

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 155-2012

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 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 to R1 Residential Zone, R1(H) Residential Zone, with the addition of the Holding Symbol “(H)”, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, and OS4 Open Space Woodlot Zone, in the manner shown on the said Schedule “1”.
 - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1379) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)”, as shown on Schedule “E- 1507”, 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 155-2012, 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) That Lots 11 and 12, as shown on Schedule “E-1507”, should the “Proposed Linear Park” located within Draft Plan of Subdivision File 19T-08V06 (1422174 Ontario Ltd.- Lea Vivot) at the southerly limit of the Humber North Extension - west of Regional Road 27 not be conveyed to the City as parkland within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02 (1321362 Ontario Inc.), Draft Plan of Subdivision File 19T-08V04 (11336 Highway 27 Limited Partnership) or Draft Plan of Subdivision File 19T-08V05 (Kleinvit Estates Inc.), within the Humber North Extension Area, along with the lands to the north in Draft Plan of Subdivision 19T-

08V04, or another location acceptable to the City of Vaughan, shall be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from Draft Plan of Subdivision File 19T-08V06 within two (2) years of the first Draft Plan Approval of any of Draft Plan of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05, then Lots 11 and 12, may be developed for residential detached dwelling units.

B. Notwithstanding the provisions of:

- a) 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;
- b) Subsections 4.1.7 and 4.3 respecting the Uses Permitted, Subsection 7.1.1 respecting the Open Space Zone Requirements, and Schedule “A” respecting the Zone Requirements in the R1 Residential Zone;
- c) Subsection 4.1.8 respecting the Residential Zone Requirements, and Schedule “A” respecting the Zone Requirements in the R1 Residential Zone;
- d) Subsection 7.1.1 respecting the Open Space Zone Requirements, and Schedule “A” respecting the Zone Requirements in the OS1 Open Space Conservation Zone;
- e) Subsections 7.1.2 and 7.4a respecting the Uses Permitted in the OS4 Open Space Woodlot Zone;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1507”:

- ai) The minimum landscape buffer for Blocks 57 and 58, abutting Regional Road 27, as shown on Schedule “E- 1507”, shall be 24 m in width, and may include an acoustical buffer and/or berm;
- bi) In addition to the uses permitted in the R1 Residential Zone, recreational uses as set out in Subsection 7.3 for the OS2 Open Space Park Zone may be permitted on Lots 11 and 12, as shown on Schedule “E-1507”, in accordance with the zone requirements in Schedule “A”;
- ci) The zone requirements in a R1 Residential Zone shall be as follows for Lots 1 to 8 inclusive, Lots 11 to 32 inclusive, Lots 43 to 50

inclusive, and Blocks 51 and 53, as shown on Schedule “E-1507”:

- 1) The minimum lot area shall be 720 m²;
 - 2) The minimum interior yard shall be 1.2 m;
 - 3) The minimum lot depth shall be 40 m;
- cii) The zone requirements in a R1 Residential Zone shall be as follows for Lots 9 and 10, as shown on Schedule “E-1507”:
- 1) The minimum lot area shall be 540 m², and shall include the area of the land of the OS4 Open Space Woodlot Zone to calculate the lot area;
 - 2) The minimum front yard shall be 4.5 m;
 - 3) The minimum front yard to an attached garage shall be 6 m;
 - 4) The minimum interior yard shall be 1.2 m;
 - 5) The zoning requirements for the R1 Residential Zone shall be applied, notwithstanding the OS4 Open Space Woodlot Zone within the limits of Lots 9 and 10;
- ciii) The zone requirements in a R1 Residential Zone shall be as follows for Lots 33 to 42 inclusive, and Block 52, as shown on Schedule “E-1507”:
- 1) The minimum lot area shall be 655 m²;
 - 2) The minimum interior yard shall be 1.2 m;
 - 3) The minimum lot depth shall be 36 m;
- di) The minimum ecological buffers for Blocks 55 and 56 shall be as shown on Schedule “E-1507”;
- ei) The trees and/or vegetation on Lots 9 and 10, as shown on Schedule “E-1507”, shall be protected. There shall be no cutting down or removal of the trees and/or vegetation, without the written authorization of the Toronto and Region Conservation Authority. There shall be no buildings and/or structures or swimming pools, above and/or below grade within the OS4 Open Space Woodlot Zone.”

- c) Adding Schedule “E-1507” attached hereto as Schedule “1”.
- d) Deleting Key Map 9F and substituting therefor the Key Map 9F 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 September, 2012.

Regional Councillor Gino Rosati,
Deputy Mayor

Jeffrey A. Abrams, City Clerk

Authorized by Item No. 37 of Report No. 40
of the Committee of the Whole,
Adopted by Vaughan City Council on
September 27, 2011;
and,

Authorized by Item No. 20 of Report No. 8
of the Committee of the Whole,
Adopted by Vaughan City Council on
March 20, 2012.

SUMMARY TO BY-LAW 155-2012

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 7.29 ha, with a frontage of 225 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 to R1 Residential Zone, R1(H) Residential Zone, with the addition of the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, and OS4 Open Space Woodlot Zone. The subject lands are to facilitate 50 detached dwelling units, 3 blocks for future detached dwelling units, and open space (park/landscape buffers), as well as maintain the existing valleylands and tableland woodlot in Plan of Subdivision 19T-03V02.

The By-law zones the subject lands, which are zoned, R1(H) Residential Zone, with the addition of the Holding Symbol "(H)", of which cannot be removed until the following condition is addressed:

- 1) that Lots 11 and 12, should the "Proposed Linear Park" located within Draft Plan of Subdivision File 19T-08V06 (1422174 Ontario Ltd.- Lea Vivot) at the southerly limit of the Humber North Extension - west of Regional Road 27 not be conveyed to the City as parkland within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02 (1321362 Ontario Inc.), Draft Plan of Subdivision File 19T-08V04 (11336 Highway 27 Limited Partnership) or Draft Plan of Subdivision File 19T-08V05 (Kleinvit Estates Inc.), within the Humber North Extension Area, along with the lands to the north in Draft Plan of Subdivision 19T-08V04, or another location acceptable to the City of Vaughan, shall be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from Draft Plan of Subdivision File 19T-08V06 within two (2) years of the first Draft Plan Approval of any of Draft Plan of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05, then Lots 11 and 12, may be developed for residential detached dwelling units.

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

- 1) require that the minimum landscape buffer for Blocks 57 and 58, abutting Regional Road 27, shall be 24 m in width, and may include an acoustical buffer and/or berm;
- 2) permit, in addition to the uses permitted in the R1 Residential Zone, recreational uses as set out in Subsection 7.3 for the OS2 Open Space Park Zone on Lots 11 and 12, in accordance with the zone requirements in Schedule "A";
- 3) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 1 to 8 inclusive, Lots 11 to 32 inclusive, Lots 43 to 50 inclusive, and Blocks 51 and 53:
 - i) the minimum lot area shall be 720 m²;
 - ii) the minimum interior yard shall be 1.2 m;
 - iii) the minimum lot depth shall be 40 m;
- 4) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 9 and 10:
 - i) the minimum lot area shall be 540 m², and shall include the area of the land of the OS4 Open Space Woodlot Zone to calculate the lot area;
 - ii) the minimum front yard shall be 4.5 m
 - iii) the minimum front yard to an attached garage shall be 6 m;
 - iv) the minimum interior yard shall be 1.2 m;
 - v) the zoning requirements for the R1 Residential Zone shall be applied, notwithstanding the OS4 Open Space Woodlot Zone within the limits of Lots 9 and 10;
- 5) require that the zone requirements in a R1 Residential Zone shall be as follows for Lots 33 to 42 inclusive, and Block 52:
 - i) the minimum lot area shall be 655 m²;
 - ii) the minimum interior yard shall be 1.2 m;
 - iii) the minimum lot depth shall be 36 m;
- 6) require that the minimum ecological buffers for Blocks 55 and 56 shall range primarily between 5 m to 10 m; and,
- 7) require that the trees and/or vegetation on Lots 9 and 10, shall be protected, that there shall be no cutting down or removal of the trees and/or vegetation, without the written authorization of the Toronto and Region Conservation Authority, and that there shall be no buildings and/or structures or swimming pools, above and/or below grade within the OS4 Open Space Woodlot Zone.