

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 139-2013

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 OS5 Open Space Environmental Protection Zone to RT1 (H) Residential Townhouse Zone and RA3 (H) Apartment Residential Zone, each with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, and OS5 Open Space Environmental Protection Zone, in the manner shown on the said Schedule "1".
 - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1395) A) The following provisions shall apply to all lands zoned with the Holding Symbol "(H)" on Schedule "E-1522", until the Holding Symbol "(H)" is removed pursuant to Subsection 36(4) of the Planning Act, R.S.O. 1990:

 - 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 139-2013;
 - ii) A By-law to remove the Holding Symbol "(H)" from the "Subject Lands" shall not be enacted until the following condition is satisfied:
 - a) That the City of Vaughan Council adopts a resolution allocating sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the City's approved Servicing Capacity Distribution Protocol assigning capacity to the Subject Lands for the proposed townhouses and apartment dwelling units.
- B) Notwithstanding the provisions of:
 - a) Subsection 2.0 respecting the definition of Lot, Lot Area, Floor Space Index, and Subsection 7.2.3 and 7.4b;

- b) Subsection 4.1.8 and Schedule “A” respecting the zone standards in the RA3 Apartment Residential Zone;
- c) Subsection 4.22.3 and Schedule “A3” respecting the zone standards in the RT1 Residential Townhouse Zone (Standard Lot and Lot Accessed by a Lane);

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1522”:

- ai) For the purposes of this Exception Paragraph:
 - i) Block 7 shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of any new lot(s) by way of plan of condominium, part lot control, consent, and any easements or restrictions;
 - ii) Floor Space Index (FSI) shall mean the ratio of the gross floor area to the net developable area of the site. The gross floor area means the total area of all of the floors in a building above grade measured from the outside of the exterior walls, but excluding bicycle parking within a building. Net developable area means the area of the site excluding any lands to be conveyed for public purposes such as public streets, valley lands, street widenings, parks and schools;
 - iii) notwithstanding paragraph ai) ii), a portion of the buffer areas associated with valley and stream corridors abutting the boundary of development blocks may also be included for the purpose of calculating permitted development density (FSI) on adjacent lots;
- bi) the following zone requirements shall apply only to Block 7:
 - i) lot area requirements shall not apply;
 - ii) the minimum front yard setback along Rutherford Road shall be 3.0 metres;
 - iii) the minimum interior side yard setback (westerly property line) shall be 4.5 metres;
 - iv) the minimum exterior side yard setback (easterly property line) shall be 6.0 metres;
 - v) the maximum building height shall be 65.0 metres (22-storeys);
 - vi) the maximum density shall be 3.5 FSI;
- ci) the minimum lot frontage shall be 4.5 metres;

- cii) the minimum lot area shall be 120 m²;
- ciii) the maximum building height shall be 12.0 metres (4-storeys);
- civ) the minimum exterior side yard setback for Block 1 shall be 2.4 metres;
- cv) the minimum interior side yard setback for Block 6 shall be 2.4 metres;
- cvi) the following zone requirements shall apply only to Blocks 2 to 5, inclusive:
 - i) the minimum exterior side yard setback to a dwelling or garage shall be 2.0 metres;
 - ii) the minimum rear yard setback for a dwelling with an attached garage accessed by a rear lane shall be 6.0 metres;
 - iii) the minimum rear yard setback for a dwelling with a detached garage accessed by a rear lane shall be 12.5 metres;
 - iv) the minimum lot depth shall be 28.0 metres; and,
 - v) the minimum distance from a dwelling to a detached garage shall be 5.0 metres.”
- c) Adding Schedule “E-1522” attached hereto as Schedule “1”.
- d) Deleting Key Map 2D and substituting therefor the Key Map 2D 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 8th day of October, 2013.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

SUMMARY TO BY-LAW 139-2013

The lands subject to this By-law are bound by Dufferin Street, Rutherford Road, Crimson Forrest Drive, and the MacMillan Reserve located north of Marc Santi Boulevard, in Lots 16 and 17, Concession 2, within Planning Block 11, City of Vaughan.

The purpose of this by-law is to rezone the Subject Lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RT1 (H) Residential Townhouse Zone and RA3 (H) Apartment Residential Zone, each with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, and OS5 Open Space Environmental Protection Zone. This by-law further provides for site-specific zone requirements for the RA3 and RT1 Zones.