coverage shall be 53%;

e) a covered porch encroachment into a required front yard of 1 m shall be permitted;

f) the Maximum Height of retaining walls on a property between two residential lots shall be 2.4 m (along the rear lot lines) for Lots 19-29 (inclusive), with no minimum setback requirement.”

g) Adding Schedule “E-*1517” attached hereto as Schedule “1”.

h) Deleting Key Map 8C and substituting therefor the Key Map 8C 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 25th day of June, 2013.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

SUMMARY TO BY-LAW 089-2013

The lands subject to this By-law are located south of Campania Court, on the north side of Langstaff Road, west of the Canadian Pacific Rail line, in Part of Lot 11, Concession 8, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to R5(H) Residential Zone with the addition of the Holding Symbol "H", A Agricultural Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone. The implementing By-law also includes exceptions to the minimum rear yard, side yard, and lot area requirements of By-law 1-88 for certain lots to facilitate a draft approved plan of subdivision (File 19T-12V003). The By-law also provides a minimum dwelling setback of minimum of 30 m from a railway right-of-way and restricts the placement of structures within rear yards of certain lots.

The Holding Symbol "(H)" shall be removed from the subject lands zoned R5(H) Residential Zone upon:

- i) Vaughan being in receipt of confirmation of the Ministry of Environment's Acknowledgement/Registration of the Record of Site Condition; or,
- ii) confirmation from the financial institution that is financing the development of the Draft Plan of Subdivision (19T-12V003) that funding would not be provided if receipt of confirmation of the Ministry of Environment's Acknowledgement/Registration of the Record of Site Condition is a condition of the Holding Symbol "(H)"; and, the applicant entering into an Agreement with the City, if required, to satisfy any additional conditions with respect to the remediation of the lands subject to this By-law to the satisfaction of the City. This will be subject to further discussions with the applicant, if needed.

In addition to the above, the Holding Symbol "(H)" shall be removed from the subject lands zoned R5(H) Residential Zone, and identified as Lots 14-18 upon:

- i) the City of Vaughan being satisfied with the protection of the abutting woodlot, the grading of these lots, the height of retaining walls, noise attenuation, and, the interface with the abutting public park.