

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 105-2013**

**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 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 A Agricultural Zone, OS1 Open Space Conservation Zone and OS3 Open Space Commercial Zone to R1 Residential 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”:

“(1393) Notwithstanding the provisions of:

    - a) Subsection 2.0 respecting the Definitions, Subsection 7.1.1 respecting the Open Space Zone Requirements, Subsection 7.1.2 respecting the Uses Permitted, and Schedule “A” respecting the Zone Requirements in the OS1 Open Space Conservation Zone;
    - b) Subsection 3.13 respecting the Minimum Landscaped Area, Subsection 7.1.1 respecting the Open Space Zone Requirements, Subsections 7.1.2 and 7.3 respecting the Uses Permitted, and Schedule “A” respecting the Zone Requirements in the OS2 Open Space Park Zone;
    - c) Subsection 3.16 b) respecting the Accessory Uses, Buildings and Structures, Subsection 4.1.1 c) respecting the Accessory Buildings and Structures, Subsection 4.1.8 respecting the Residential Zone Requirements, and Schedule “A” respecting the Zone Requirements in the R1 Residential Zone for the existing Detached Dwelling Unit, and Accessory Buildings and Structures;
    - d) Subsection 4.1.7 respecting the Uses Permitted in all Residential Zones, and Subsection 4.3 respecting the Uses Permitted in the R1 Residential Zone;
    - e) Subsection 4.1.8 respecting the Residential Zone Requirements, and Schedule “A” respecting the Zone Requirements in the R1 Residential Zone;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1520”:

- ai) The permitted uses and zone requirements shall be as follows for the ecological buffers within Blocks 44 “A” and 44 “B”:
  - 1) The ecological buffers shall be in temporary private ownership, to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA, and where filling, grading and/or tree removal, with the exception of dead or diseased hazard trees, shall not be permitted, without the prior written consent of the TRCA, and where landscaping shall remain in a natural state;
  - 2) There shall be no buildings and/or structures or swimming pools, at-grade, below-grade and/or above-grade within the ecological buffers, however, the provisions in Subsection 7.2.1 shall still apply;
  - 3) The ecological buffers shall be a minimum width of 5 m;
- a ii) The permitted uses and zone requirements shall be as follows for Block 45:
  - 1) Block 45 shall be in temporary private ownership, to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA, and where filling, grading and/or tree removal, with the exception of dead or diseased hazard trees, shall not be permitted, without the prior written consent of the TRCA, and where landscaping shall remain in a natural state;
  - 2) There shall be no buildings and/or structures or swimming pools, at-grade, below-grade and/or above-grade within the Block, except for the uses permitted in clauses 3), 4), 5), 7) and 8) below, however, the provisions in Subsection 7.2.1 shall still apply;
  - 3) The installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail and accessory uses (i.e., private functions/events, teaching) may be permitted;
  - 4) Grassed trails, which are to remain informal and are not to be upgraded or formalized through the placement of fill, gravel, paving or other similar material, other than a trail or path which may be maintained as part of the Sculpture Trail, to the satisfaction of the TRCA, are permitted;
  - 5) The maintenance of one (1) existing Artist’s Studio for artistic purposes, that cannot be enlarged, upgraded, replaced with a large

more intensive structure, serviced with water, electricity or sanitary septic systems or used for any purpose other than artistic endeavours, without the prior written consent of the TRCA, is permitted;

- 6) The upkeep and maintenance of up to four (4) horses on a seasonal basis between the months of April to November, is permitted;
- 7) The maintenance of one (1) In-run Shed, to be used on a seasonal basis between the months of April to November, may be permitted;
- 8) The installation and maintenance of a Fenced horse paddock area is permitted;
- 9) For the purposes of this By-law, the following definitions shall apply for the uses permitted within Block 45:
  - i) Artist's Studio: is defined as the existing unserviced structure, approximately 6 m x 5 m (30 m<sup>2</sup>) in size and located within Block 45 in the Humber River valley. It is utilized by the Owner/Applicant for personal artistic inspiration and endeavours;
  - ii) In-run Shed: is defined as a structure having walls on three (3) sides and the fourth side being open with a roof, constructed of wood or other material and no larger than 13.7 m x 9.1 m and used on a seasonal basis (from the months of April to November);
  - iii) Fence/Fenced: is defined as a post and rail or page wire barrier to enclose a field, made of wood or other material that effectively confines the horses to the said enclosed area;
- bi) The minimum width of the landscape buffer for Block 43, abutting Regional Road 27, shall be 24 m, and may include an acoustical buffer and/or berm;
- ci) The zone requirements in a R1 Residential Zone shall be as follows for the combined Lots 17 to 20 inclusive, where the existing detached dwelling unit, 77 m<sup>2</sup> accessory building (carport) and 23 m<sup>2</sup> structure (deck) are maintained:
  - 1) The minimum lot frontage (South Lot Line) shall be 36 m;
  - 2) The minimum lot area shall be 3,024 m<sup>2</sup>;
  - 3) The minimum front yard (South Lot Line) shall be 3 m;
  - 4) The minimum interior side yard (West Lot Line) shall be 7.5 m for the detached dwelling unit, 4.8 m for the accessory building

(carport) and 0.9 m for the (structure) deck;

- 5) The minimum exterior yard (East Lot Line) shall be 21 m;
- 6) The minimum exterior yard (North Lot Line) shall be 9 m;
- 7) The maximum lot coverage shall not exceed 19%;
- 8) The maximum building height shall not exceed 14 m for the detached dwelling unit;

When the existing detached dwelling unit ceases to exist on the lands within the combined Lots 17 to 20 inclusive, the accessory building (carport) and structure (deck) shall also be demolished and removed and the R1 Residential Zone uses and standards for Lots 17 to 20 inclusive, in this By-law shall apply;

- cii) The zone requirements in a R1 Residential Zone shall be as follows for the combined Lots 19 and 20, where the existing detached dwelling unit is maintained on Lots 19 and 20 instead of on Lots 17 to 20 inclusive:

- 1) The minimum lot frontage (South Lot Line) shall be 36 m;
- 2) The minimum lot area shall be 1,850 m<sup>2</sup>;
- 3) The minimum front yard (South Lot Line) shall be 3 m;
- 4) The minimum interior side yard (West Lot Line) shall be 7.5 m for the detached dwelling unit;
- 5) The minimum exterior yard (East Lot Line) shall be 21 m;
- 6) The minimum rear yard (North Lot Line) shall be 7.5 m;
- 7) The maximum lot coverage shall not exceed 35%;
- 8) The maximum building height shall not exceed 14 m for the detached dwelling unit;

When the existing detached dwelling unit and any accessory building and/or structure ceases to exist on the combined Lots 19 and 20, the R1 Residential Zone uses and standards for Lots 19 and 20, in this By-law shall apply;

- di) In addition to the uses permitted in the R1 Residential Zone, the following additional uses are also permitted on the following Lots for the Plans of Subdivisions (Plan of Subdivision File 19T-03V02 (Registered Plan 65M-4371), Plan of Subdivision File 19T-08V04 (Registered Plan 65M-4377), Plan of Subdivision File 19T-08V05 (Registered Plan 65M-4370) and Plan of Subdivision File 19T-08V06) within the Humber North Extension Area on the west side of Regional Road 27, for:

- 1) A temporary parking area is permitted on Lot 16 for the Model Homes Sales Centre;

- 2) Model homes are permitted on Lots 33, 34, 36 and 37 for the Model Homes Sales Centre;
  - 3) A temporary driveway access from Regional Road 27, subject to approval of York Region, is permitted on Lot 35 for the Model Homes Sales Centre;
- dii) The only permitted uses and zone requirements shall be as follows for Block 41, as shown on Schedule "E-1520A":
- 1) Detached dwelling units, not to exceed a maximum of four (4) units;
  - 2) Artist's studio and accessory uses (i.e., private functions/events, teaching);
  - 3) There shall be no development or uses or any pool, deck or any other building or structure, at-grade, below-grade and/or, above-grade within the Restrictive Covenant, as shown on Schedule "E-A";
  - 4) All development shall require Site Development Approval;
- ei) The zone requirements in a R1 Residential Zone shall be as follows for Lots 1 to 8 inclusive:
- 1) The minimum lot area shall be 774 m<sup>2</sup>;
  - 2) The minimum interior yard shall be 1.2 m;
  - 3) The minimum lot depth shall be 42.5 m;
- eii) The zone requirements in a R1 Residential Zone shall be as follows for Lots 9 to 16 inclusive:
- 1) The minimum lot area shall be 684 m<sup>2</sup>;
  - 2) The minimum interior yard shall be 1.2 m;
  - 3) The minimum lot depth shall be 38 m;
- eiii) The zone requirements in a R1 Residential Zone shall be as follows for Lots 17 to 20 inclusive:
- 1) The minimum lot area shall be 756 m<sup>2</sup>;
  - 2) The minimum interior yard shall be 1.2 m;
  - 3) The minimum lot depth shall be 42 m, except for Lot 20 where the south lot line may have a minimum lot depth of 36 m;
- eiv) The zone requirements in a R1 Residential Zone shall be as follows for Lots 21, 22 and 28:
- 1) The minimum lot area shall be 720 m<sup>2</sup>;
  - 2) The minimum interior yard shall be 1.2 m;
  - 3) The minimum lot depth shall be 40 m;
- ev) The zone requirements in a R1 Residential Zone shall be as follows for Lots 23 to 27 inclusive:

- 1) The minimum lot area shall be 756 m<sup>2</sup>;
  - 2) The minimum interior yard shall be 1.2 m;
  - 3) The minimum lot depth shall be 41.5 m;
- evi) The zone requirements in a R1 Residential Zone shall be as follows for Lots 29 to 32 inclusive:
- 1) The minimum lot area shall be 702 m<sup>2</sup>;
  - 2) The minimum interior yard shall be 1.2 m;
  - 3) The minimum lot depth shall be 39 m;
- evii) The zone requirements in a R1 Residential Zone shall be as follows for Lots 33 to 40 inclusive:
- 1) The minimum lot area shall be 648 m<sup>2</sup>;
  - 2) The minimum interior yard shall be 1.2 m;
  - 3) The minimum lot depth shall be 36 m;
- eviii) The zone requirements in a R1 Residential Zone shall be as follows for Block 41:
- 1) The minimum lot area shall be 6,690 m<sup>2</sup>;
  - 2) The minimum lot frontage shall be 27.5 m;
  - 3) The maximum building height shall not exceed 9.5 m;
  - 4) The development of the Block shall only be within the Building Envelopes as shown on Schedule "E-1520A".
- c) Adding Schedule "E-1520" attached hereto as Schedule "1".
- d) Adding Schedule "E-1520A" attached hereto as Schedule "2".
- e) Deleting Key Map 9F and substituting therefor the Key Map 9F attached hereto as Schedule "3".

2. Schedules "1", "2" and "3" 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 105-2013**

The lands subject to this By-law are located on the west side of Regional Road 27, south of Kirby Road, being Part of Lot 29, Concession 9, City of Vaughan. The subject lands have an area of 33.23 ha, with a frontage of 168 m along Regional Road 27.

The purpose of this By-law is to rezone the lands subject to this By-law from A Agricultural Zone, OS1 Open Space Conservation Zone and OS3 Open Space Commercial Zone to R1 Residential Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone. The subject lands are to facilitate lots for 40 detached dwelling units, 1 block for up to a maximum of 4 detached dwelling units, the temporary private ownership of the ecological buffers and valleylands for artistic purposes, and open space (park/landscape buffers), as well as maintain the existing valleylands in Plan of Subdivision 19T-08V06.

The By-law also includes the following zoning exceptions to facilitate the proposed Plan of Subdivision:

- 1) permit the uses and zone requirements in Blocks 44 "A" and 44 "B" as follows:
  - i) the ecological buffers may be in temporary private ownership, which shall be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA, and where filling, grading and/or tree removal, with the exception of dead or diseased hazard trees, shall not be permitted, without the prior written consent of the TRCA, and where landscaping shall remain in a natural state;
  - ii) no buildings and/or structures or swimming pools, at-grade, below-grade and/or above-grade within the ecological buffers, however, the provisions in Subsection 7.2.1 shall still apply;
  - iii) the ecological buffers shall be a minimum width of 5 m;
- 2) permit the uses and zone requirements in Block 45 as follows:
  - i) the Block may be in temporary private ownership, which shall be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA, and where filling, grading and/or tree removal, with the exception of dead or diseased hazard trees, shall not be permitted, without the prior written consent of the TRCA, and where landscaping shall remain in a natural state;
  - ii) no buildings and/or structures or swimming pools, at-grade, below-grade and/or above-grade within the Block, except for the uses permitted in clauses 3), 4), 5), 7) and 8) below, however, the provisions in Subsection 7.2.1 shall still apply;
  - iii) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail and accessory uses (i.e., private functions/events, teaching) may be permitted;
  - iv) grassed trails, which are to remain informal and are not to be upgraded or formalized through the placement of fill, gravel, paving or other similar material, other than a trail or path which may be maintained as part of the Sculpture Trail, to the satisfaction of the TRCA, may be permitted;
  - v) the maintenance of one (1) existing Artist's Studio for artistic purposes, that cannot be enlarged, upgraded, replaced with a large more intensive structure, serviced with water, electricity or sanitary septic systems or used for any purpose other than artistic endeavours, without the prior written consent of the TRCA, may be permitted;
  - vi) the upkeep and maintenance of up to four (4) horses on a seasonal basis between the months of April to November, may be permitted;
  - vii) the maintenance of one (1) In-run Shed, to be used on a seasonal basis between the months of April to November, may be permitted;
  - viii) the installation and maintenance of a Fenced horse paddock area may be permitted;
  - ix) for the purposes of this By-law, the following definitions shall apply for the uses permitted within Block 45:
    - a) Artist's Studio: is defined as the existing unserviced structure, approximately 6 m x 5 m (30 m<sup>2</sup>) in size and located within Block 45 in the Humber River valley. It is utilized by the Owner/Applicant for personal artistic inspiration and endeavours;
    - b) In-run Shed: is defined as structure having walls on three (3) sides and the fourth side being open with a roof, constructed of wood or other material and no larger than 13.7 m x 9.1 m and used on a seasonal basis (from the months of April to November);
    - c) Fence/Fenced: is defined as a post and rail or page wire barrier to enclose a field, made of wood or other material that effectively confines the horses to the said enclosed area;
- 3) require that the minimum width of the landscape buffer for Block 43, abutting Regional Road 27, shall be 24 m, and may include an acoustical buffer and/or berm;
- 4) require that the zone requirements in a R1 Residential Zone shall be as follows for the combined Lots 17 to 20 inclusive, where the existing detached dwelling unit, 77 m<sup>2</sup> accessory building (carport) and 23 m<sup>2</sup> structure (deck) are maintained:
  - i) the minimum lot frontage (South Lot Line) shall be 36 m;
  - ii) the minimum lot area shall be 3,024 m<sup>2</sup>;
  - iii) the minimum front yard (South Lot Line) shall be 3 m;
  - iv) the minimum interior side yard (West Lot Line) shall be 7.5 m for the detached dwelling unit, 4.8 m for the accessory building (carport) and 0.9 m for the (structure) deck;
  - v) the minimum exterior yard (East Lot Line) shall be 21 m;
  - vi) the minimum exterior yard (North Lot Line) shall be 9 m;

- vii) the maximum lot coverage shall not exceed 19%;
- viii) the maximum building height shall not exceed 14 m for the detached dwelling unit;
- 5) require that when the existing detached dwelling unit ceases to exist on the lands within the combined Lots 17 to 20 inclusive, the accessory building (carport) and structure (deck) shall also cease to exist and the R1 Residential Zone uses and standards for Lots 17 to 20 inclusive, in this By-law shall apply;
- 6) require that the zone requirements in a R1 Residential Zone shall be as follows for the combined Lots 19 and 20, where the existing detached dwelling unit is maintained on Lots 19 and 20 instead of on Lots 17 to 20 inclusive:
  - i) the minimum lot frontage (South Lot Line) shall be 36 m;
  - ii) the minimum lot area shall be 1,850 m<sup>2</sup>;
  - iii) the minimum front yard (South Lot Line) shall be 3 m;
  - iv) the minimum interior side yard (West Lot Line) shall be 7.5 m for the detached dwelling unit;
  - v) the minimum exterior yard (East Lot Line) shall be 21 m;
  - vi) the minimum rear yard (North Lot Line) shall be 7.5 m;
  - vii) the maximum lot coverage shall not exceed 35%;
  - viii) the maximum building height shall not exceed 14 m for the detached dwelling unit;
- 7) require that when the existing detached dwelling unit and any accessory building and/or structure ceases to exist on the combined Lots 19 and 20, the R1 Residential Zone uses and standards for Lots 19 and 20, in this By-law shall apply;
- 8) permit the additional uses in the R1 Residential Zone, for the Humber North Extension Area on the west side of Regional Road 27, for Plan of Subdivision File 19T-03V02 (Registered Plan 65M-4371), Plan of Subdivision File 19T-08V04 (Registered Plan 65M-4377), Plan of Subdivision File 19T-08V05 (Registered Plan 65M-4370) and Plan of Subdivision File 19T-08V06:
  - i) a temporary parking area may be permitted on Lot 16 for the Model Homes Sales Centre;
  - ii) model homes may be permitted on Lots 33, 34, 36 and 37 for the Model Homes Sales Centre;
  - iii) a temporary driveway access from Regional Road 27, subject to approval of York Region, may be permitted on Lot 35 for the Model Homes Sales Centre;
- 9) require that the only permitted uses and zone requirements as follows shall apply for Block 41:
  - i) detached dwelling units, not to exceed a maximum of four (4) units;
  - ii) artist's studio and accessory uses (i.e., private functions/events, teaching);
  - iii) there shall be no development or uses or any pool, deck or any other building or structure, at-grade, below-grade and/or, above-grade within the Restrictive Covenant;
  - iv) all development shall require Site Development Approval;
- 10) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 1 to 8 inclusive:
  - i) the minimum lot area shall be 774 m<sup>2</sup>;
  - ii) the minimum interior yard shall be 1.2 m;
  - iii) the minimum lot depth shall be 42.5 m;
- 11) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 9 to 16 inclusive:
  - i) the minimum lot area shall be 684 m<sup>2</sup>;
  - ii) the minimum interior yard shall be 1.2 m;
  - iii) the minimum lot depth shall be 38 m;
- 12) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 17 to 20 inclusive:
  - i) the minimum lot area shall be 756 m<sup>2</sup>;
  - ii) the minimum interior yard shall be 1.2 m;
  - iii) the minimum lot depth shall be 42 m, except for Lot 20 where the south lot line may have a minimum lot depth of 36 m;
- 13) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 21, 22 and 28:
  - i) the minimum lot area shall be 720 m<sup>2</sup>;
  - ii) the minimum interior yard shall be 1.2 m;
  - iii) the minimum lot depth shall be 40 m;
- 14) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 23 to 27 inclusive:
  - i) the minimum lot area shall be 756 m<sup>2</sup>;
  - ii) the minimum interior yard shall be 1.2 m;
  - iii) the minimum lot depth shall be 41.5 m;
- 15) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 29 to 32 inclusive:
  - i) the minimum lot area shall be 702 m<sup>2</sup>;
  - ii) the minimum interior yard shall be 1.2 m;
  - iii) the minimum lot depth shall be 39 m;
- 16) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 33 to 40 inclusive:
  - i) the minimum lot area shall be 648 m<sup>2</sup>;
  - ii) the minimum interior yard shall be 1.2 m;
  - iii) the minimum lot depth shall be 36 m;
- 17) require that the zone requirements in a R1 Residential Zone shall be as follows for Block 41:
  - i) the minimum lot area shall be 6,690 m<sup>2</sup>;
  - ii) the minimum lot frontage shall be 27.5 m;
  - iii) the maximum building height shall not exceed 9.5 m;
  - iv) the development of the Block shall only be within the Building Envelopes.