

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 041-2019

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

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are in 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 be and it is hereby further amended by:
 - a) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from RR Rural Residential Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol “(H)”, RR Rural Residential Zone and OS1 Open Space Conservation Zone, in the manner shown on Schedule “1”.
 - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1474) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1605”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(1) or (3) of the *Planning Act*:

 - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of the enactment of By-law 041-2019, or the production of field crops. The removal of the Holding Symbol “(H)” is contingent upon the following:
 - a) the Owner obtaining and filing for a Ministry of the Environment, Conservation and Parks (“MECP”) Record of Site Condition (‘RSC’) following remediation and verification sampling to the satisfaction of the City of Vaughan.
 - b) The Owner successfully obtaining the approval of a Site Development Application and the required allocation of servicing capacity from Vaughan Council.
 - c) The Subject Lands are located in an area, adjacent to Regional roads (Rutherford Road and Regional Road 27), that are tributary to the future sanitary trunk sewer scheduled to be installed by York Region in 2028. The Holding Symbol “(H)” is to only be lifted under one of the following two scenarios:

- i) The sanitary trunk sewer on Regional Road 27 is constructed by York Region and the Owner has secured the necessary lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the sanitary sewer between Simmons Street and Regional 27; or,
- ii) The Owner has demonstrated that an alternate interim sanitary outlet to Royalpark Way as shown within the Functional Servicing Report can be achieved utilizing an adequate easement width and a comprehensive study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, and available allocation, to the satisfaction of the City.

B. Notwithstanding the provisions of:

- a) Section 2.0 respecting Definitions;
- b) Sections 4.1.9, 4.22, 4.29 and Schedule “A3” respecting permitted uses and Residential Zone Requirements and Minimum Zone Standards in the RT1 Residential Townhouse Zone;
- c) Sections 4.1.2 and 4.1.4 (f) respecting Minimum Soft Landscaped Areas and Dimensions of Driveways;
- d) Section 3.21 respecting Frontage on a Public Street;
- e) Section 3.8 (g) respecting maximum Driveway Width;
- f) Section 3.14 (h) respecting the placement of air conditioner units;
- g) Sections 4.1.9, 4.2 and Schedule “A” respecting permitted uses and Residential Zone Requirements and Minimum Zone Standards in the RR Rural Residential Zone;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1605”:

- ai) for the purposes of this By-law, the following Definitions shall apply:

DWELLING, STREET TOWNHOUSE – means a townhouse dwelling in which each dwelling unit is situated on its own lot, or parcel of tied land (“POTL”), which abuts a public street or private common element condominium road;

LOT – means a parcel of land fronting on a public street or private common element condominium road;

STREET LINE – means the dividing line between a lot and a street or a private common element road or the dividing line between a lot and a reserve abutting a street or private common element

condominium road;

PARALLEL VISITOR PARKING SPACE – means a rectangular area measuring at least 2.0 m by 6.0 m;

bi) the following zone requirements shall apply to the RT1 Residential Townhouse Zone:

i) the minimum Lot Depth shall be 23 m/unit; 22 m for Unit 110, 20 m for Unit 43, and 19 m for Unit 111;

ii) the minimum Lot Area shall be:

160 m² - Units 67 & 109

150 m² - Units 2-5, 8, 9, 19-21, 24, 25, 33, 34, 50-53, 68, 69, 90-93, and 108

145 m² - Units 18, 28, 32, 37, 38, 41, 42, 45, 72-75 and 110

135 m² - Units 46, 47, 56-59, 62, 63, 78-81, 84-87, 96, 97, 100, 101, 104 and 105;

iii) the minimum Lot Frontage shall be 5.8 for units 12 and 15;

iv) the minimum Rear Yard setback shall be:

7.2 m for Block 1

7 m for Blocks 11 and 18

6.3 m for Blocks 10, 12, 13, 16, 17, 19, 20 and 21

5.8 m for Unit 110

5 m for Unit 111;

v) the minimum Exterior Side yard setback (private road) shall be:

1.25 m for Block 1

1.0 m to porch, 2.7 m to main wall for Block 4

1.1 m to Block 5

2.6 m for Block 7

1.1 m to porch, 2 m to main wall for Block 11

1.9 m to Block 13

3.6 m for Block 18

3.8 m for Block 21;

vi) the minimum Interior Side yard setback to a Greenway or buffer block shall be 1.5 m for Block 22;

vii) the minimum setback to a Sight Triangle for (private road) shall be:

1.2 m for Block 4

1.6 m for Block 5

2.6 m for Block 7

2.1 m for Block 11

2.6 m for Block 16

2.7 m for Block 22;

viii) the maximum Building Height shall be 11.5m;

ci) a minimum Front Yard Landscaped Area of 19 % shall be required of which a minimum thirty-five percent (35%) of the required minimum landscaped front yard shall be comprised of soft landscaping for Units 12, 13, 14 and 15;

di) a street townhouse dwelling situated on a freehold lot shall be

- permitted to front onto a private element condominium road;
 - ei) the maximum width of a driveway entrance shall be 9.32 m;
 - fi) air conditioner units shall be permitted above the garages in Blocks 1, 2 and 3;
 - gi) the minimum Lot Area for the lands zoned RR Rural Residential Zone shall be 3,700 m²;
 - c) Adding Schedule "E-1605" attached hereto as Schedule "1".
 - d) Deleting Key Map 9C and substituting therefor the Key Map 9C attached hereto as Schedule "2".
2. Schedule "1" and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 19th day of March, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk



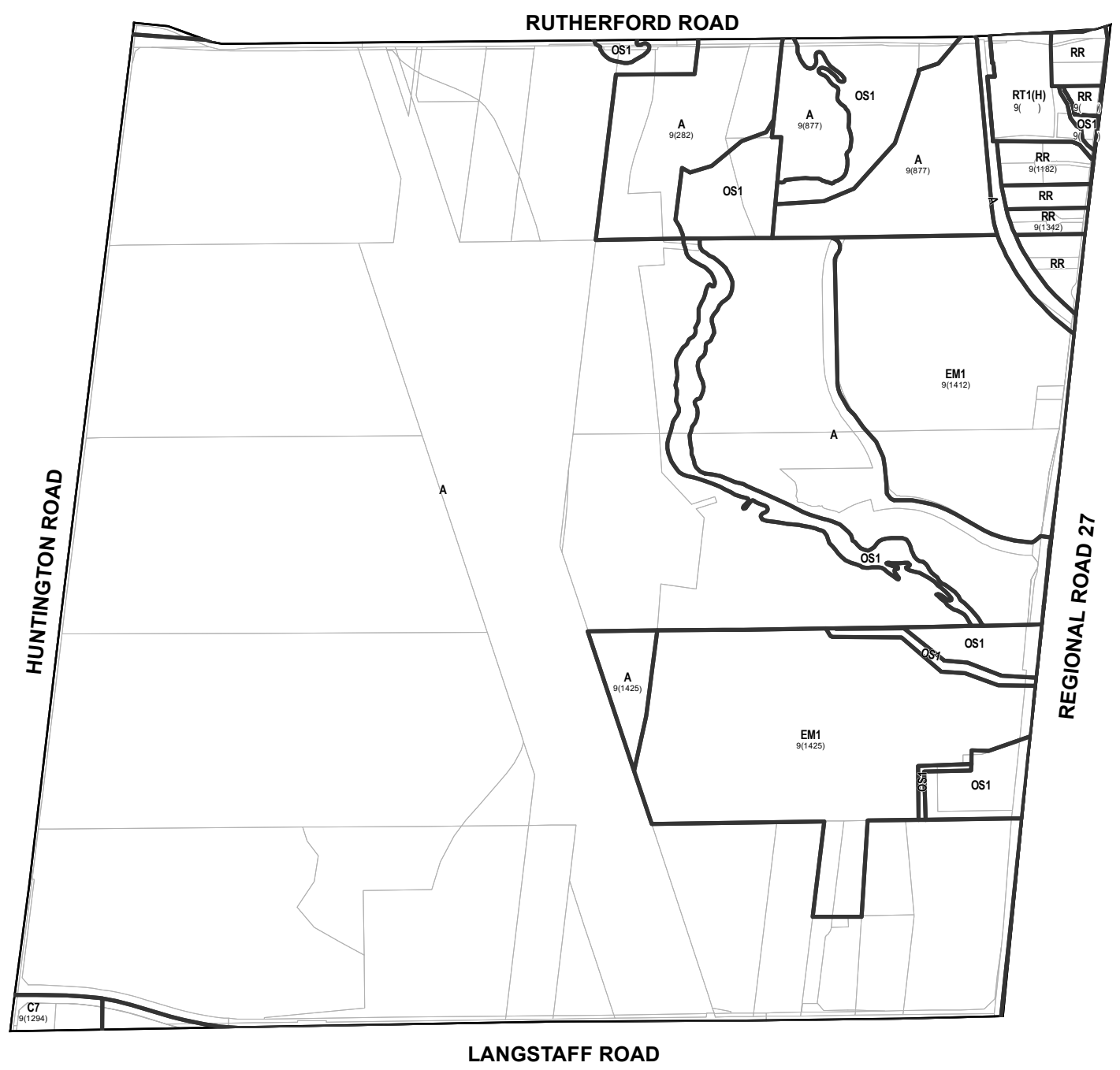
This is Schedule '1'
To By-Law 041-2019
Passed the 19th Day of March, 2019

File: Z.17.031
Related Files: OP.17.011, 19T-17V011
Location: Part of Lot 15, Concession 9
Applicant: Gemini Urban Design (W) Corp.
City of Vaughan

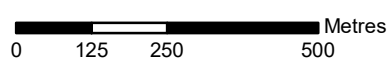
Signing Officers

Mayor

Clerk



Key Map 9C
By-Law No. 1-88



This is Schedule '2'
To By-Law 041-2019
Passed the 19th Day of March, 2019

File: Z.17.031
Related Files: OP.17.011, 19T-17V011
Location: Part of Lot 15, Concession 9
Applicant: Gemini Urban Design (W) Corp.
City of Vaughan

Signing Officers

Mayor

Clerk

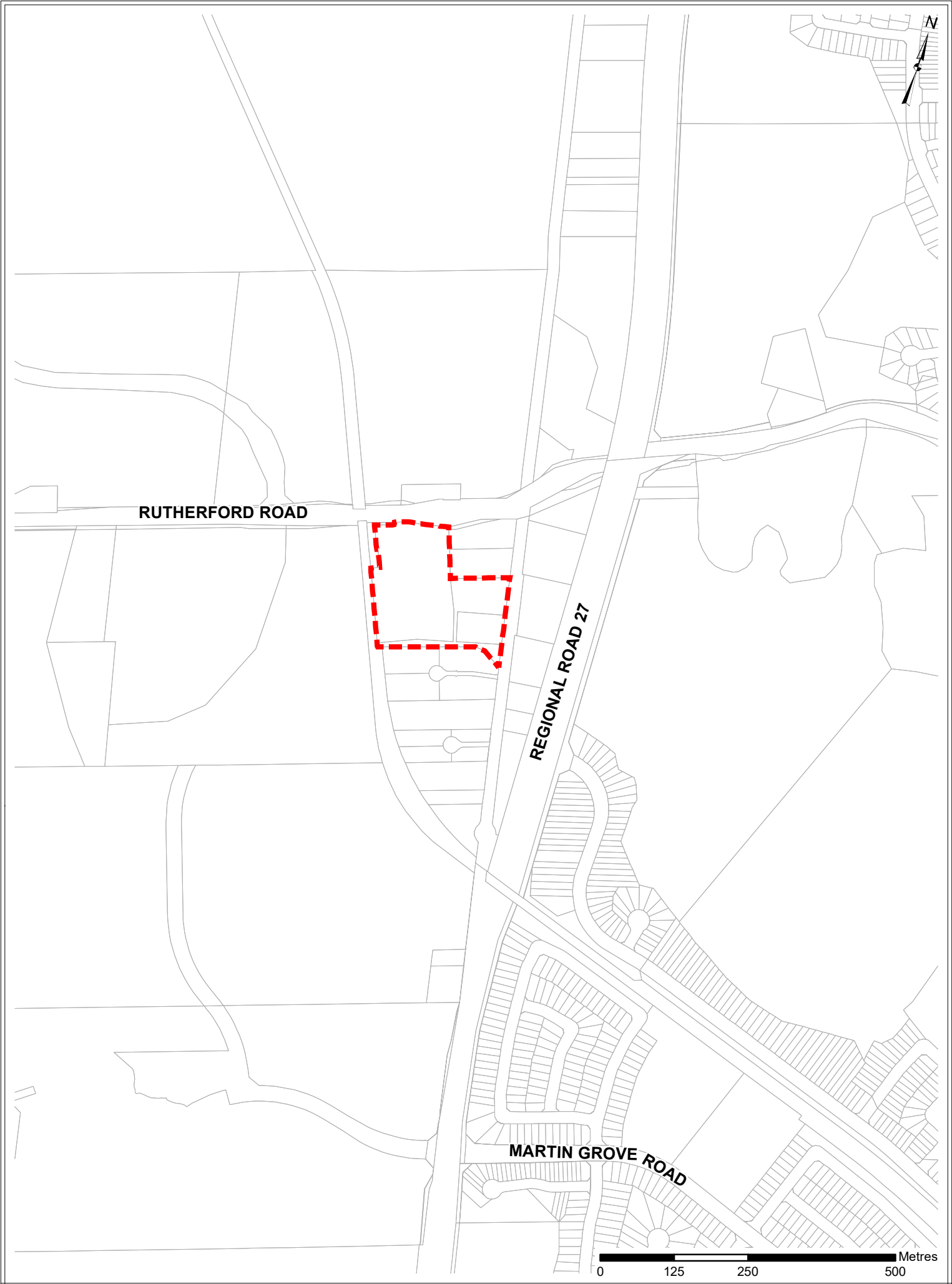
SUMMARY TO BY-LAW 041-2019

The lands subject to this By-law are located on the south side of Rutherford Road, west of Regional Road 27, and are municipally known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street, being Part of the East Half of Lot 15, Concession 9, City of Vaughan.

The purpose of this zoning by-law amendment is to rezone the subject lands from RR Rural Residential Zone to the RT1 (H) Residential Townhouse Zone with the addition of the Holding Symbol “(H)” and RR Rural Residential Zone with site-specific zoning exceptions, and the OS1 Open Space Conservation Zone, to facilitate the development of 111, 3-storey townhouse dwelling units, within 22 blocks, on common element condominium roads.


The Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion (phase) thereof, until the following conditions are satisfied:

- d) the Owner obtaining and filing for a Ministry of the Environment, Conservation and Parks (“MECP”) Record of Site Condition (‘RSC’) following remediation and verification sampling to the satisfaction of the City of Vaughan.
- e) The Owner successfully obtaining the approval of a Site Development Application and the required allocation of servicing capacity from Vaughan Council.
- f) The Subject Lands are located in an area, adjacent to Regional roads (Rutherford Road and Regional Road 27), that are tributary to the future sanitary trunk sewer scheduled to be installed by York Region in 2028. The Holding Symbol “(H)” is to only be lifted under one of the following two scenarios:
 - iii) The sanitary trunk sewer on Regional Road 27 is constructed by York Region and the Owner has secured the necessary lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the sanitary sewer between Simmons Street and Regional 27; or,
 - iv) The Owner has demonstrated that an alternate interim sanitary outlet to Royalpark Way as shown within the Functional Servicing Report can be achieved utilizing an adequate easement width and a comprehensive study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, and available allocation, to the satisfaction of the City.



Location Map To By-Law 041-2019

File: Z.17.031
Related Files: OP.17.011, 19T-17V011
Location: Part of Lot 15, Concession 9
Applicant: Gemini Urban Design (W) Corp.
City of Vaughan

 Subject Lands