

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 147-2014**

**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 RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol “(H)”, 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”:

“(1414) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1541”, 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 147-2014, or the production of field crops;
    - ii) Removal of the Holding Symbol “(H)” from the Subject Lands, or a portion thereof, shall be contingent on the following:
      - a. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
      - b. York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 6 to 36 months depending on the complexity of the development) to permit the plan registration; or,

- c. the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development; and,
- d. the approval of a Site Development Application for the Street Townhouse Units.

B. Notwithstanding the provisions of:

- a) Subsection 2.0 respecting Definitions;
- b) Subsection 3.14 a), c) and d) and 4.22.2, respecting Permitted Yard Encroachments And Restrictions, and Schedule “A3” respecting the Minimum Yard Requirements in the RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four and RT1 Residential Townhouse Zone;
- c) Subsection 4.22.3 respecting Residential Zone Requirements and Schedule “A3” respecting General Notes and Garage Projections in the RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four and RT1 Residential Townhouse Zone;
- d) Subsection 3.8 respecting Parking Requirements, Subsection 3.14 a), c) and d) and 4.22.2 respecting Permitted Yard Encroachments And Restrictions, Subsection 4.1.1 b) respecting Accessory Buildings and Structures, Subsection 4.1.5 respecting Home Occupations and Subsection 4.22.3 and Schedule “A3” respecting Residential Zone Requirements all in the RT1 Residential Townhouse Zone;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1541”:

- ai) for the purpose of this Paragraph, the following definitions shall apply:

“ATTACHED GARAGE ACCESSED BY A LANE – Means a garage that is accessed by a lane, which is attached to the rear wall of a dwelling unit;

ATTACHMENT - Means a covered and enclosed or unenclosed passage connecting a dwelling unit and a detached garage that is located in the rear yard of a lot that is accessed by a lane;

DETACHED GARAGE LOCATED IN THE REAR YARD - Means a detached garage that is located in the rear yard of a lot that is accessed by a lane, which may include an Attachment;

FINISHED FLOOR - Means an elevation of the finished level of a first storey floor slab with adjoining exterior walls of a building or structure;

HYDRO-GAS METER SCREEN - Means a structure, not being a building, intended for the purpose of total or partial physical and/or visual separation or enclosure of Hydro Meter or Gas Meter utilities;

WINGWALL - Means a smaller wall attached and projecting from a larger wall of a building or structure;

- a ii) For the purposes of this Paragraph, and only for the lands zoned RT1 Residential Townhouse Zone that front onto the 3 m walkway within the OS2 Open Space Park Zone and run parallel to Laneway 'A' shown on Schedule "E-1541", the following definition shall apply:

LOT – Means a parcel of land fronting on a public park or walkway and backing onto a lane

- b i) The following are additional permitted Yard Encroachments:
- i. Pilaster;
  - ii. Hydro-Gas Meter Screen;
  - iii. Wingwall;
  - iv. Covered and Unenclosed Porches and/or Balconies with or without foundations;
- b ii) Exterior Stairways, with or without foundations, shall be setback a minimum of 0.6 m from a front or exterior lot line;
- b iii) The Minimum Interior Side Yard Setback Abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond shall be 1.2 m;
- b iv) No permanent building or structure may be located within 7 m of the Trans Canada Pipeline right-of-way, shown as Blocks 434 to 439 on Schedule "E-1541". Accessory structures shall have a minimum setback of at least 3 m from the limit of the Trans Canada Pipeline right-of-way, shown as Blocks 434 to 439 on Schedule "E-1541";
- b v) The following provisions shall only apply to lands zoned RD4 Residential Detached Zone Four:

- i. The Minimum Interior Side Yard Setback in a RD4 Residential Detached Zone Four shall be 1.2 m, which may be reduced to 0.6 m on one interior side yard and abut an interior side yard of 1.2 m or 0.6 m. This provision shall not apply to lands abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond;
- ii. The Minimum Interior Garage Dimensions in a RD4 Residential Detached Zone Four with a lot frontage greater than 11.99 m or a lot frontage (corner lot) greater than 14.99 m shall be 3.0 m x 6.0 m (width x length);
- ci) For the purposes of this provision, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling;
- di) The Maximum Building Height shall be 14 m and 3-storeys;
- dii) The Minimum Front Yard Setback shall be 3 m;
- diii) The Minimum Exterior Side Yard Setback shall be 3 m;
- div) The Minimum Lot Depth for a Street Townhouse Dwelling on a Lot Accessed by a Lane shall be 27 m;
- dv) The Minimum Lot Area for a Street Townhouse Dwelling on a Lot Accessed by a Lane shall be 162 m<sup>2</sup>;
- dvi) The Minimum Rear Yard Setback to a Street Townhouse Dwelling on a Lot Accessed by a Lane shall be 12.5 m;
- dvii) A covered or uncovered porch and/or balcony, which is open and unenclosed, with or without foundations, shall be permitted and shall not extend from the main rear wall of a dwelling unit beyond a maximum of 1.8 m;
- dviii) A covered or uncovered balcony, which is unenclosed, shall be permitted above an attached garage where access is only provided from within the dwelling unit, with a minimum area of 10m<sup>2</sup>;
- dix) The Maximum Garage Width on a Lot with a Frontage less than 11m shall not apply;
- dx) The Minimum Rear Yard Setback to a Detached Garage Located in the Rear Yard for a Street Townhouse Dwelling on a Lot Accessed By a Lane shall be 1 m;

- dxii) The Minimum Interior Side Yard Setback to a Garage that is Attached to Another Garage for a Street Townhouse Dwelling on a Lot Accessed By a Lane shall be 0 m (for Lane 'A' only shown on Schedule "E-1541");
- dxiii) The Minimum Exterior Side Yard Setback for a Detached Garage for a Street Townhouse Dwelling on a Lot Accessed By a Lane shall be 3 m;
- dxiiii) The Minimum Distance From the Main Rear Wall of a Street Townhouse Dwelling Unit to a Detached Garage shall be 5 m;
- dxv) The Minimum Distance From the Nearest Wall of a Street Townhouse Dwelling Unit to an Attached Garage on a Lot Accessed By a Lane shall be 0 m;
- dxvi) The Maximum Width of an Attachment to a Street Townhouse Dwelling Unit on a Lot Accessed By a Lane shall be 2.5 m (for the portion of an Attachment between a dwelling unit and a detached garage accessed by a lane);
- dxvii) The Minimum Interior Side Yard Setback of an Attachment to a Street Townhouse Dwelling Unit on a Lot Accessed By a Lane shall be 0 m (only where it is attached to another Attachment);
- dxviii) The Measurement of Maximum Building Height for a Detached Garage to a Street Townhouse Dwelling Unit on a Lot Accessed By a Lane shall be as follows:
- i. Detached garage height shall be measured from the Finished Floor level at the garage entrance door to the highest point of said building or structure and shall be a maximum of 4.5 m, and the nearest part of the roof shall not be more than 3.0 m above Finished Floor level;
- dxix) A Home Occupation Use shall be permitted within the lands zoned RT1 Residential Townhouse Zone, only within Blocks 382 and 455 as shown on Schedule "E-1541", only in accordance with a site plan approved by Vaughan Council, and subject to the following provisions:
- i. In addition to the permitted Home Occupation Use of a Regulated Health Professional, the following uses are permitted:
- Business or Professional Office;
  - Personal Service Shop; and,
  - Retail Store

- ii. A body-rub parlour shall not be permitted as a Home Occupation Use, or as accessory to a Home Occupation Use
- iii. A maximum of one (1) Home Occupation Use is permitted per Street Townhouse Dwelling Unit;
- iv. The Home Occupation Use shall be restricted to the ground floor of the Street Townhouse Dwelling Unit only;
- v. The ground floor of the Street Townhouse Dwelling Unit shall be used only for the provision of the Home Occupation Use, and shall only permit any required vehicular or pedestrian access for the residential component of the Street Townhouse Dwelling ;
- vi. Not more than three (3) persons shall be engaged in the Home Occupation Use and at least one of them shall be a resident in the said dwelling;
- vii. The office of a physician, dentist or regulated health professional shall be used for consultation and emergency treatment only and not as a clinic or hospital; and,
- viii. The parking space requirement for the Home Occupation Use shall be one (1) parking space in addition to the standard residential requirement;

dxix) A Home Occupation Use shall be permitted within the remainder of the lands zoned RT1 Residential Townhouse Zone, shown as Blocks 383 to 387 on Schedule "E-1541", and shall be fully subject to the Home Occupation provision in Zoning By-law 1-88, Section 4.1.5;"

- c) Adding Schedule "E-1541" attached hereto as Schedule "1".
- d) Deleting Key Map 8F and substituting therefor the Key Map 8F 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 9<sup>th</sup> day of September, 2014.

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk

Authorized by Item No. 57 of Report No. 36  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
September 9, 2014

### **SUMMARY TO BY-LAW 147-2014**

The lands subject to this By-law are located south of Kirby Road and west of Kipling Avenue, municipally known as 11178 Kipling Avenue, in Lots 28 and 29, Concession 8, City of Vaughan.

The purpose of this by-law is to amend Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol "(H)", OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Schedule "1", to facilitate the proposed draft plan of subdivision File 19T-13V009.

All residential and commercial lands will be initially zoned with a Holding Symbol "(H)", and removal of the Holding Symbol "(H)" from the lands, or a portion thereof, shall be contingent on the following:

- i. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
- ii. York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 6 to 36 months depending on the complexity of the development) to permit the plan registration; or,
- iii. the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development; and,
- iv. the approval of a Site Development Application for the Street Townhouse Units.