

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 001-2023

A By-law to designate by Number an amendment to City of Vaughan By-law 1-88, as amended, as effected by the Ontario Land Tribunal.

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 amended, as effected by the Ontario Land Tribunal Order Issue, dated the 29th day of December 2022 (OLT File No. PL170643), attached hereto as Attachment “1”, is hereby designated as By-Law Number 001-2023.

Enacted by City of Vaughan Council this 24th day of January, 2023.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: December 29, 2022

CASE NO.: PL170643

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Laurier Harbour (Keele) Inc.
Subject: Request to amend the Official Plan – Failure of the City of Vaughan to adopt the requested amendment
Description: To permit the development of 19 townhouse units to be served by a privately owned and maintained common element condominium road
Reference Number: OP.15.020
Property Address: 9785 & 9797 Keele Street/ Part of Lot 19, Concession 3, 65R-34966, Part of Lot 19, Concession 3, Part 1, 65R-35001 and PCL 176-1, SEC 65M-2407
Municipality/UT: City of Vaughan/ Regional Municipality of York
Legacy Case No.: PL170643
Legacy Lead Case No.: PL170643
Case Name: Laurier Harbour (Keele) Inc. v. Vaughan (City)

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

Applicant/Appellant: Laurier Harbour (Keele) Inc.
Subject: Application to amend Zoning By-law No. 1-88, as amended – Neglect of the City of Vaughan to make a decision
Description: To permit the development of 19 townhouse units to be served by a privately owned and maintained common element condominium road
Reference Number: Z.15.019
Property Address: 9785 & 9797 Keele Street/ Part of Lot 19, Concession 3, 65R-34966, Part of Lot 19, Concession 3, Part 1, 65R-35001 and PCL 176-1, SEC 65M-2407
Municipality/UT: City of Vaughan/ Regional Municipality of York
Legacy Case No.: PL170644
Legacy Lead Case No.: PL170643

BEFORE:

D.S. COLBOURNE
VICE-CHAIR

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Thursday, the 29th day of
December, 2022

G. BURTON
VICE-CHAIR

THIS MATTER having come on for a public hearing and the Tribunal having withheld its Order pending receipt of the final Zoning By-law Amendment for final approval;

WHERE AS the Tribunal issued an Order on December 16, 2022 attaching an incorrect Zoning By-law Amendment for final approval;

THE TRIBUNAL ORDERS that the Order issued on December 16, 2022 is hereby rescinded and replaced with this Order for the purpose of replacing the Zoning By-law with the correct Zoning By-law attached to this Order as Attachment 1;

THE TRIBUNAL ORDERS that the appeal with respect to the Zoning By-law Amendment is allowed, and By-law No. 1-88, as amended, is hereby amended in the manner set out in Attachment 1 to this Order. The Tribunal authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.

“Euken Lui”

EUKEN LUI
ACTING REGISTRAR

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 001-2023

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

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

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from R1 Residential Zone and R2 Residential Zone subject to Exception 9(495) to RT1 Residential Townhouse Zone in the manner shown on the said Schedule “1”.
 - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1557)A. Notwithstanding the provisions of:

 - a) Subsection 2.0 respecting Definitions of Driveway, Lot, Street Townhouse Dwelling and Street Line,
 - b) Subsection 3.21 respecting Frontage on a Public Street;
 - c) Subsection 3.8 a) respecting the Location of Driveway Access and Parking areas, 3.8 c) respecting Visitor Parking Requirements and 3.8 g) respecting Distance between Street Lines and the Centre Line of the Nearest Driveway;
 - d) Subsection 3.14 and 4.22.2 respecting Permitted Yard Encroachments for Covered and Uncovered Porches, External Ground-Mounted Central Air Conditioners and External Wall-Mounted Central Air Conditioner Units;
 - e) Subsection 4.1.2 a) and 4.1.4 f) v) respecting Minimum Landscaped and Soft Landscaped Front Yards and Maximum Width of Driveways;
 - f) Subsection 4.1.4 b) respecting Parking Areas for Multiple Family Dwellings;
 - g) Subsection 4.22.3 and Schedule “A3” respecting Minimum Zone requirements in the RT1 Residential Townhouse Zone; and

- h) Subsection 4.29 respecting Permitted Uses in the RT1 Residential Townhouse Zone;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1689”:

- ai) For the purpose of this By-law, the following definitions shall apply:
- DRIVEWAY – Means a vehicular accessway providing access from a private common element condominium road to a Street Townhouse Dwelling or Semi-Detached Dwelling and associated private garage.

LOT - Means a parcel of land fronting on a private common element road separate from any abutting land to the extent that a consent contemplated by Section 50 of the Planning Act, R.S.O. 1990, c. P. 13. would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.

DWELLING, STREET TOWNHOUSE - Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which fronts onto a private common element condominium road;

STREET LINE - Means the dividing line between a lot and a private common element road;

- bi) Subsection 3.21 shall not apply;
- ci) Access to the Subject Lands shall be from the adjacent lands to the south known municipally as 9773 Keele Street;
- cii) A minimum of 2 visitor parking spaces shall be required;
- ciii) Subsection 3.8 g) shall not apply;
- di) A 1.2 m no encroachment zone shall be maintained inside the property line within the front yard;
- dii) External Ground-Mounted Central Air Conditioners and External Wall-Mounted Central Air Conditioner Units shall be permitted to encroach a maximum of:
- 1.5m into the required front yard for Blocks 1 to 4; and
 - 1.5m into the required rear yard for Blocks 5 to 6;
- diii) An unenclosed porch (covered or uncovered) shall be permitted to encroach a maximum of 1.7 m into the minimum required rear yard.
- ei) The Lot Frontage shall be comprised of a landscaped front yard that will, at a minimum, consist of the following:
- 35% landscaping, 60% of which shall be soft landscaping for Blocks 1 to 4; and
 - 20% landscaping, 60% of which shall be soft landscaping for Blocks 5 and 6;

- eii) The maximum width of a driveway located between a lot line abutting a private common element condominium road and a garage or dwelling wall in the front yard shall be 3.5 m for Blocks 1 to 6.
- fi) Sections 4.1.4 b) i) and 4.1.4 b) ii) shall not apply;
- gi) The minimum lot frontage for Blocks 5 and 6 shall be 5.6 m;
- gii) The minimum lot area shall be:
 - 110 m² for Blocks 1, 2, 3 and 4; and
 - 100 m² for Blocks 5 and 6;
- giii) The minimum lot depth shall be:
 - 16.0 m for Blocks 1, 2, 3 and 4; and
 - 17.0 m for Block 5 and 6;
- giv) The maximum building height shall be 9.5 m;
- gv) The minimum front yard setback shall be 2.8 m for Block 4 and 3.0 m for Blocks 1 to 3 and 5 to 6, except the minimum front yard setback to an attached garage that faces a lot line shall be 6 m;
- gvi) The minimum rear yard setback shall be:
 - 1.7 m for Blocks 1 to 4; and
 - 4.5 m for Blocks 5 and 6;
- gvii) The minimum north interior side yard setback shall be:
 - 1.0 m for Block 5; and
 - 0.7 m for Block 6;
- gviii) The minimum south interior side yard setback shall be:
 - 0.7 m for Block 5; and
 - 1.2 m for Block 6;
- gix) The minimum exterior side yard setback shall be 3 m for Block 4;
- gx) A maximum of one step (two risers) shall be permitted to encroach into the minimum garage width;
- hi) The following additional use shall be permitted:
 - Semi-Detached Dwelling”
- c) Adding Schedule “E-1689” attached hereto as Schedule “1”.
- d) Deleting Schedule “E-549” and substituting therefor the attached Schedule “E-549” attached hereto as Schedule “2”
- e) Deleting Key Map 3D and substituting therefor the Key Map 3D attached hereto as Schedule “3”.

2. Schedules “1”, “2” and “3” shall be and hereby form part of this By-law.

Steven Del D.

**OLT ORDER NO. PL170643
DECEMBER 29, 2022**

Todd Coles, City Clerk

Authorized by the Order of the Ontario Land Tribunal Issued
December 29, 2022, Case No. PL170643
Adopted by Vaughan City Council on November 19, 2019.
(Item No. 2 of Report No. 34 of the Committee of the Whole)



THIS IS SCHEDULE 'E-1689'
TO BY-LAW 1-88
SECTION 9(1557)

THIS IS SCHEDULE '1'
TO BY-LAW 001-2023
PASSED THE 24TH DAY OF JANUARY, 2023

FILE : Z.15.019
RELATED FILES : OP.15.020, 19T-15V007 and DA.17.068
LOCATION : Part of Lot 19, Concession 3
APPLICANT : Laurier Harbour (Keele) Inc.
CITY OF VAUGHAN :

OLT ORDER NO. PL170643
DECEMBER 29, 2022

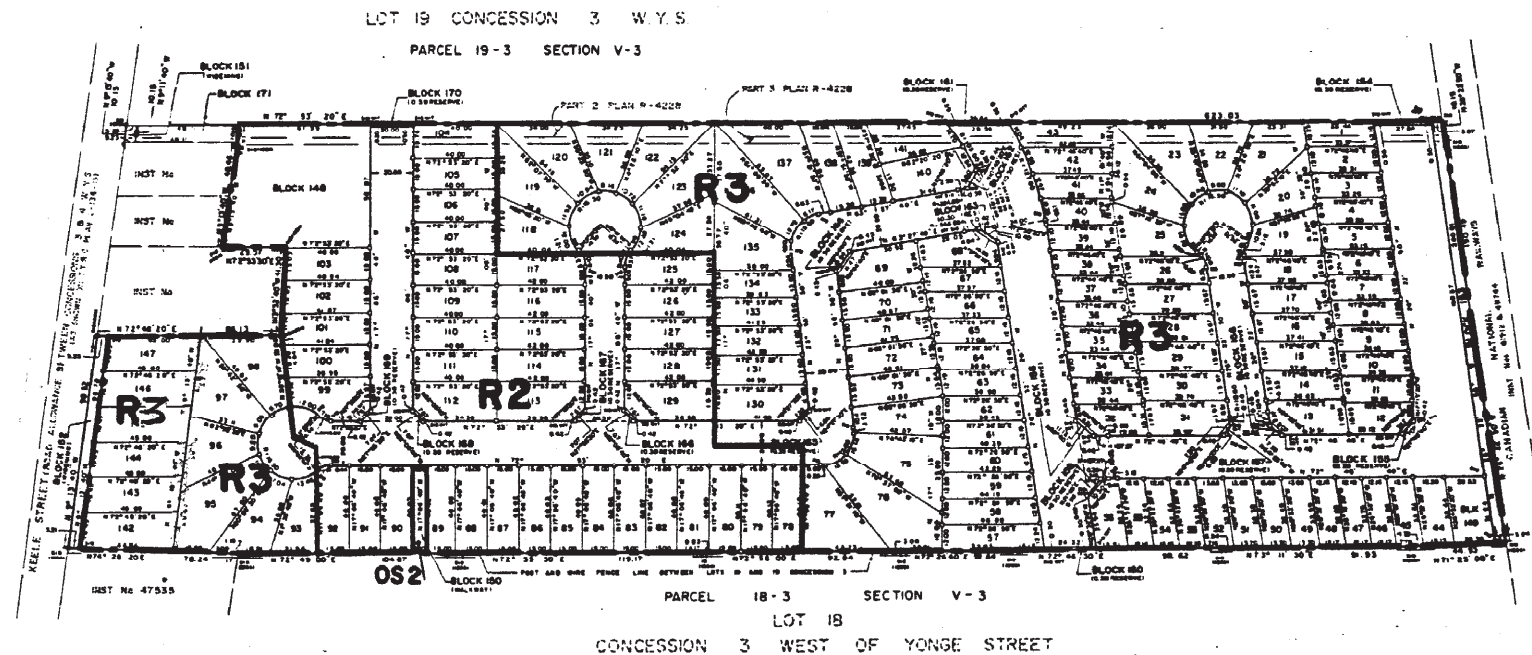
 SUBJECT LANDS

LEGEND

 SUBJECT LANDS

LOCATION: PT. OF LOT 19, CON.3

THIS IS SCHEDULE 'E- 549'
TO BY-LAW 1 -88
SECTION 9(495)



FILE: Z.15.019

RELATED FILES: OP.15.020, 19T-15V007 and DA.17.068

LOCATION: Part of Lot 19, Concession 3

APPLICANT: Laurier Harbour (Keele) Inc.

CITY OF VAUGHAN

THIS IS SCHEDULE '2'
TO BY-LAW 001-2023
PASSED THE 24TH DAY OF JANUARY, 2023

SIGNING
OLT ORDER NO. PL170643
DECEMBER 29, 2022

CLERK

MAJOR MACKENZIE DRIVE



KEY MAP 3D
BY-LAW NO. 1-88

THIS IS SCHEDULE '3'
TO BY-LAW 001-2023
PASSED THE 24TH DAY OF JANUARY, 2023

FILE: Z.15.019
RELATED FILES: OP.15.020, 19T-15V007 and DA.17.068
LOCATION: Part of Lot 19, Concession 3
APPLICANT: Laurier Harbour (Keele) Inc.
CITY OF VAUGHAN

SIGNING OFFICERS

OLT ORDER NO. PL170643
DECEMBER 29, 2022

CLERK

SUMMARY TO BY-LAW 001- 2023

The lands subject to this By-law are located on the east side of Keele Street, south of Barrhill Road, in Part of Lot 19, Concession 3, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from R1 Residential Zone and R2 Residential Zone subject to Exception 9(495) to RT1 Residential Townhouse Zone. The by-law also provides site-specific zoning exceptions to the RT1 Residential Townhouse Zone in order to facilitate the development of 8 semi-detached dwelling units (freehold) and 8 townhouse dwelling units (freehold) served by common element roads, visitor parking spaces, and walkways.



LOCATION MAP TO BY-LAW 001-2023

FILE: Z.15.019
RELATED FILES: OP.15.020, 19T-15V007 and DA.17.068
LOCATION: Part of Lot 19, Concession 3
APPLICANT: Laurier Harbour (Keele) Inc.
CITY OF VAUGHAN

 **SUBJECT LANDS**