

<b>ITEM #: 6.4</b>	<b>COMMITTEE OF ADJUSTMENT REPORT CONSENT APPLICATION B019/22 4801 TESTON ROAD, VAUGHAN</b>
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**COA REPORT SUMMARY**

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:**

*\*Please see **Schedule B** of this report for a copy of Staff and Agency correspondence.*

*Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.*

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	X	X	X	General Comments w/conditions
Building Standards -Zoning Review <i>*Schedule B</i>	X	X		General Comments
Building Inspection (Septic)	X			No Comments Received to Date
Development Planning <i>*Schedule B</i>	X	X	X	Recommend Approval w/Conditions
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X			No Comments Received to Date
Development Finance	X	X	X	General Comments w/conditions
Real Estate	X	X	X	General Comments w/conditions
Fire Department	X			No Comments Received to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA <i>*Schedule B</i>	X	X	X	Recommend Approval w/Conditions
Ministry of Transportation (MTO) <i>*Schedule B</i>				
Region of York <i>*Schedule B</i>	X	X		General Comments
Alectra <i>*Schedule B</i>	X	X		General Comments
Bell Canada <i>*Schedule B</i>	X	X		General Comments
YRDSB <i>*Schedule B</i>				
YCDSB <i>*Schedule B</i>				
CN Rail <i>*Schedule B</i>				
CP Rail <i>*Schedule B</i>				
TransCanada Pipeline <i>*Schedule B</i>	X			No Comments Recieved to Date
Metrolinx <i>*Schedule B</i>				
Propane Operator <i>*Schedule B</i>				

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see <b>Schedule C</b> of this report for a copy of the public &amp; applicant correspondence listed below.</i>				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.				
All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Agent	KLM Planning		09/27/22	Planning Justification Memo

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see <b>Schedule D</b> for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
OMB Order PL150822 (Z.07.002)	04/06/2016	The Board orders that the appeals of the proposed zoning by-law amendments to the City of Vaughan Zoning By-law No. 1-88 are allowed. The appeals of the applications for draft plans of subdivision approval are allowed. Zoning By-law No. 1-88 is amended and the draft plans of subdivision are approved, subject to conditions.
LPATORDER PL150866 (Z.07.002)	04/30/2018	<p>Pursuant to s. 34(11.0.2) of the <i>Planning Act</i>, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of Country Wide Homes (Pine Valley Estates) Inc.</p> <p>Pursuant to s. 34(11.0.2) of the <i>Planning Act</i>, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of Country Wide Homes (Teston Road) Inc.</p>

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



**COMMITTEE OF ADJUSTMENT REPORT  
CONSENT APPLICATION  
B019/22  
4801 TESTON ROAD, VAUGHAN**

<b>ITEM NUMBER: 6.4</b>	<b>CITY WARD #: 3</b>
<b>APPLICANT:</b>	Countrywide Homes (Teston Road) Inc.
<b>AGENT:</b>	KLM Planning Partners - Mark Yarranton
<b>PROPERTY:</b>	4801 Teston Rd Vaughan ON
<b>ZONING DESIGNATION:</b>	<p>The subject lands are zoned A – Agriculture Zone and subject to the provisions of Exception 14. 1086 under Zoning By-law 001-2021.</p> <p>The subject lands are zoned A – Agricultural Zone, OS1 – Open Space Conservation Zone, OS2, OS2(H) – Open Space Park, RD1, RD1(H) – Residential Detached Zone One, RD2 – Residential Detached Zone Two, RD3, RD3(H) – Residential Detached Zone Three and subject to the provisions of Exception 9(1461) under Zoning By-law 1-88, as amended.</p>
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	City of Vaughan Official Plan 2010 ('VOP 2010'): "Low Density Residential" and "Valey Lands," Volume 2, Section 12.13 Block 40/47
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	19T-14V004, OMB ORDER PL150822, LPAT ORDER PL150866
<b>PURPOSE OF APPLICATION:</b>	Consent is being requested to sever a parcel of land for residential purposes, approximately 11,440.00 square metres and retain a parcel of land approximately 190,870.00 square metres. Both the severed and retained land will have frontage onto Teston Road and the existing single family dwelling on the severed land is to remain.

### HEARING INFORMATION

**DATE OF MEETING:** Thursday, January 26, 2023

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

#### PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

If you would like to submit written comments, please quote file number above and submit by mail or email to:

**Email:** [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

**Mail:** City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

**THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.**

### INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

The Planning Act sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of this application considers the following:

- ✓ Conformity to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conformity to the City of Vaughan Official Plan.
- ✓ Conformity to the Provincial Policy Statements as required by Section 3 (1) of the Planning Act.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	January 12, 2023
Date Applicant Confirmed Posting of Sign:	January 10, 2023
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small>  <small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small>  <small>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No
<b>Adjournment Fees:</b> In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.  An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff <b>after</b> the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	1. That the applicant's solicitor confirms the legal description of the lands subject to the easement (servient lands). 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. 3. That the applicant provides an electronic copy of the deposited reference plan to cofa@vaughan.ca 4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule

BUILDING STANDARDS (ZONING) COMMENTS	
<b>**See Schedule B for Building Standards (Zoning) Comments.</b>	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
<b>**See Schedule B for Development Planning Comments.</b>	
Development Planning Recommended Conditions of Approval:	1. The Owner shall erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of Lot 95 that abuts Open Space Block 111. The Owner shall provide fence construction drawings to the satisfaction of the Development Services Department. The fence construction drawings shall be developed in general accordance with the fence line delineated in approved Draft Plan of Subdivision 19T-14V004.  2. The Owner shall ensure that the fencing treatment and footings are supplied and installed entirely within the proposed severed lands.  3. In order to fulfill Conditions 1 and 2, the Owner shall provide the following to the satisfaction of the Development Planning Department:  a) A certificate from a professional Ontario Land Surveyor (OLS) identifying all fencing treatments and fence locations are in accordance with the approved construction drawings. The OLS must certify that all residential fencing treatments are located entirely within the proposed severed lands and not on the



DEVELOPMENT PLANNING COMMENTS	
	<p>retained lands. Any encroachments into the retained lands, which are proposed to become publicly owned lands in accordance with subdivision file 19T-14V004, are to be removed; and</p> <p>b) The Owner shall provide a letter to the Development Planning Department from Urban Design Division confirming its site inspection to verify the fence was erected in accordance with the approved construction drawings was satisfactory.</p>

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The Development Engineering Department does not object to the consent application B019/22, Subject to the following Condition:	
<b>Development Engineering Recommended Conditions of Approval:</b>	<p>The Owner/applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.</p>

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comment.	
<b>PFH Recommended Conditions of Approval:</b>	None

DEVELOPMENT FINANCE COMMENTS	
<p>That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.</p> <p>That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.</p> <p>That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.</p> <p>That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.</p>	
<b>Development Finance Recommended Conditions of Approval:</b>	<p>The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p> <p>The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p>

REAL ESTATE COMMENTS	
See condition of approval below.	
<b>Real Estate Recommended Conditions of Approval:</b>	<p>The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a</p>

REAL ESTATE COMMENTS	
	Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 5% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Director of Real Estate. Payment shall be made by certified cheque only.

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments received to date.	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
Owner to ensure all related permits and restrictions pertaining to Codes Standards, By-laws, Zoning and TRCA requirements and addressed.	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Staff & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application, the following conditions have been recommended:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Committee of Adjustment <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	1. That the applicant’s solicitor confirm the legal description of the lands subject to the easement (servient lands). 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. 3. That the applicant provide an electronic copy of the deposited reference plan to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a> 4. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule
2	Development Planning <a href="mailto:Joshua.cipolletta@vaughan.ca">Joshua.cipolletta@vaughan.ca</a>	1. The Owner shall erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of Lot 95 that abuts Open Space Block 111. The Owner shall provide fence construction drawings to the satisfaction of the Development Services Department. The fence construction drawings shall be developed in general accordance with the fence line delineated in approved Draft Plan of Subdivision 19T-14V004. 2. The Owner shall ensure that the fencing treatment and footings are supplied and

## SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

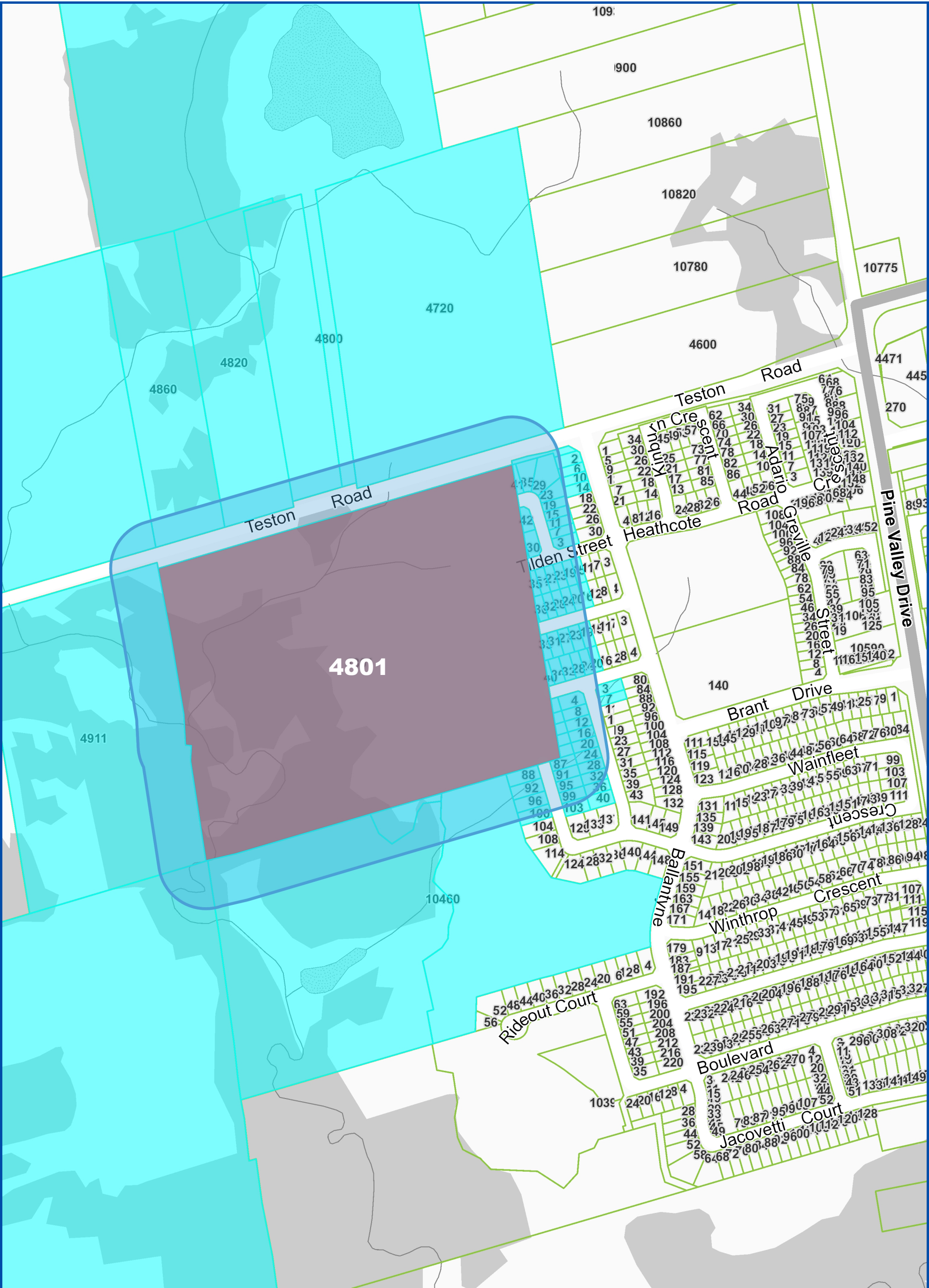
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

		<p>installed entirely within the proposed severed lands.</p> <p>3. In order to fulfill Conditions 1 and 2, the Owner shall provide the following to the satisfaction of the Development Planning Department:</p> <p>a) A certificate from a professional Ontario Land Surveyor (OLS) identifying all fencing treatments and fence locations are in accordance with the approved construction drawings. The OLS must certify that all residential fencing treatments are located entirely within the proposed severed lands and not on the retained lands. Any encroachments into the retained lands, which are proposed to become publicly owned lands in accordance with subdivision file 19T-14V004, are to be removed; and</p> <p>b) The Owner shall provide a letter to the Development Planning Department from Urban Design Division confirming its site inspection to verify the fence was erected in accordance with the approved construction drawings was satisfactory.</p>
3	<p>Development Engineering</p> <p><a href="mailto:ian.reynolds@vaughan.ca">ian.reynolds@vaughan.ca</a></p>	<p>The Owner/applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.</p>
4	<p>Development Finance</p> <p><a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a></p>	<p>1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p> <p>2. The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p>
5	<p>Real Estate</p> <p><a href="mailto:Ashley.benlolo@vaughan.ca">Ashley.benlolo@vaughan.ca</a></p>	<p>The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 5% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Director of Real Estate. Payment shall be made by certified cheque only.</p>
6	<p>TRCA</p> <p><a href="mailto:Kristen.Regier@trca.ca">Kristen.Regier@trca.ca</a></p>	<p>That the applicant provides the required fee amount of \$1,590 payable to the Toronto and Region Conservation Authority.</p>

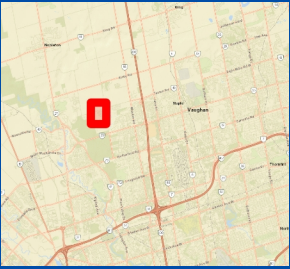
IMPORTANT INFORMATION – PLEASE READ
<b>CONDITIONS:</b> Conditions must be fulfilled within <u>two years</u> from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.
<b>DEVELOPMENT CHARGES:</b> That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.  That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.  That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment  That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.
<b>NOTICE OF DECISION:</b> If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will <b>not</b> receive notice.

**SCHEDULE A: DRAWINGS & PLANS**





Map Information:



Title: 4801 Teston Road, Woodbridge

NOTIFICATION MAP: B019/22

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



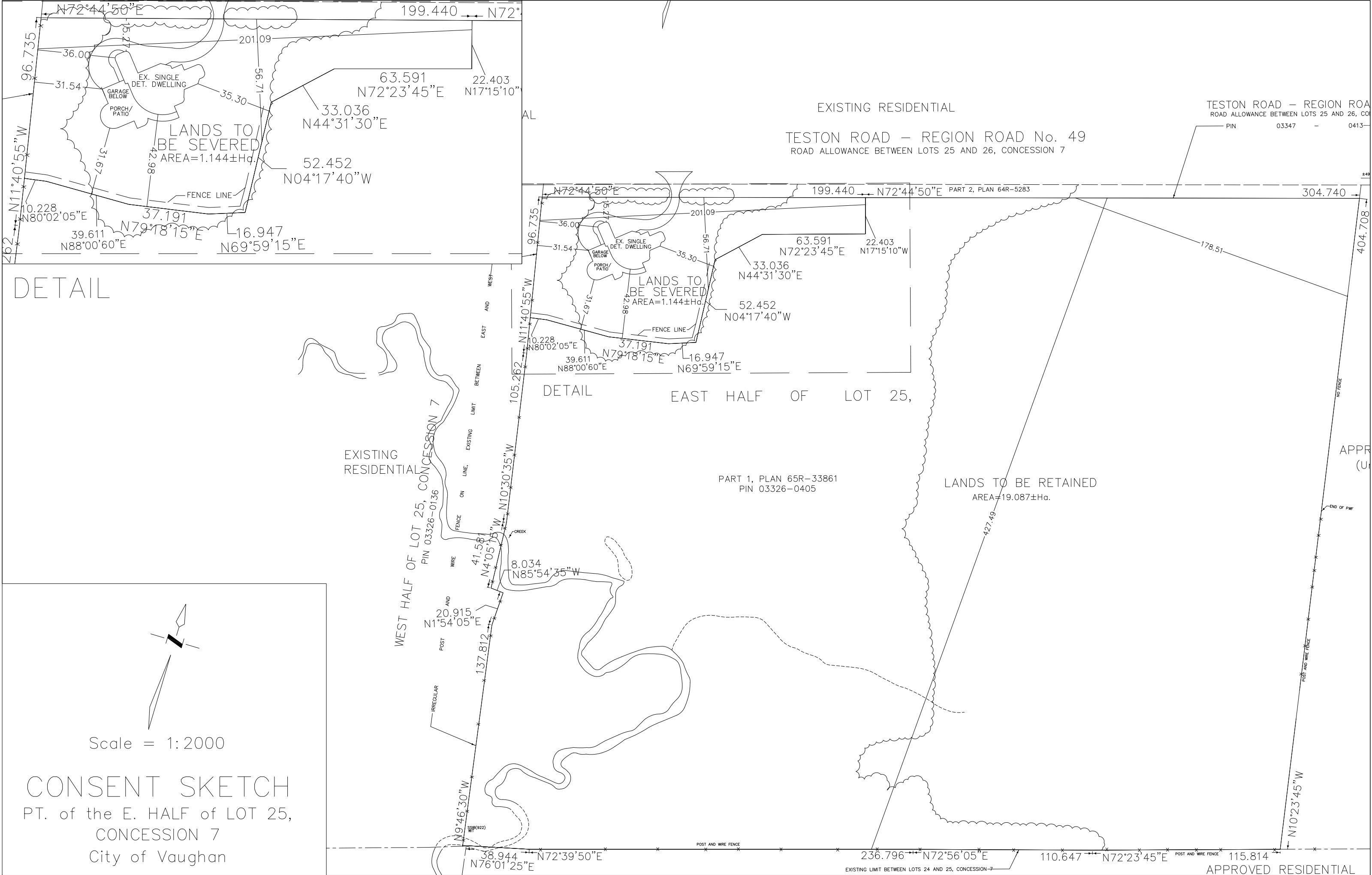
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0 0.11 km



Created By:  
Infrastructure Delivery  
Department  
January 11, 2023 11:02 AM

Projection:  
NAD 83  
UTM Zone  
17N







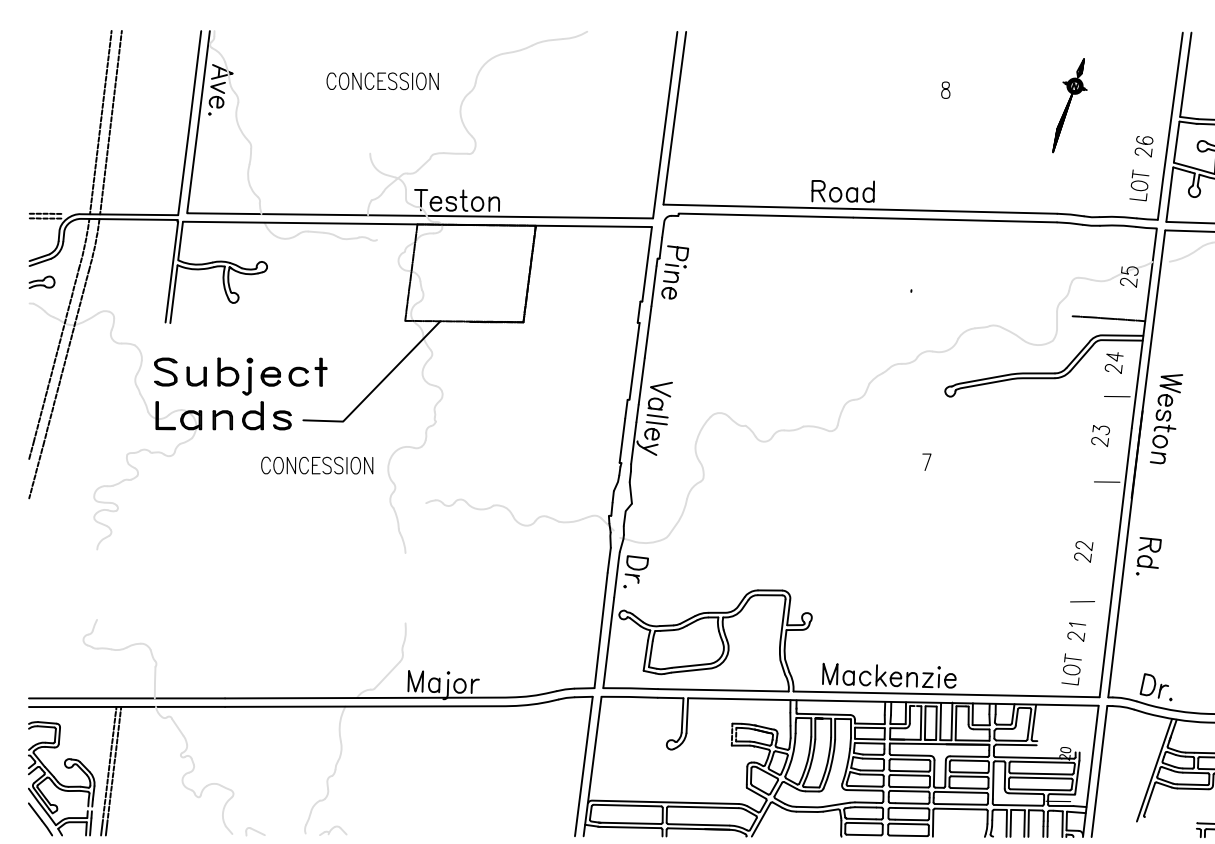
DRAFT PLAN OF SUBDIVISION  
19T-14V004  
Part of the East Half of Lot 25  
Concession 7  
City of Vaughan  
Regional Municipality of York

Date: November 18, 2013  
May 27, 2014  
Nov 5, 2014  
Revised: Feb 18, 2015  
Apr 6, 2015  
May 9, 2015  
Sept 9, 2015  
Feb 15, 2016

Scale: 1:1000



KEY PLAN



STATISTICS

LAND USE	LOT/BLOCK	AREA
Single Family Residential	1-94	6.04 ha
Existing Residential	95	1.14 ha
Future Development	96-109	0.32 ha
Vista	110	0.10 ha
Open Space (Valley)	111	10.15 ha
Open Space Buffer	112	0.59 ha
Landscape Buffer	113	0.02 ha
0.3m Reserves	114-129	0.01 ha
Roads	Streets A-E-17.5m R.O.W. = 1025m	1.86 ha
TOTAL		20.23 ha

UNIT TYPE

UNIT TYPE	UNITS
(excludes existing dwellings)	
• 12.8m single family dwellings	27
○ 13.7m single family dwellings	22
△ 15.2m single family dwellings	21
◻ 18.2m single family dwellings	24
TOTAL	94

OWNER'S CERTIFICATE

We authorize Templeton Planning Limited to prepare and submit this Draft Plan of Subdivision for approval.

*Liliana Damiani* *November 23/13*  
Liliana Damiani date

SURVEYOR'S CERTIFICATE

I hereby certify that the boundaries of the lands being subdivided and their relationship to the adjacent lands are accurately and correctly shown in accordance with Plan

*[Signature]* *November 23, 2013*  
[Signature] date  
Ontario Land Surveyors

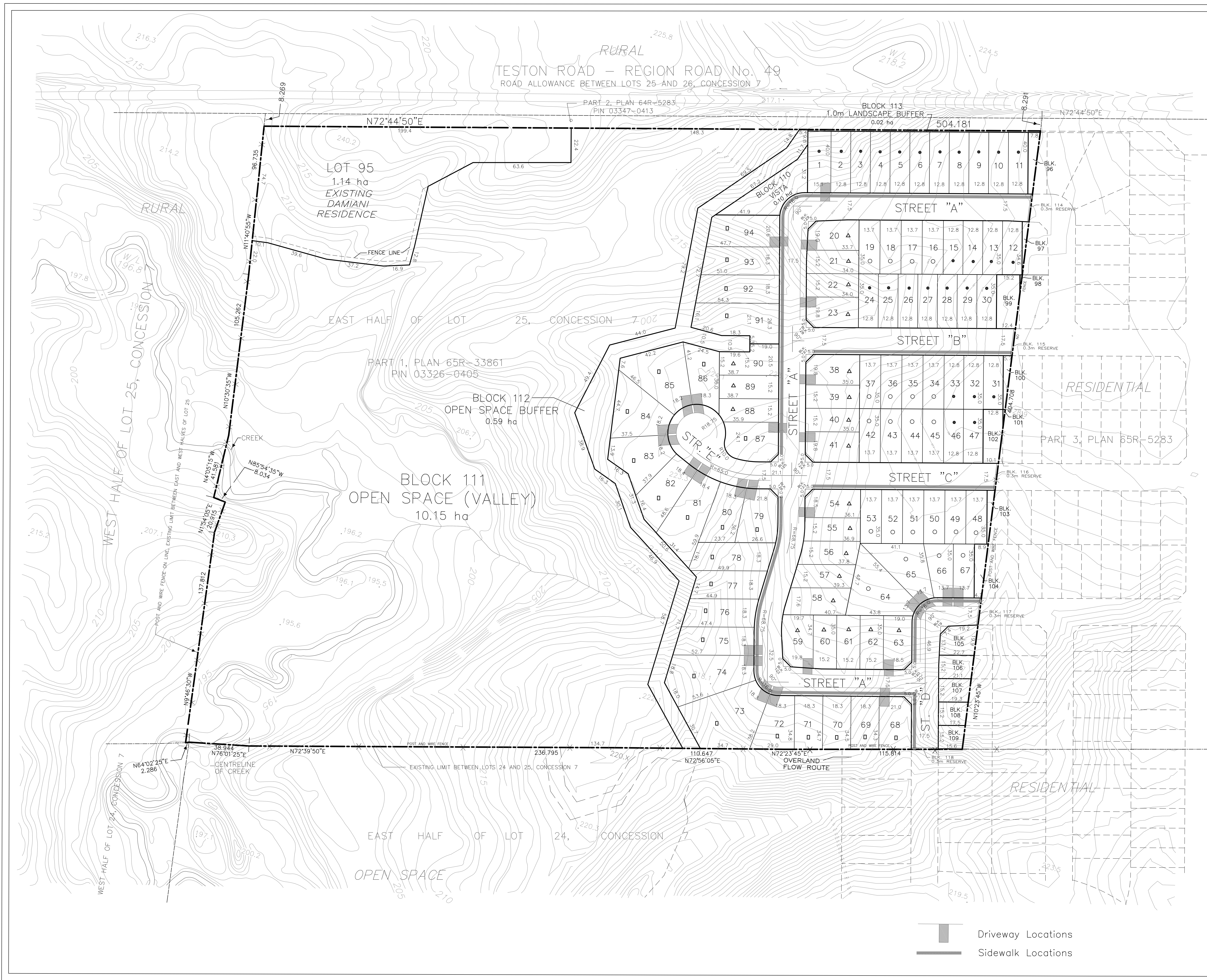
ADDITIONAL INFORMATION

As required under Section 51(17) of the Planning Act.  
a), b), e), f), g) & j) - on plan  
c) - on key plan  
d) - see statistics  
h) - piped water to be installed by developer  
i) - clay  
k) - all municipal services to be made available  
l) - nil  
\*Existing Dwelling to remain on private services

Note: Contours are based on Canadian Geodetic Datum  
Boundary subject to final calculations

TEMPLETON PLANNING LIMITED

LAND USE PLANNING AND DEVELOPMENT CONSULTANTS  
71 Major Street, Aurora, Ontario, L4G 2W1  
(905)727-8675 fax: (905)727-8890  
e-mail: gary.templeton@ymgpl.ca





SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X	X	Recommend Approval w/Conditions
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		General Comments
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Received to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X	X	Recommend approval w/conditions
Building Standards (Zoning)	X	X		General Comments

**Date:** December 1<sup>st</sup> , 2022  
**Attention:** **Christine Vigneault**  
**RE:** Request for Comments

**File No.:** **B019-22**

**Related Files:**

**Applicant:** Country Wide Homes (Teston Road) Inc.

**Location** 4801 Teston Road

COMMENTS:

- ☐ We have reviewed the proposed Consent Application and have no comments or objections to its approval.
- ☒ We have reviewed the proposed Consent Application and have no objections to its approval, subject to the following comments (attached below).
- ☐ We have reviewed the proposed Consent Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Consent Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra’s cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Stephen Cranley, C.E.T

Mitchell Penner

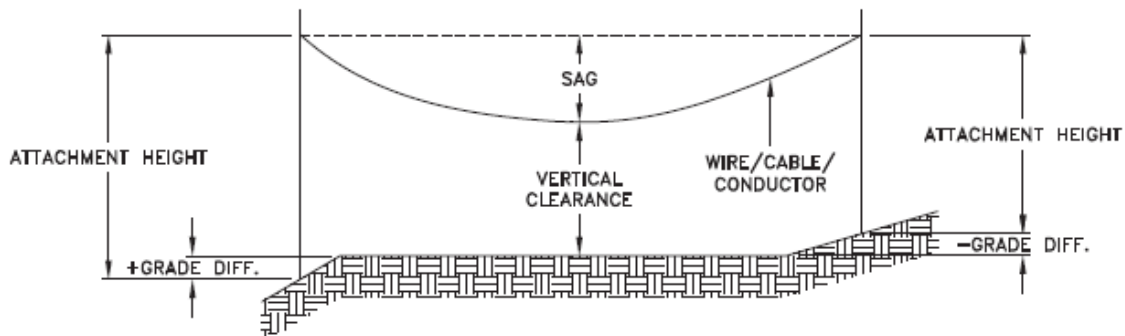
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG  
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)  
 ± GRADE DIFFERENCE  
 + 0.3m (VEHICLE OR RAILWAY LOCATION)  
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

**NOTES:**

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

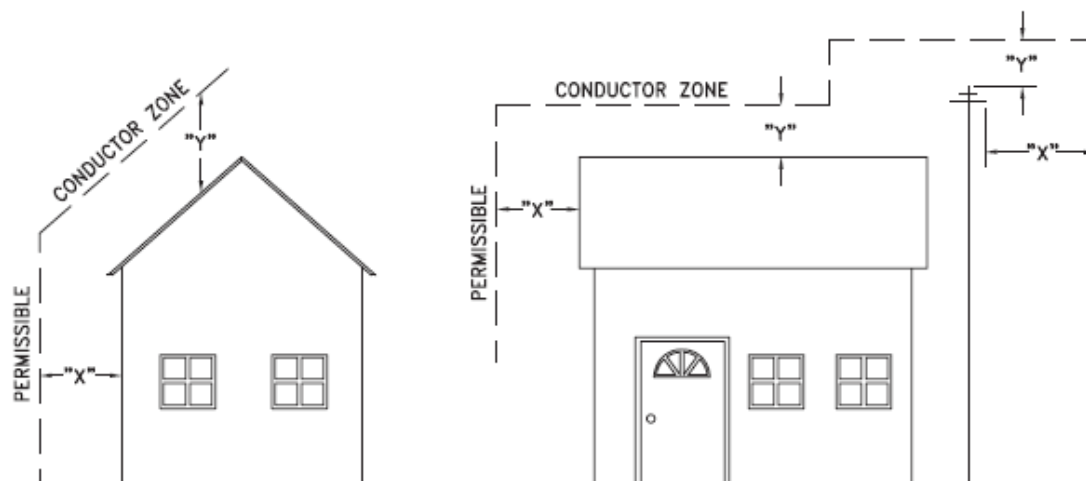
REFERENCES	
SAGS AND TENSIONS	SECTION 02

**MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS**

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier





VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

**NOTES**

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

**MINIMUM VERTICAL & HORIZONTAL CLEARANCES  
OF CONDUCTORS FROM BUILDINGS OR OTHER  
PERMANENT STRUCTURES (CONDUCTORS NOT  
ATTACHED TO BUILDINGS)**

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

<b>Certificate of Approval</b>	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Debbie Dadwani, P.Eng.	2010-MAY-05
Name	Date
P.Eng. Approval By: <u>D. Dadwani</u>	

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:  
P:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 03-4-03\03-4 RD May 5, 2010.dwg, 5/5/2010 9:27:02 AM, Adobe PDF

**From:** [Gordon, Carrie](#)  
**To:** [Christine Vigneault](#); [Pravina Attwala](#)  
**Subject:** RE: [External] RE: B019/22 (4801 Teston Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN - 905-22-569  
**Date:** Friday, December 16, 2022 3:01:07 PM  
**Attachments:** [image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image002.png](#)

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Hi Christine,

Bell engineering have reviewed the application and confirm there are no concerns.

Kind regards,

*Carrie Gordon*

We acknowledge that the land on which we gather in Barrie is the traditional territory of Haudenosaunee, Anishnaabeg Peoples. This territory is covered by the Upper Canada Treaties.



Associate, External Liaison  
Right of Way Control Centre  
140 Bayfield St, Fl 2  
Barrie ON, L4M 3B1  
T: 705-722-2244/844-857-7942  
F :705-726-4600

---

**To:** Committee of Adjustment  
**From:** Faegheh Gholami, Building Standards Department  
**Date:** November 23, 2022  
**Applicant:** Countrywide Homes (Teston Road) Inc., KLM Planning Partners Inc  
**Location:** 4801 Teston Road  
CONC 7 Part of Lot 25  
**File No.(s):** B019/22

**Zoning Classification:**

The subject lands are zoned A – Agriculture Zone and subject to the provisions of Exception 14. 1086 under Zoning By-law 001-2021.

Zoning By-law 001-2021		
#	Requirement	Proposal
1	The proposed application has been determined to be transitioned under section 1.6.2.6.	Not Applicable

The subject lands are zoned A – Agricultural Zone, OS1 – Open Space Conservation Zone, OS2, OS2(H) – Open Space Park, RD1, RD1(H) – Residential Detached Zone One, RD2 – Residential Detached Zone Two, RD3, RD3(H) – Residential Detached Zone Three and subject to the provisions of Exception 9(1461) under Zoning By-law 1-88, as amended.

Zoning By-law 1-88		
#	Requirement	Proposal
1	The minimum Lot Frontage requirement for the severed lands is 100 meters. [Schedule A]	The proposed lot frontage of 201 meters for the severed lands complies with the minimum lot frontage requirement.
	There is no requirement for minimum Lot Frontage requirement for the retained lands.	Not applicable.
2	The minimum Lot Area requirement for the severed lands is 1 hectare. [9(1461)]	The proposed lot area of 1.14 hectares for the severed lands complies with the minimum lot area requirement.
	There is no requirement for minimum Lot Area requirement for the retained lands.	Not applicable.
3	There is no requirement for minimum Lot Depth requirement for the severed lands and retained lands.	Not applicable.

**Staff Comments:****Stop Work Order(s) and Order(s) to Comply:**

There are no outstanding Orders on file

**Building Permit(s) Issued:**

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m<sup>2</sup>

**Other Comments:**

General Comments	
1	The retained lands have been rezoned under by-law 1-88 and compliance with minimum lot area, frontage and depth will be determined at subdivision approval process.
2	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
3	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

\* Comments are based on the review of documentation supplied with this application.

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** January 18, 2023

**Name of Owner:** Country Wide Homes (Teston Road) Inc.

**Location:** 4801 Teston Road

**File No.(s):** B019/22

---

**Proposal:** The Owner has submitted Consent Application file B019/22 to sever a 1.14 ha portion in the northwest corner of the subject lands containing an existing dwelling and retain a 19.09 ha portion on the east half of the subject lands.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low Density Residential" by Schedule 13 – Land Use, "Greenbelt Natural Heritage System" by Schedule 4, Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas, "Core Features" by Schedule 2 – Natural Heritage Network, and "Low Density Residential" and "Valley Lands" by Volume 2, Site-Specific Policy 12.13, Block 40/47

**Comments:**

The subject lands are within approved Draft Plan of Subdivision 19T-14V004, which contemplates the development of 94 single detached units on the east side of the retained lands and a separate lot for the existing dwelling on the severed lands. The balance of the retained lands between the existing and proposed dwellings is to be an open space block containing a natural heritage feature (valley lands). The severed lands are identical in configuration to Lot 95 on Draft Plan of Subdivision 19T-14V004. The Owner wishes to sever the existing dwelling (Lot 95) prior to proceeding with the subdivision. This would remove Lot 95 from the subdivision approvals process.

The proposed severed lands are outside of the "Core Features" and "Valley Lands" designations within VOP 2010. The severed lands meet the minimum lot area and frontage requirements of the "A – Agricultural Zone" under Zoning By-law 1-88. There is no minimum lot area and frontage requirement for the retained lands.

The Ontario Municipal Board ('OMB'), now known as the Ontario Land Tribunal ('OLT'), approved Draft Plan of Subdivision 19T-14V004 subject to conditions on April 6, 2016. Conditions 61 and 62 of that approval apply to Lot 95 (the severed lands). Those conditions require fencing be established where Lot 95 borders the natural feature to ensure the feature's long-term protection. As this application proposes to remove Lot 95 from the subdivision approvals process, measures are required to ensure the continuity of the conditions approved for the draft plan of subdivision. Therefore, Conditions of Provisional Consent are recommended to maintain the integrity of the OMB's decision with respect to file 19T-14V004. The proposed severance facilitates the creation of Lot 95 as was draft approved and does not impact the conditions of draft approval on the remainder of the site.

Accordingly, provided the conditions are included, the Development Planning Department has no objection to the requested severance and is of the opinion that the proposal meets the intent of the Official Plan, complies with the Zoning By-law, and conforms to Section 51(24) as required by Section 53(12) of the Planning Act.

**Recommendation:**

The Development Planning Department recommends approval of the application, subject to the following conditions:

**Conditions of Provisional Consent/Approval:**

If the Committee finds merit in the application, the following conditions of approval are recommended:

1. The Owner shall erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of Lot 95 that abuts Open Space Block 111. The Owner shall provide fence construction drawings to the satisfaction of the Development Services Department. The fence construction drawings shall be developed in general accordance with the fence line delineated in approved Draft Plan of Subdivision 19T-14V004.
2. The Owner shall ensure that the fencing treatment and footings are supplied and installed entirely within the proposed severed lands.
3. In order to fulfill Conditions 1 and 2, the Owner shall provide the following to the satisfaction of the Development Planning Department:
  - a. A certificate from a professional Ontario Land Surveyor (OLS) identifying all fencing treatments and fence locations are in accordance with the approved construction drawings. The OLS must certify that all residential fencing treatments are located entirely within the proposed severed lands and not on the retained lands. Any encroachments into the retained lands, which are proposed to become publicly owned lands in accordance with subdivision file 19T-14V004, are to be removed; and
  - b. The Owner shall provide a letter to the Development Planning Department from Urban Design Division confirming its site inspection to verify the fence was erected in accordance with the approved construction drawings was satisfactory.

**Comments Prepared by:**

Joshua Cipolletta, Planner I

David Harding, Senior Planner



January 10, 2023

CFN 66403.04

**SENT BY E-MAIL: Christine.Vigneault@vaughan.ca**

Ms. Christine Vigneault, Secretary Treasurer  
Committee of Adjustment, City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Ms. Vigneault:

**Re: Consent Application B019/22**  
**4801 Teston Road, Concession 7, Part Lot 25**  
**City of Vaughan, Region of York**  
**Owner: Country Wide Homes (Teston Road) Inc.**  
**Agent: KLM Planning Partners c/o Mark Tarranton**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by the Toronto and Region Conservation Authority (TRCA) on November 28, 2022. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

### **Purpose of the Applications**

It is our understanding that the purpose of the above noted application is to request the consent of the committee of adjustment to sever an approximately 11,440 sq. m parcel of land from the existing lot (known municipally as 4801 Teston Road) leaving a 190,870 sq. m lot to be retained.

### **Ontario Regulation 166/06**

Portions of the subject property are located within TRCA's Regulated Area of the Humber River Watershed. Under Ontario Regulation 166/06, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

### **Background**

The subject site is located within the Block 40/47 planning area. TRCA staff were involved in the review of Block Plan/Master Environmental Servicing Plan (MESP) for the Block 40/47 area. It is the understanding of TRCA that the northwestern corner of the site where the existing single-family dwelling is located was not included in the Block Plan/MESP process.

Furthermore, the subject lands went through a draft plan of subdivision application (Municipal File No. 19T-14V004) and zoning by-law amendment (Municipal File No. Z.14.010). These applications were approved by the Ontario Land Tribunal in 2016. As a part of the draft plan of subdivision, lot lines were proposed around the existing dwelling in the northwest corner of the lands (identified as Lot 95). It is the understanding of TRCA that the draft plan conditions have yet to be addressed and the subdivision has not been registered.

**Application-Specific Comments**

The subject property contains a valley corridor associated with a tributary of the Humber River. The valley system transverses the western portion of the property. There are also provincially significant wetlands located within the valley corridor.

As noted above, the northwestern corner of the subject property was not included in the MESP process through which the limits of the Natural System for the larger plan area were assessed and confirmed.

Based on TRCA's records, it is staff's understanding that an agreement related to establishing new lot lines around the existing dwelling was reached as a part of the draft plan of subdivision application process. Through observations made during a site visit and discussions regarding the necessary land area required to maintain the viability of the existing dwelling (i.e., maintaining yards, driveway, and septic and well areas) a set of new lot lines was agreed to by staff at the time and included in the draft plan of subdivision.

The lot lines agreed upon through the draft plan of subdivision process do not meet all TRCA's policy requirements related to lot creation. Specifically, a fulsome assessment of the valley corridor and standard buffer requirements from the limit of the valley corridor/erosion hazard were not factored into the delineation of the lot lines.

TRCA staff have no objection to the formal establishment of the lot lines that were identified in the draft plan of subdivision process, provided the intent of the lot creation is to maintain the viability of the existing dwelling.

Any further development/intensification of the proposed lot (i.e., subdividing of the lot) will be subject to a reassessment of the natural hazard limits and applicable buffer limits to ensure conformity with TRCA's current policies. Specifically, the limits of the natural hazards associated with the valley corridor in the vicinity of the existing dwelling would need to be assessed through a site visit and applicable technical studies as deemed necessary based on field observations by current staff (e.g., slope stability study). This reassessment may result in adjustment to the lot lines established through this consent process and a reduction to the overall developable area of the lot.

**Recommendation**

Based on the above-noted comments, TRCA staff have no objection to the approval of Consent Application B019/22 subject to the following condition

1. That the applicant provides the required fee amount of \$1,590 payable to the Toronto and Region Conservation Authority.

TRCA trusts these comments are of assistance. Should you have any questions, please contact the undersigned at 437-880-2129 or at [kristen.regier@trca.ca](mailto:kristen.regier@trca.ca).

Sincerely,



Kristen Regier  
Planner I  
Development Planning and Permits

KR/sb

**From:** [Wong, Justin](#)  
**To:** [Christine Vigneault](#)  
**Subject:** [External] CONS.22.V.0102 (B019/22) - York Region Comments  
**Date:** Friday, December 2, 2022 2:30:36 PM

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Hi Christine,

York Region has reviewed the above noted consent application and have no issue with the severance.

Regards,

*Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours.  
Let's work together to help foster healthy work-life boundaries.*

**Justin Wong, MCIP, RPP** | Planner, Planning and Economic Development Branch, Corporate Services Department

---

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71577 | [Justin.Wong@york.ca](mailto:Justin.Wong@york.ca) | [york.ca](http://york.ca)

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Agent	KLM Planning		09/27/22	Planning Justification Memo

KLM File: P- 2712

September 27, 2022

City of Vaughan  
2141 Major Mackenzie Dr,  
Vaughan ON L6A 1T1

**Attn: Christine Vigneault, AMP, ACST**  
**Manager Development Services & Secretary Treasurer to the Committee of Adjustment**

**RE: Planning Justification Memo**  
**Consent to Sever Application**  
**Condor Properties Ltd.**  
**Country Wide Homes (Pine Valley Estates) Inc.**  
**4801 Teston Road**  
**City of Vaughan, Region of York**

---

Dear Christine,

KLM Planning Partners Inc. is the land use planner on behalf of Country Wide Homes (Pine Valley Estates) Inc. we are pleased to submit the proposed consent application for the creation of a single lot in the same configuration as Lot 95 on draft approved Draft Plan of Subdivision 19T-14V004 (see attached), and as shown on the proposed consent sketch (see attached).

In our opinion the approval for the proposed consent has previously been established through the approval of Draft Approved Plan 19T-14V004 (formerly Liliana Damiani, Case PL150866) as approved in the order of the Ontario Municipal Board dated April 6, 2016, copy of order attached. This order confirms that the proposed Subdivision including Lot 95 has regard for Section 2 of the Planning Act, meets the requirements of Subsection 51 (24) of the Planning Act is consistent with the Provincial Policy Statement in effect at the time, conforms to the Greenbelt Plan and the Growth Plan in effect at the time, conforms to the Region of York Official Plan (2010), and with OPA 744 to the City of Vaughan Official Plan which has now been incorporated as an Area Specific Plan within the City of Vaughan OP 2010. We have reviewed the most current versions including the Planning Act, Provincial Policy Statement (2020), Greenbelt Plan (2017), and the Growth Plan (2019), and our opinion remains that the creation of the proposed severance in the same configuration as Lot 95 within 19T-14V004 has regard for Section 2 of the Planning Act, meets the requirements of Subsection 51 (24) of the Planning Act is consistent with the Provincial Policy Statement (2020), conforms to the Greenbelt Plan (2017) and the Growth Plan (2019).

For further clarification regarding the Greenbelt Plan (2017), Section 5.2.1 of the Greenbelt Plan and any further applications required under the Planning Act or Condominium Act, 1998 to implement

the Official Plan Approval are not required to conform to the Greenbelt Plan. This is also reflected in the decision of the Ontario Municipal Board with its approval of OPA 744, now within City of Vaughan OP 2010 Volume 2, Chapter 12.13 Block 40/47 which states at policy 12.13.2.6 xii that: "The Block Plan and any further Planning Act applications required to implement the permitted uses within Block 40/47 are subject to the transitional provisions of Section 24(2) of the Greenbelt Act". Based on the foregoing, the proposed zoning is not subject to the Greenbelt Plan.

In addition, the proposed severance complies with By-law 1-88 as amended which was approved by Local Planning Appeal Tribunal on April 30, 2018, copy of order attached. This by-law zoned the proposed Lot 95 lands as Agricultural and included site-specific exception 9 (1461) to reduce the minimum lot area in the Agricultural zone for the subject lands to 1.0 hectares, which together with the parent zone requires a minimum lot frontage of 100 meters (328 feet). The proposed severance is for the creation of a lot with an area of 1.14 hectares and frontage of 201 meters (659 feet) and therefore complies with the existing zoning. In addition, the existing dwelling within the proposed new lot complies with all requirements of the By-law 1-88 as amended.

By-law 01-2021, as amended is currently under appeal by our client. In our opinion the proposed consent application is transitioned under the transitions provisions under by law 01-2021 as amended and therefore By-law 1-88, as amended applies. Notwithstanding, the proposed zoning is Agriculture and Section 14.1086 carries forward the minimum lot area requirement of 1.0 hectares and the provisions of the Agriculture zone requires a minimum lot area of 100 meters (328 feet). Therefore, the proposed severance conforms to the proposed By-law 01-2021. In addition, the existing dwelling within the proposed new lot complies with all requirements of the By-law 01-2021.

Based on the foregoing we are of the opinion that the proposed severance should be approved, represents good planning, and is in the public interest.

If you have any questions or concerns, please don't hesitate to contact the undersigned.

Yours truly,

**KLM Planning Partners Inc.**



Mark Yarranton, MCIP, RPP  
President



Ally Krstajic B.U.R.PI  
Planner II

cc. Sam Balsamo, Countrywide Homes

Attachments:

1. Draft Approved Draft Plan of Subdivision 19T-14V004, prepared by Templeton Planning Limited, dated February 15, 2016;
2. Local Planning Appeal Tribunal Order PL150684, dated April 30, 2018;
3. Ontario Municipal Board Order PL150684, dated April 6, 2016.



SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
OMB Order PL150822 (Z.07.002)	04/06/2016	The Board orders that the appeals of the proposed zoning by-law amendments to the City of Vaughan Zoning By-law No. 1-88 are allowed. The appeals of the applications for draft plans of subdivision approval are allowed. Zoning By-law No. 1-88 is amended and the draft plans of subdivision are approved, subject to conditions.
LPATORDER PL150866 (Z.07.002)	04/30/2018	<p>Pursuant to s. 34(11.0.2) of the <i>Planning Act</i>, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of Country Wide Homes (Pine Valley Estates) Inc.</p> <p>Pursuant to s. 34(11.0.2) of the <i>Planning Act</i>, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of Country Wide Homes (Teston Road) Inc.</p>

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

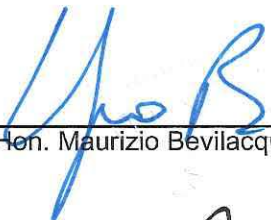
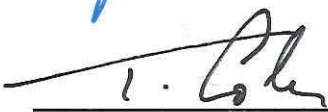
## **BY-LAW NUMBER 101-2018**

**A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board.**

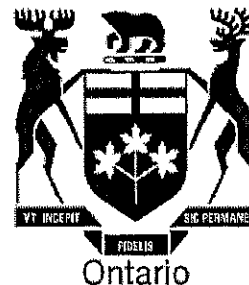
The Council of The Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Ontario Municipal Board Order Issue, dated the 30<sup>th</sup> of April 2018 (OMB File No. PL150864), attached hereto as Schedule "1", is hereby designated as By-law Number 10-2018.

Enacted by City of Vaughan Council this 19<sup>th</sup> day of June, 2018.

  
\_\_\_\_\_  
Hon. Maurizio Bevilacqua, Mayor  
\_\_\_\_\_  
Todd Coies, City Clerk

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** April 30, 2018

**CASE NO(S):** PL150822 PL150870  
PL150866 PL150872  
PL150868 PL150684

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	2097500 Ontario Limited
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A
Proposed Zoning:	Residential Detached Zone RD1, Residential Detached Zone RD3, Open Space Conservation Zone OS1 and Open Space Park Zone OS2
Purpose:	To permit the development of a plan of subdivision consisting of 83.5 dwelling units, parkland/open space and maintenance of valley lands
Property Address/Description:	4077 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	Z.07.002
OMB Case No.:	PL150822
OMB File No.:	PL150822
OMB Case Name:	2097500 Ontario Limited v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	2097500 Ontario Limited
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	4077 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	19T-07V01
OMB Case No.:	PL150822
OMB File No.:	PL150823

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Liliana Damiani
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A
Proposed Zoning:	Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Agricultural Zone A, Open Space Conservation Zone OS1 and Open Space Park Zone OS2
Purpose:	To permit the development of a plan of subdivision consisting of 94 lots for detached dwellings, 14 residential blocks, as well as to maintain 1 existing residential building and to provide open space/buffer blocks
Property Address/Description:	4801 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	Z.14.010
OMB Case No.:	PL150866
OMB File No.:	PL150866
OMB Case Name:	Damiani v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	Liliana Damiani
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	4801 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	19T-14V004

OMB Case No.: PL150866  
OMB File No.: PL150867

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Gold Park Homes Inc., 840999 Ontario Limited and Prima Vista Estates Inc.  
Subject: Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision  
Existing Zoning: Agricultural Zone A and Open Space Conservation Zone OS1  
Proposed Zoning: Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Residential Townhouse Zone RT1, Neighbourhood Commercial Zone C4, Open Space Conservation Zone OS1 and Open Space Park Zone OS2  
Purpose: To permit the development of a plan of subdivision consisting of 536.5 dwelling units, a commercial block, parkland/open space, a stormwater management pond and maintenance of the valley lands  
Property Address/Description: 4333 Teston Road, 10601, 10699 and 10733 Pine Valley Drive  
Municipality: City of Vaughan  
Municipal File No.: Z.03.024  
OMB Case No.: PL150868  
OMB File No.: PL150868  
OMB Case Name: Gold Park Homes Inc. v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Gold Park Homes Inc., 840999 Ontario Limited and Prima Vista Estates Inc.  
Subject: Proposed Plan of Subdivision  
Property Address/ Description: 4333 Teston Road, 10601, 10699 and 10733 Pine Valley Drive  
Municipality: City of Vaughan  
Municipal File No.: 19T-03V05  
OMB Case No.: PL150868  
OMB File No.: PL150869

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Mosaik Pinewest Inc.
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A and Open Space Conservation Zone OS1
Proposed Zoning:	Residential Detached Zone RD2, Residential Detached Zone RD3 and Open Space Conservation Zone OS1
Purpose:	To permit the development of a plan of subdivision consisting of 43 residential detached lots and 8 residential blocks (4 lots), open space buffer blocks and a stormwater management pond
Property Address/Description:	10355 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	Z.06.058
OMB Case No.:	PL150870
OMB File No.:	PL150870
OMB Case Name:	Mosaik Pinewest Inc. v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	Mosaik Pinewest Inc.
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	10355 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	19T-06V10
OMB Case No.:	PL150870
OMB File No.:	PL150871

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	1387700 Ontario Limited, Roybridge Holdings Limited, Lindvest Properties (Pine Valley) Limited and Lindvest Properties (pine valley RB) Limited
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision

Existing Zoning: Agricultural Zone A  
Proposed Zoning: Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Residential Townhouse Zone RT1, Open Space Conservation Zone OS1 and Open Space Park Zone OS2  
Purpose: To permit the development of a plan of subdivision consisting of 418 dwelling units, an elementary school block, parkland/open space, a stormwater management pond and maintenance of the valley lands  
Property Address/Description: 10460 and 10640 Pine Valley Drive  
Municipality: City of Vaughan  
Municipal File No.: Z.03.107  
OMB Case No.: PL150872  
OMB File No.: PL150872  
OMB Case Name: Lindvest Properties (Pine Valley) Limited v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: 1387700 Ontario Limited, Roybridge Holdings Limited, Lindvest Properties (Pine Valley) Limited and Lindvest Properties (pine valley RB) Limited  
Subject: Proposed Plan of Subdivision  
Property Address/ Description: 10460 and 10640 Pine Valley Drive  
Municipality: City of Vaughan  
Municipal File No.: 19T-03V25  
OMB Case No.: PL150872  
OMB File No.: PL150873

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Country Wide Homes (Pine Valley Estates) Inc.  
Subject: Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision  
Existing Zoning: "A Agricultural Zone"  
Proposed Zoning: "RD1 Residential Detached Zone One", "RD2 Residential Detached Zone Two", "RD3 Residential Detached Zone Three", "RT1 Residential Townhouse Zone", "OS1 Open Space Conservation Zone" and "OS2 Open

## Space Park Zone"

Purpose: To permit the development of a residential plan of subdivision consisting of 162 detached dwellings, 34 townhouse dwellings contained within six (6) blocks, a neighbourhood park (approximately 1.3 hectares [3.2 acres] in size), valley land (approximately 10.7 hectares [26.4 acres] in size) as well as valley and landscape buffers, a road widening and a block for future development

Property Address/Description: 10390 Pine Valley Drive/ Part of Lots 23 & 24, Concession 7, City of Vaughan

Municipality: City of Vaughan

Municipal File No.: Z.06.064

OMB Case No.: PL150684

OMB File No.: PL150684

OMB Case Name: Country Wide Homes (Pine Valley Estates) Inc. v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Country Wide Homes (Pine Valley Estates) Inc.

Subject: Proposed Plan of Subdivision - Failure of the City of Vaughan to make a decision

Purpose: To permit the development of a residential plan of subdivision consisting of 162 detached dwellings, 34 townhouse dwellings contained within six (6) blocks, a neighbourhood park (approximately 1.3 hectares [3.2 acres] in size), valley land (approximately 10.7 hectares [26.4 acres] in size) as well as valley and landscape buffers, a road widening and a block for future development

Property Address/Description: 10390 Pine Valley Drive/ Part of Lots 23 & 24, Concession 7, City of Vaughan

Municipality: City of Vaughan

Municipal File No.: 19T-06V12

OMB Case No.: PL150684

OMB File No.: PL150685

**Heard:** Written Submissions, filed February 21, 2018



**APPEARANCES:**

<u>Parties</u>	<u>Counsel</u>
Country Wide Homes (Teston Road) Inc.	N. J. Pepino M. Barrett
Country Wide Homes (Pine Valley Estates) Inc.	N. J. Pepino M. Barrett
City of Vaughan	C. Storto C. Facciolo
Toronto and Region Conservation Authority	J. Wigley

**DECISION DELIVERED BY SUSAN de AVELLAR SCHILLER AND ORDER OF THE TRIBUNAL**

---

[1] On April 6, 2016, the Ontario Municipal Board ("Board") issued its decision on several site-specific zoning by-law amendments and associated draft plans of subdivision, with conditions, for lands within blocks 40 and 47 in the City of Vaughan ("City"). The lands that are the subject of these planning instruments are all within the geographic area of, and governed by, City Official Plan Amendment 744 ("OPA 744"). The reader is referred to the April 6, 2016 decision for additional background.

[2] These cases had been administratively grouped to be heard together but were not consolidated. In the April 6, 2016 decision, the Board dealt with each of these cases and ordered:

that the appeals of the proposed zoning by-law amendments to the City of Vaughan Zoning By-law No. 1-88 are allowed. The appeals of the applications for draft plans of subdivision approval are allowed. Zoning By-law No. 1-88 is amended and the draft plans of subdivision are approved, subject to conditions...

[3] In addition, the Board stated in its decision that:

The Board withholds its final order on each of these zoning by-law amendments in each of these cases until the Board is advised that the

Master Environmental Servicing Plan is completed and that revisions to the particular zoning by-law amendment, if any, are agreed upon to the satisfaction of the City of Vaughan and the Toronto and Region Conservation Authority.

[4] This work having been completed, written submissions with revised zoning by-law amendments have now come to the Tribunal. The proposed changes arise from discussions between the proponents, the City and the Toronto and Region Conservation Authority ("TRCA") that resulted from the further work on environmental servicing, natural heritage considerations, and consideration of the Growth Plan for the Greater Golden Horseshoe 2017 ("GGH 2017") and the Greenbelt Plan 2017 ("GBP 2017").

[5] The matters before the Tribunal in this decision now come to the Tribunal with the consent of the City and with the consent or no objection from the TRCA.

[6] Section 2.1 of the *Planning Act*, R.S.O. 1990 c. P.13, as amended ("Act") requires the Tribunal to have regard to any decision made by the municipal council on the same matter that is before the Tribunal and, similarly, to have regard to any information and material that the municipal council considered when making its decision.

[7] The Tribunal has considered the fact that all matters before the Tribunal in these proceedings have come on the consent of the City. Additionally, the Tribunal has considered the reports and materials before City Council, where they have been set out in an affidavit filed in these proceedings.

[8] This decision deals with case PL150864 for County Wide Homes (Pine Valley Estates) Inc. ("Country Wide PV") and case PL150866 for Country Wide Homes (Teston Road) Inc. ("Country Wide Teston").

[9] The appeal in case PL150866 was filed by Liliana Damiani. Country Wide Teston acquired the Country Wide Teston lands from Ms. Damiani. As the registered owner of

the lands, Country Wide Teston has assumed and continued the appeal filed by Ms. Damiani.

[10] For this written hearing, the Tribunal had before an Affidavit of Mark Yarranton for Country Wide PV and a second Affidavit of Mr. Yarranton for Country Wide Teston. Mr. Yarranton is a full Member of the Canadian Institute of Planners and a Registered Professional Planner in Ontario. In addition to his *curriculum vitae*, the Tribunal had a signed copy of the Acknowledgement of Expert's Duty form. Mr. Yarranton was qualified to provide independent expert opinion evidence in land use planning matters in the oral hearing that resulted in the April 6, 2016 decision. The Tribunal is satisfied that Mr. Yarranton continues to be qualified to provide independent expert opinion evidence in land use planning.

[11] There are no proposed modifications to OPA 744 and no proposed revisions to the draft plans of subdivision or the conditions of draft plan approval for either the Country Wide PV or the Country Wide Teston matters.

[12] For Country Wide PV there are some minor changes to the proposed zoning by-law amendment that are primarily stylistic. There is also a slight increase in the permitted height for Street Townhouses to respond to the City's Urban Design Guidelines and Architectural Control Guidelines. Finally, the zoning on Block 201 is changed from an open space park zone to a residential zone. This includes a holding provision that allows only a park on this Block prior to the removal of the holding provision. The removal of the holding provision requires, among other matters, that satisfactory arrangements are made for the conveyance of a park and that the owner enters into a parks agreement with the City, all of which is to be to the satisfaction of the City.

[13] For Country Wide Teston the revised proposed zoning by-law amendment has been changed only for stylistic and formatting purposes sought by the City.

[14] For each of these two revised proposed zoning by-law amendments, on the

applicable affidavit of Mr. Yarranton, the Tribunal finds that these revised proposed zoning by-law amendments:

1. have had regard for, and appropriately implement, matters of provincial interest as set out in s. 2 of the Act;
2. are consistent with the Provincial Policy Statement 2014 ("PPS");
3. conform to the GGH 2017;
4. conform to the GBP 2017;
5. conform to the Region of York Official Plan ("ROP"); and
6. conform to the City Official Plan Amendment 600, as modified by OPA 744.

## ORDER

[15] Pursuant to s. 34(11.0.2) of the *Planning Act*, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of Country Wide Homes (Pine Valley Estates) Inc.

[16] Pursuant to s. 34(11.0.2) of the *Planning Act*, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of Country Wide Homes (Teston Road) Inc.

*"Susan de Avellar Schiller"*

SUSAN de AVELLAR SCHILLER  
VICE-CHAIR

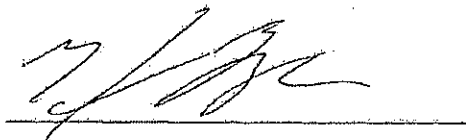
If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Environment and Land Tribunals Ontario

Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

**THIS IS EXHIBIT "D" REFERRED TO IN THE AFFIDAVIT OF  
MARK D. YARRANTON  
SWORN BEFORE ME THIS 16<sup>TH</sup> DAY OF FEBRUARY 2018**

A handwritten signature in black ink, appearing to read 'K. MacKinnon', is written over a horizontal line.

**A Commissioner for Taking Affidavits**

**Keith Andrew Kenneth MacKinnon,  
a Commissioner, etc., Province of Ontario  
for KLM Planning Partners Inc.  
Expires January 22, 2020.**



# **THE CITY OF VAUGHAN**

# **BY-LAW**

## **BY-LAW NUMBER 101-2018**

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Vaughan 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, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and RD3(H) Residential Detached Zone Three with the Holding Symbol "(H)", in the manner shown on the said Schedule "1".

b) Adding the following Paragraph to Section 9.0 'EXCEPTIONS':

"(Hb) A. The following provisions shall apply to the lands with the Holding Symbol "(H)" as shown on Schedule "E-1590

a) Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of this By-law, or a Park. The Holding Symbol shall not be removed, in whole or in part, until such time as:

i. the approval of a revised draft plan of subdivision for residential lots on these lands;

ii. satisfactory arrangements are made for the conveyance of parkland within the area identified as Phase 1 and/or Phase 2 on Schedule "E-1590", and;

iii. the owner entering into a parks agreement with the City of Vaughan addressing parklands dedication, all to the satisfaction of the City of Vaughan.

B. Notwithstanding the provisions of:

a. Subsections 4.22.3 and 3.14 a) respecting Permitted Yard Encroachments and Restrictions in an RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three and RT1 Residential Townhouse Zone;

b. Subsections 4.22.3 and 3.14 c) respecting Permitted Yard Encroachments and Restrictions in an RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three and RT1 Residential Townhouse Zone;

c. Subsections 4.22.2 and 4.22.3 respecting Encroachment of an Unenclosed Porches (Covered or Uncovered), Cold Cellars and Architectural Features and Balconies;

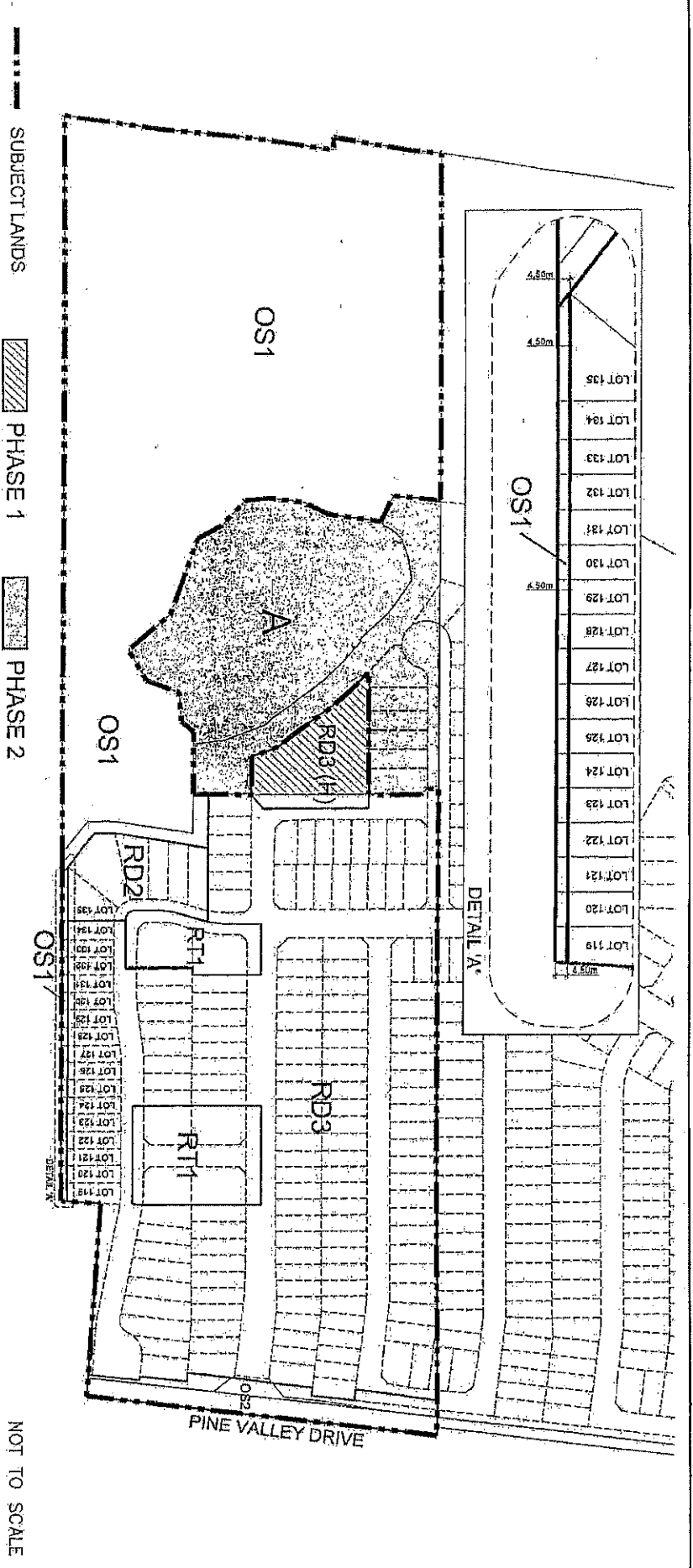
- d. Subsection 4.22.3 and Schedule "A3" respecting Maximum Building Height in an RT1 Residential Townhouse Zone;
- e. Subsection 4.22.3 and Note 3. f) on Schedule "A3", respecting Minimum Interior Side Yard Abutting a non-residential use;
- f. Subsection 4.22.3 and Note 5. on Schedule "A3", respecting the Minimum Exterior Side Yard Abutting a Sight Triangle; and
- g. Subsections 7.1.2 and 7.2.1 respecting Uses Permitted and Structures Within the in the OS1 Zone on Lots 119 to 135 on Schedule 1;

The following provision shall apply to the lands shown as "Subject Lands" on Schedule "E":

159.0

- ai. Sills, air conditioners other than central air conditioning units, belt courses, cornices, eaves, gutters, canopies, chimney pilasters, fireplaces and windows, provided however, that the same shall not project more than 0.5 metres into a required yard;
- bi. Subject to Paragraph (b), exterior stairways, porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings may extend into a required interior side yard to a maximum distance of 0.3 metres and may extend into a required front, exterior side or rear yard to a maximum of 1.8 metres. In addition a bay or box window or similar window projection constructed with footings shall be permitted and may extend into a required front, exterior side or rear yard to a maximum of 0.6 metres;
- ci. The following provisions shall apply: In addition to the requirements of Subsection 3.14, Permitted Yard Encroachments and Restrictions, encroachments (in addition to eaves and gutters) are permitted into the minimum required front yard, exterior yard, rear yard and into the minimum required interior side yard for a lot abutting a greenway, walkway, buffer block or stormwater management pond as follows:
  - i) an unenclosed porch (covered or uncovered) to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres;
  - ii) a 1.5 metre no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a site triangle;
  - iii) the maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the front yard or exterior side yard, or in the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, shall not exceed 1.2 metres above finished grade;

- di. The maximum permitted Building Height shall be 12 metres;
  - ej. The minimum interior side yard shall be 1.5m on a lot abutting a non-residential use including a cemetery, walkway, Greenway, buffer block or stormwater management pond;
  - fi. the minimum exterior side yard: (i) shall be 3.0m abutting a public lane; (ii) shall be 1.5m abutting a sight triangle; (iii) shall be 1.5m for a yard abutting a cemetery, walkway, Greenway, buffer block or storm water management pond; and
  - gi. on Lots 119 to 135 as shown on Schedule "E-<sup>1590</sup>" only soft landscaping shall be permitted within 4.5m of the rear lot line and buildings or structures including swimming pools, pool cabanas, gazebos, sheds or accessory buildings of any kind, and the storage of machinery or materials are not permitted."
  - c) Adding Schedule "E-<sup>1590</sup>" attached hereto as Schedule "1".
  - d) Deleting Key Map 6E and substituting therefore the Key Map 6E attached hereto as Schedule "2"
2. Schedules "1" and "2" shall be and hereby form part of this By-law.

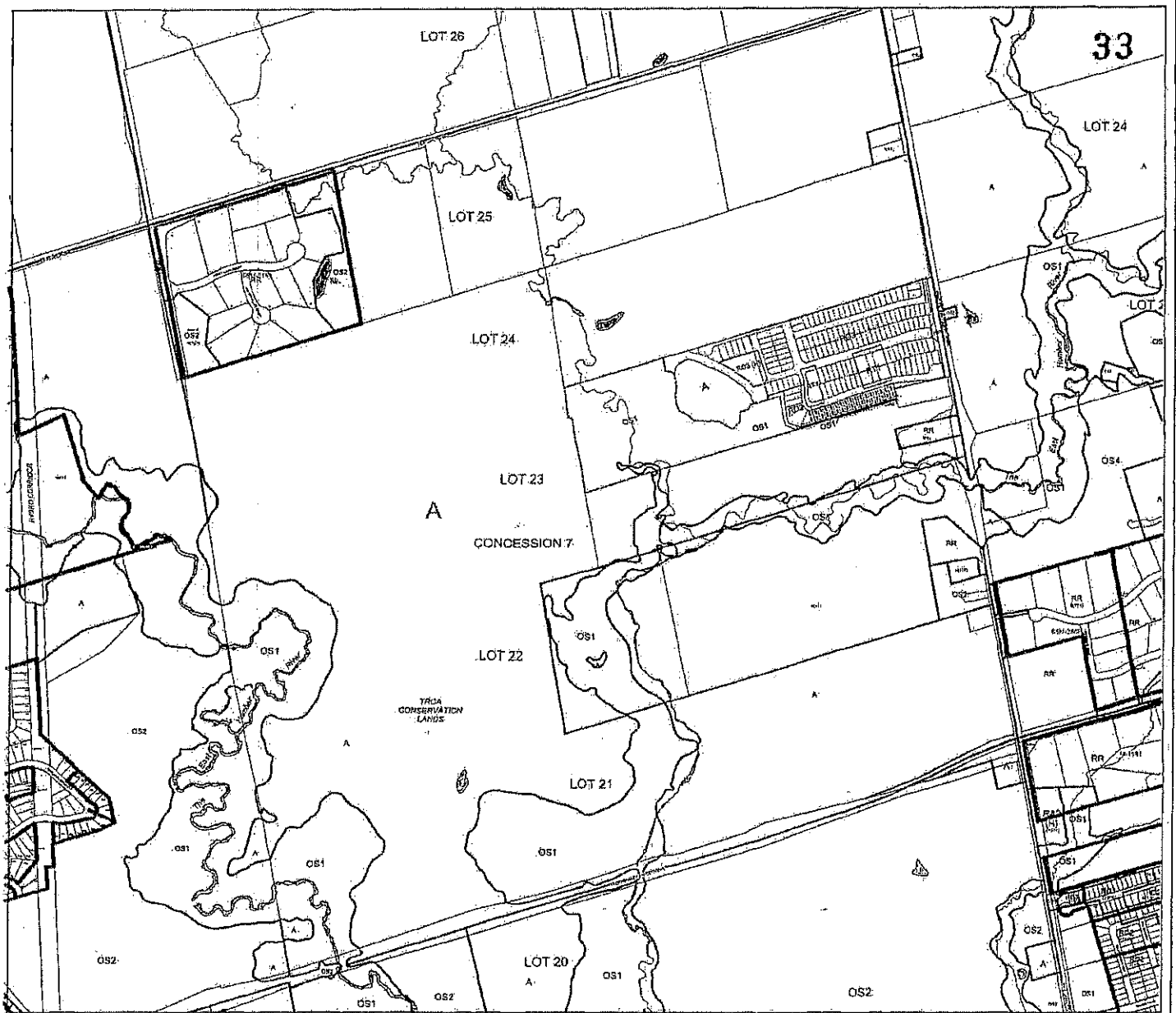


THIS IS SCHEDULE 'E-159a  
TO BY-LAW 1-88  
SECTION 9(11.9)

THIS IS SCHEDULE '1'  
TO BY-LAW 101-2018  
PASSED THE 19<sup>th</sup> DAY OF JUNE, 2018

FILE # 2.038  
RELATED FILE: 197-08V12  
LOCATION: PART OF LOTS 23 AND 24, CONCESSION 7  
APPLICANT: COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC.  
CITY OF VAUGHAN

SIGNING OFFICERS  
BOARD ORDER: PL150864  
April 30, 2018  
MAYOR  
CLERK



KEY MAP 7E  
BY-LAW 1-88

NOT TO SCALE

**THIS IS SCHEDULE '2'**  
**TO BY-LAW 101 -2018**  
**PASSED THE 19th DAY OF JUNE, 2018**

FILE: Z.12.038  
RELATED FILE: 19T-06V12  
LOCATION: PART OF LOTS 23 AND 24, CONCESSION 7  
APPLICANT: COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC.  
CITY OF VAUGHAN

SIGNATURE \_\_\_\_\_  
**BOARD ORDER: PL150864**  
**April 30, 2018**  
MAYOR \_\_\_\_\_  
CLERK \_\_\_\_\_

February 16, 2018  
Country Wide Homes

**SUMMARY TO BY-LAW 101 -2018**

34

The lands subject to this By-law are located on the west side of Pine Valley Drive and south of Teston Road, being in Part of Lots 23 and 24, Concession 7, 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 RD2 Residential Detached Zone Two and RD3 Residential Detached Zone Three, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and RD3 Residential Detached Zone Three with the Holding Symbol "(H)" to facilitate 192 dwelling units comprised of 158 detached dwelling units and 34 street townhouse units, of which 2 are to develop with the adjacent lands, a temporary park, open space buffers and road widenings, and to maintain the existing valleylands in the 25.71 ha Plan of Subdivision 19T-06V12.

The by-law also provides exceptions to the permitted yard encroachments, permitted uses in the OS1 Zone, minimum yard requirements and maximum height for street townhouse dwellings.



NOT TO SCALE

# LOCATION MAP

## TO BY-LAW 101 -2018

FILE: Z.12.038  
 RELATED FILE: 19T-06V12  
 LOCATION: PART OF LOTS 23 AND 24, CONCESSION 7  
 APPLICANT: COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC.  
 CITY OF VAUGHAN

SUBJECT LANDS





# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

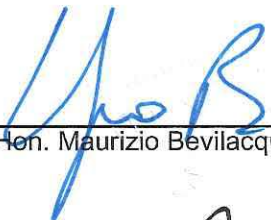
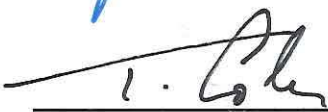
## **BY-LAW NUMBER 101-2018**

**A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board.**

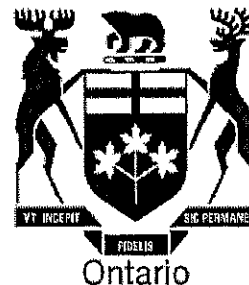
The Council of The Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Ontario Municipal Board Order Issue, dated the 30<sup>th</sup> of April 2018 (OMB File No. PL150864), attached hereto as Schedule "1", is hereby designated as By-law Number 10-2018.

Enacted by City of Vaughan Council this 19<sup>th</sup> day of June, 2018.

  
\_\_\_\_\_  
Hon. Maurizio Bevilacqua, Mayor  
\_\_\_\_\_  
Todd Coies, City Clerk

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** April 30, 2018

**CASE NO(S):** PL150822 PL150870  
PL150866 PL150872  
PL150868 PL150684

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	2097500 Ontario Limited
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A
Proposed Zoning:	Residential Detached Zone RD1, Residential Detached Zone RD3, Open Space Conservation Zone OS1 and Open Space Park Zone OS2
Purpose:	To permit the development of a plan of subdivision consisting of 83.5 dwelling units, parkland/open space and maintenance of valley lands
Property Address/Description:	4077 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	Z.07.002
OMB Case No.:	PL150822
OMB File No.:	PL150822
OMB Case Name:	2097500 Ontario Limited v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	2097500 Ontario Limited
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	4077 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	19T-07V01
OMB Case No.:	PL150822
OMB File No.:	PL150823

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Liliana Damiani
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A
Proposed Zoning:	Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Agricultural Zone A, Open Space Conservation Zone OS1 and Open Space Park Zone OS2
Purpose:	To permit the development of a plan of subdivision consisting of 94 lots for detached dwellings, 14 residential blocks, as well as to maintain 1 existing residential building and to provide open space/buffer blocks
Property Address/Description:	4801 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	Z.14.010
OMB Case No.:	PL150866
OMB File No.:	PL150866
OMB Case Name:	Damiani v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	Liliana Damiani
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	4801 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	19T-14V004

OMB Case No.: PL150866  
OMB File No.: PL150867

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Gold Park Homes Inc., 840999 Ontario Limited and Prima Vista Estates Inc.  
Subject: Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision  
Existing Zoning: Agricultural Zone A and Open Space Conservation Zone OS1  
Proposed Zoning: Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Residential Townhouse Zone RT1, Neighbourhood Commercial Zone C4, Open Space Conservation Zone OS1 and Open Space Park Zone OS2  
Purpose: To permit the development of a plan of subdivision consisting of 536.5 dwelling units, a commercial block, parkland/open space, a stormwater management pond and maintenance of the valley lands  
Property Address/Description: 4333 Teston Road, 10601, 10699 and 10733 Pine Valley Drive  
Municipality: City of Vaughan  
Municipal File No.: Z.03.024  
OMB Case No.: PL150868  
OMB File No.: PL150868  
OMB Case Name: Gold Park Homes Inc. v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Gold Park Homes Inc., 840999 Ontario Limited and Prima Vista Estates Inc.  
Subject: Proposed Plan of Subdivision  
Property Address/ Description: 4333 Teston Road, 10601, 10699 and 10733 Pine Valley Drive  
Municipality: City of Vaughan  
Municipal File No.: 19T-03V05  
OMB Case No.: PL150868  
OMB File No.: PL150869

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Mosaik Pinewest Inc.
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A and Open Space Conservation Zone OS1
Proposed Zoning:	Residential Detached Zone RD2, Residential Detached Zone RD3 and Open Space Conservation Zone OS1
Purpose:	To permit the development of a plan of subdivision consisting of 43 residential detached lots and 8 residential blocks (4 lots), open space buffer blocks and a stormwater management pond
Property Address/Description:	10355 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	Z.06.058
OMB Case No.:	PL150870
OMB File No.:	PL150870
OMB Case Name:	Mosaik Pinewest Inc. v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	Mosaik Pinewest Inc.
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	10355 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	19T-06V10
OMB Case No.:	PL150870
OMB File No.:	PL150871

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	1387700 Ontario Limited, Roybridge Holdings Limited, Lindvest Properties (Pine Valley) Limited and Lindvest Properties (pine valley RB) Limited
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision

Existing Zoning: Agricultural Zone A  
Proposed Zoning: Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Residential Townhouse Zone RT1, Open Space Conservation Zone OS1 and Open Space Park Zone OS2  
Purpose: To permit the development of a plan of subdivision consisting of 418 dwelling units, an elementary school block, parkland/open space, a stormwater management pond and maintenance of the valley lands  
Property Address/Description: 10460 and 10640 Pine Valley Drive  
Municipality: City of Vaughan  
Municipal File No.: Z.03.107  
OMB Case No.: PL150872  
OMB File No.: PL150872  
OMB Case Name: Lindvest Properties (Pine Valley) Limited v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: 1387700 Ontario Limited, Roybridge Holdings Limited, Lindvest Properties (Pine Valley) Limited and Lindvest Properties (pine valley RB) Limited  
Subject: Proposed Plan of Subdivision  
Property Address/ Description: 10460 and 10640 Pine Valley Drive  
Municipality: City of Vaughan  
Municipal File No.: 19T-03V25  
OMB Case No.: PL150872  
OMB File No.: PL150873

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Country Wide Homes (Pine Valley Estates) Inc.  
Subject: Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision  
Existing Zoning: "A Agricultural Zone"  
Proposed Zoning: "RD1 Residential Detached Zone One", "RD2 Residential Detached Zone Two", "RD3 Residential Detached Zone Three", "RT1 Residential Townhouse Zone", "OS1 Open Space Conservation Zone" and "OS2 Open

## Space Park Zone"

Purpose: To permit the development of a residential plan of subdivision consisting of 162 detached dwellings, 34 townhouse dwellings contained within six (6) blocks, a neighbourhood park (approximately 1.3 hectares [3.2 acres] in size), valley land (approximately 10.7 hectares [26.4 acres] in size) as well as valley and landscape buffers, a road widening and a block for future development

Property Address/Description: 10390 Pine Valley Drive/ Part of Lots 23 & 24, Concession 7, City of Vaughan

Municipality: City of Vaughan

Municipal File No.: Z.06.064

OMB Case No.: PL150684

OMB File No.: PL150684

OMB Case Name: Country Wide Homes (Pine Valley Estates) Inc. v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Country Wide Homes (Pine Valley Estates) Inc.

Subject: Proposed Plan of Subdivision - Failure of the City of Vaughan to make a decision

Purpose: To permit the development of a residential plan of subdivision consisting of 162 detached dwellings, 34 townhouse dwellings contained within six (6) blocks, a neighbourhood park (approximately 1.3 hectares [3.2 acres] in size), valley land (approximately 10.7 hectares [26.4 acres] in size) as well as valley and landscape buffers, a road widening and a block for future development

Property Address/Description: 10390 Pine Valley Drive/ Part of Lots 23 & 24, Concession 7, City of Vaughan

Municipality: City of Vaughan

Municipal File No.: 19T-06V12

OMB Case No.: PL150684

OMB File No.: PL150685

**Heard:** Written Submissions, filed February 21, 2018

**APPEARANCES:**

<u>Parties</u>	<u>Counsel</u>
Country Wide Homes (Teston Road) Inc.	N. J. Pepino M. Barrett
Country Wide Homes (Pine Valley Estates) Inc.	N. J. Pepino M. Barrett
City of Vaughan	C. Storto C. Facciolo
Toronto and Region Conservation Authority	J. Wigley

**DECISION DELIVERED BY SUSAN de AVELLAR SCHILLER AND ORDER OF THE TRIBUNAL**

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[1] On April 6, 2016, the Ontario Municipal Board ("Board") issued its decision on several site-specific zoning by-law amendments and associated draft plans of subdivision, with conditions, for lands within blocks 40 and 47 in the City of Vaughan ("City"). The lands that are the subject of these planning instruments are all within the geographic area of, and governed by, City Official Plan Amendment 744 ("OPA 744"). The reader is referred to the April 6, 2016 decision for additional background.

[2] These cases had been administratively grouped to be heard together but were not consolidated. In the April 6, 2016 decision, the Board dealt with each of these cases and ordered:

that the appeals of the proposed zoning by-law amendments to the City of Vaughan Zoning By-law No. 1-88 are allowed. The appeals of the applications for draft plans of subdivision approval are allowed. Zoning By-law No. 1-88 is amended and the draft plans of subdivision are approved, subject to conditions...

[3] In addition, the Board stated in its decision that:

The Board withholds its final order on each of these zoning by-law amendments in each of these cases until the Board is advised that the



Master Environmental Servicing Plan is completed and that revisions to the particular zoning by-law amendment, if any, are agreed upon to the satisfaction of the City of Vaughan and the Toronto and Region Conservation Authority.

[4] This work having been completed, written submissions with revised zoning by-law amendments have now come to the Tribunal. The proposed changes arise from discussions between the proponents, the City and the Toronto and Region Conservation Authority ("TRCA") that resulted from the further work on environmental servicing, natural heritage considerations, and consideration of the Growth Plan for the Greater Golden Horseshoe 2017 ("GGH 2017") and the Greenbelt Plan 2017 ("GBP 2017").

[5] The matters before the Tribunal in this decision now come to the Tribunal with the consent of the City and with the consent or no objection from the TRCA.

[6] Section 2.1 of the *Planning Act*, R.S.O. 1990 c. P.13, as amended ("Act") requires the Tribunal to have regard to any decision made by the municipal council on the same matter that is before the Tribunal and, similarly, to have regard to any information and material that the municipal council considered when making its decision.

[7] The Tribunal has considered the fact that all matters before the Tribunal in these proceedings have come on the consent of the City. Additionally, the Tribunal has considered the reports and materials before City Council, where they have been set out in an affidavit filed in these proceedings.

[8] This decision deals with case PL150864 for County Wide Homes (Pine Valley Estates) Inc. ("Country Wide PV") and case PL150866 for Country Wide Homes (Teston Road) Inc. ("Country Wide Teston").

[9] The appeal in case PL150866 was filed by Liliana Damiani. Country Wide Teston acquired the Country Wide Teston lands from Ms. Damiani. As the registered owner of

the lands, Country Wide Teston has assumed and continued the appeal filed by Ms. Damiani.

[10] For this written hearing, the Tribunal had before an Affidavit of Mark Yarranton for Country Wide PV and a second Affidavit of Mr. Yarranton for Country Wide Teston. Mr. Yarranton is a full Member of the Canadian Institute of Planners and a Registered Professional Planner in Ontario. In addition to his *curriculum vitae*, the Tribunal had a signed copy of the Acknowledgement of Expert's Duty form. Mr. Yarranton was qualified to provide independent expert opinion evidence in land use planning matters in the oral hearing that resulted in the April 6, 2016 decision. The Tribunal is satisfied that Mr. Yarranton continues to be qualified to provide independent expert opinion evidence in land use planning.

[11] There are no proposed modifications to OPA 744 and no proposed revisions to the draft plans of subdivision or the conditions of draft plan approval for either the Country Wide PV or the Country Wide Teston matters.

[12] For Country Wide PV there are some minor changes to the proposed zoning by-law amendment that are primarily stylistic. There is also a slight increase in the permitted height for Street Townhouses to respond to the City's Urban Design Guidelines and Architectural Control Guidelines. Finally, the zoning on Block 201 is changed from an open space park zone to a residential zone. This includes a holding provision that allows only a park on this Block prior to the removal of the holding provision. The removal of the holding provision requires, among other matters, that satisfactory arrangements are made for the conveyance of a park and that the owner enters into a parks agreement with the City, all of which is to be to the satisfaction of the City.

[13] For Country Wide Teston the revised proposed zoning by-law amendment has been changed only for stylistic and formatting purposes sought by the City.

[14] For each of these two revised proposed zoning by-law amendments, on the

applicable affidavit of Mr. Yarranton, the Tribunal finds that these revised proposed zoning by-law amendments:

1. have had regard for, and appropriately implement, matters of provincial interest as set out in s. 2 of the Act;
2. are consistent with the Provincial Policy Statement 2014 ("PPS");
3. conform to the GGH 2017;
4. conform to the GBP 2017;
5. conform to the Region of York Official Plan ("ROP"); and
6. conform to the City Official Plan Amendment 600, as modified by OPA 744.

## ORDER

[15] Pursuant to s. 34(11.0.2) of the *Planning Act*, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of Country Wide Homes (Pine Valley Estates) Inc.

[16] Pursuant to s. 34(11.0.2) of the *Planning Act*, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of Country Wide Homes (Teston Road) Inc.

*"Susan de Avellar Schiller"*

SUSAN de AVELLAR SCHILLER  
VICE-CHAIR

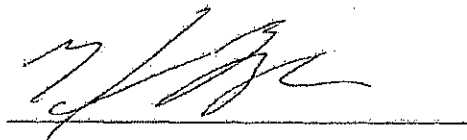
If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Environment and Land Tribunals Ontario

Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

**THIS IS EXHIBIT "D" REFERRED TO IN THE AFFIDAVIT OF  
MARK D. YARRANTON  
SWORN BEFORE ME THIS 16<sup>TH</sup> DAY OF FEBRUARY 2018**

A handwritten signature in black ink, appearing to read 'K. MacKinnon', is written over a horizontal line.

**A Commissioner for Taking Affidavits**

**Keith Andrew Kenneth MacKinnon,  
a Commissioner, etc., Province of Ontario  
for KLM Planning Partners Inc.  
Expires January 22, 2020.**

**THE CITY OF VAUGHAN**

**BY-LAW**

**BY-LAW NUMBER 101-2018**

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Vaughan 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, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and RD3(H) Residential Detached Zone Three with the Holding Symbol "(H)", in the manner shown on the said Schedule "1".

b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(463) A. The following provisions shall apply to the lands with the Holding Symbol "(H)" as shown on Schedule "E-1590

- a) Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of this By-law, or a Park. The Holding Symbol shall not be removed, in whole or in part, until such time as:

- i. the approval of a revised draft plan of subdivision for residential lots on these lands;
- ii. satisfactory arrangements are made for the conveyance of parkland within the area identified as Phase 1 and/or Phase 2 on Schedule "E-1590", and;
- iii. the owner entering into a parks agreement with the City of Vaughan addressing parklands dedication, all to the satisfaction of the City of Vaughan.

B. Notwithstanding the provisions of:

- a. Subsections 4.22.3 and 3.14 a) respecting Permitted Yard Encroachments and Restrictions in an RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three and RT1 Residential Townhouse Zone;
- b. Subsections 4.22.3 and 3.14 c) respecting Permitted Yard Encroachments and Restrictions in an RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three and RT1 Residential Townhouse Zone;
- c. Subsections 4.22.2 and 4.22.3 respecting Encroachment of an Unenclosed Porches (Covered or Uncovered), Cold Cellars and Architectural Features and Balconies;

- d. Subsection 4.22.3 and Schedule "A3" respecting Maximum Building Height in an RT1 Residential Townhouse Zone;
- e. Subsection 4.22.3 and Note 3. f) on Schedule "A3", respecting Minimum Interior Side Yard Abutting a non-residential use;
- f. Subsection 4.22.3 and Note 5. on Schedule "A3", respecting the Minimum Exterior Side Yard Abutting a Sight Triangle; and
- g. Subsections 7.1.2 and 7.2.1 respecting Uses Permitted and Structures Within the in the OS1 Zone on Lots 119 to 135 on Schedule 1;

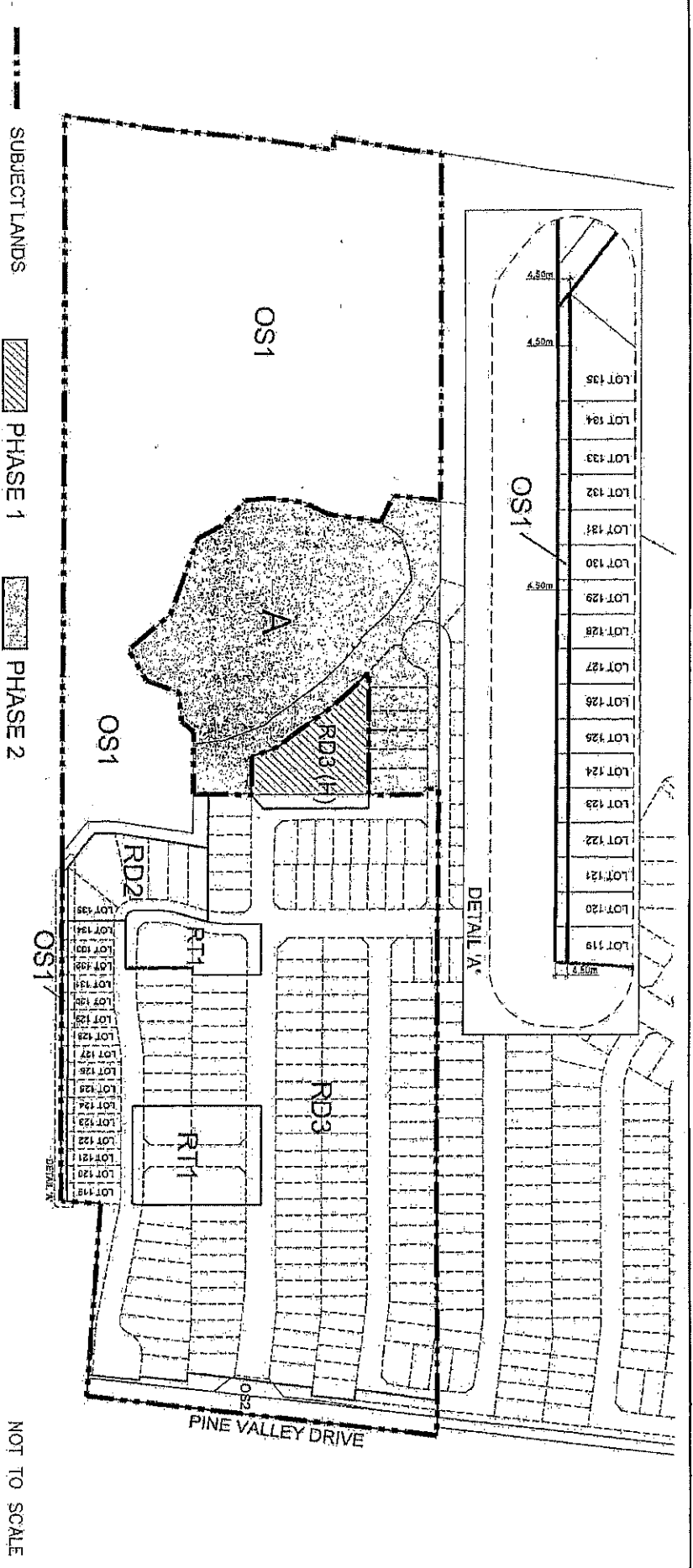
The following provision shall apply to the lands shown as "Subject Lands" on Schedule "E":

159.0

- ai. Sills, air conditioners other than central air conditioning units, belt courses, cornices, eaves, gutters, canopies, chimney pilasters, fireplaces and windows, provided however, that the same shall not project more than 0.5 metres into a required yard;
- bi. Subject to Paragraph (b), exterior stairways, porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings may extend into a required interior side yard to a maximum distance of 0.3 metres and may extend into a required front, exterior side or rear yard to a maximum of 1.8 metres. In addition a bay or box window or similar window projection constructed with footings shall be permitted and may extend into a required front, exterior side or rear yard to a maximum of 0.6 metres;
- ci. The following provisions shall apply: In addition to the requirements of Subsection 3.14, Permitted Yard Encroachments and Restrictions, encroachments (in addition to eaves and gutters) are permitted into the minimum required front yard, exterior yard, rear yard and into the minimum required interior side yard for a lot abutting a greenway, walkway, buffer block or stormwater management pond as follows:
  - i) an unenclosed porch (covered or uncovered) to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres;
  - ii) a 1.5 metre no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a site triangle;
  - iii) the maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the front yard or exterior side yard, or in the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, shall not exceed 1.2 metres above finished grade;

- di. The maximum permitted Building Height shall be 12 metres;
  - ej. The minimum interior side yard shall be 1.5m on a lot abutting a non-residential use including a cemetery, walkway, Greenway, buffer block or stormwater management pond;
  - fi. the minimum exterior side yard: (i) shall be 3.0m abutting a public lane; (ii) shall be 1.5m abutting a sight triangle; (iii) shall be 1.5m for a yard abutting a cemetery, walkway, Greenway, buffer block or storm water management pond; and
  - gi. on Lots 119 to 135 as shown on Schedule "E-1590" only soft landscaping shall be permitted within 4.5m of the rear lot line and buildings or structures including swimming pools, pool cabanas, gazebos, sheds or accessory buildings of any kind, and the storage of machinery or materials are not permitted."
  - c) Adding Schedule "E-1590" attached hereto as Schedule "1".
  - d) Deleting Key Map 6E and substituting therefore the Key Map 6E attached hereto as Schedule "2"
2. Schedules "1" and "2" shall be and hereby form part of this By-law.



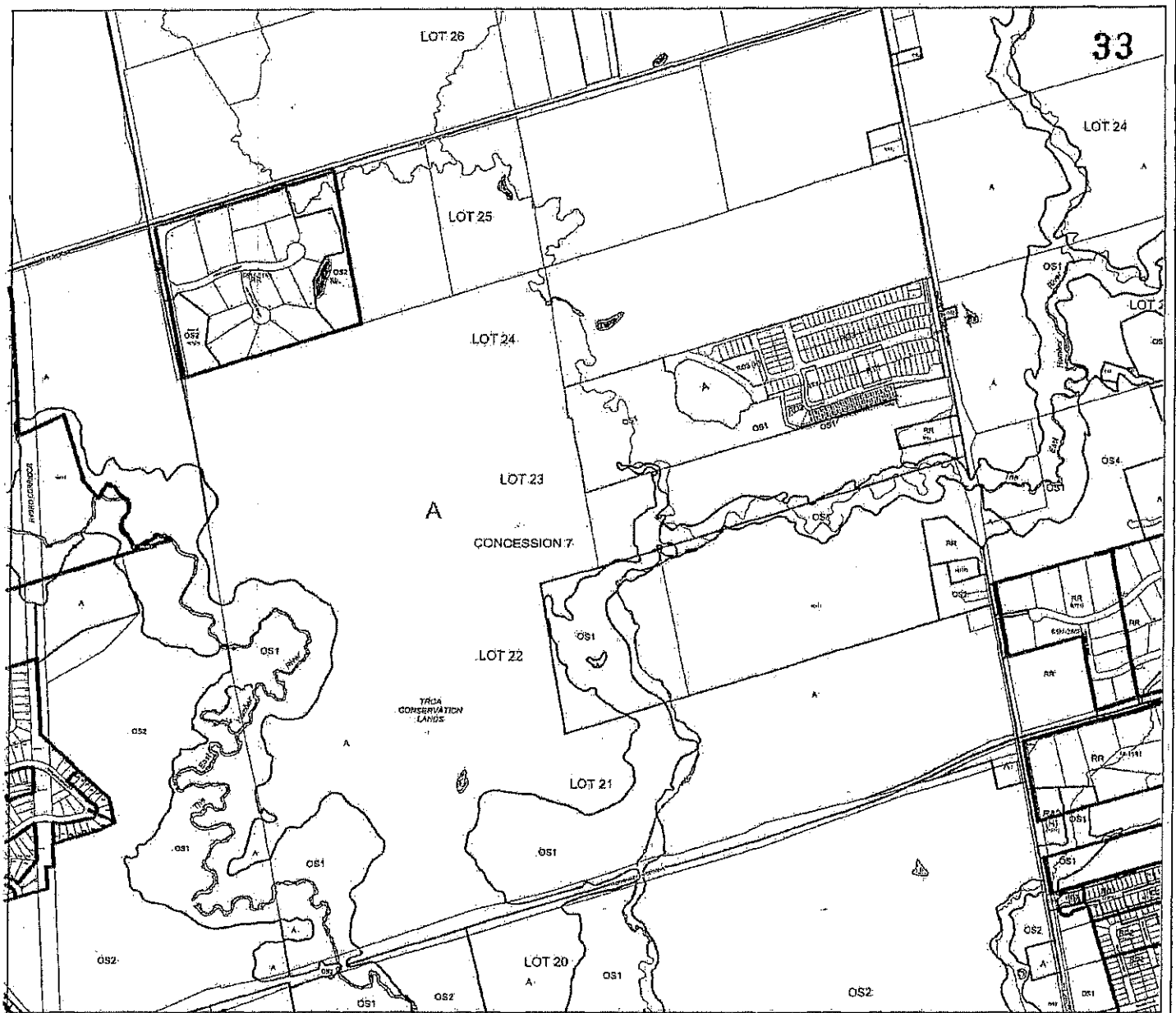


THIS IS SCHEDULE 'E-159a  
TO BY-LAW 1-88  
SECTION 9(11.9)

THIS IS SCHEDULE '1'  
TO BY-LAW 101-2018  
PASSED THE 19<sup>th</sup> DAY OF JUNE, 2018

FILE# 2.038  
RELATED FILE: 197-08V12  
LOCATION: PART OF LOTS 23 AND 24, CONCESSION 7  
APPLICANT: COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC.  
CITY OF VAUGHAN

SIGNING OFFICERS  
BOARD ORDER: PL150864  
April 30, 2018  
MAYOR  
CLERK



KEY MAP 7E  
BY-LAW 1-88

NOT TO SCALE

**THIS IS SCHEDULE '2'**  
**TO BY-LAW 101 -2018**  
**PASSED THE 19th DAY OF JUNE, 2018**

FILE: Z.12.038  
RELATED FILE: 19T-06V12  
LOCATION: PART OF LOTS 23 AND 24, CONCESSION 7  
APPLICANT: COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC.  
CITY OF VAUGHAN

SIGNATURE: \_\_\_\_\_  
**BOARD ORDER: PL150864**  
April 30, 2018  
MAYOR: \_\_\_\_\_  
CLERK: \_\_\_\_\_

February 16, 2018  
Country Wide Homes

**SUMMARY TO BY-LAW 101 -2018**

34

The lands subject to this By-law are located on the west side of Pine Valley Drive and south of Teston Road, being in Part of Lots 23 and 24, Concession 7, 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 RD2 Residential Detached Zone Two and RD3 Residential Detached Zone Three, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and RD3 Residential Detached Zone Three with the Holding Symbol "(H)" to facilitate 192 dwelling units comprised of 158 detached dwelling units and 34 street townhouse units, of which 2 are to develop with the adjacent lands, a temporary park, open space buffers and road widenings, and to maintain the existing valleylands in the 25.71 ha Plan of Subdivision 19T-06V12.

The by-law also provides exceptions to the permitted yard encroachments, permitted uses in the OS1 Zone, minimum yard requirements and maximum height for street townhouse dwellings.



NOT TO SCALE

# LOCATION MAP

## TO BY-LAW 101 -2018

FILE: Z.12.038  
 RELATED FILE: 19T-06V12  
 LOCATION: PART OF LOTS 23 AND 24, CONCESSION 7  
 APPLICANT: COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC.  
 CITY OF VAUGHAN

SUBJECT LANDS

