

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 100-2023**

**A By-law to amend City of Vaughan By-law 1-88, as amended.**

**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 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 “RD4 Residential Detached Zone Four”, “RD3 Residential Detached Zone Three”, “OS5 Open Space Environmental Protection Zone” and “A Agricultural Zone” to “RT1(H) Residential Townhouse Zone” with a Holding Symbol (‘H’), “OS2 Open Space Park Zone” and to revise the zone boundary for the “OS5 Open Space Environmental Protection Zone” in the manner as shown on Schedule “1”.
  - b) Adding Schedule ‘E-1352A’ attached hereto as Schedule “1”;
  - c) Deleting Schedule ‘E-1352’ and substituting therefor the Schedule ‘E-1352’ attached hereto as Schedule “2”;
  - d) Deleting Key Map 3D and substituting therefor the Key Map 3D attached hereto as Schedule “3”;
  - e) Adding the following paragraph to Section 9.0 “EXCEPTIONS”:

“9(1226) iii) Notwithstanding the provisions of:

    - a) Subsection 2.0 Definitions, respecting the definitions of “Lot”, “Lane”, and “Lot Line, Front”;

- b) Subsection 3.8 h) respecting the minimum distance between an intersection of street lines and the nearest driveway;
- c) Subsection 3.13 respecting minimum landscaped area;
- d) Subsection 3.21 respecting the requirement for any Lot with a building or structure to have frontage upon an improved Public Street;
- e) Subsection 4.1.4.f).v) respecting the Minimum Landscaped Front or Exterior Yard;
- f) Schedule "A3" respecting the zone standards in the RT1 Residential Townhouse Zone;
- g) Specific Zone Notes, Note #1, of Schedule "A3" respecting the minimum exterior side yard setback to an attached garage that faces a lot line;
- h) Specific Zone Notes, Note #3, of Schedule "A3" respecting the minimum interior side yard abutting a non-residential use;
- i) Specific Zone Notes, Note #5, of Schedule "A3" respecting the minimum exterior side yard abutting a site triangle;
- j) Specific Zone Notes, Note #6, of Schedule "A3" respecting the maximum number of townhouse units constructed in a row;
- k) General Notes, Note A, of Schedule "A3" respecting the Interior Garage Dimension;
- l) General Notes, Note B of Schedule "A3" respecting garage Projections where there is a covered and unenclosed porch and respecting the most distant part of a wall facing a street;
- m) General Notes, Note C of Schedule "A3" respecting the Minimum Interior Side Yard Setback to a Door;
- n) Subsection 4.22.2 respecting permitted encroachments within the RT1 Zone;
- o) Subsection 3.14.h) respecting the location of central air conditioner units;
- p) Subsection 4.1.2 respecting minimum soft landscaping;
- q) Subsection 4.1.4.f) respecting the dimension of driveways; and

r) Subsection 4.1.9 respecting permitted uses.

The following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1352A":

- ai) LOT – Means a parcel of land fronting on a street or lane or walkway or open space block or a reserve 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.
- a ii) All lots within Blocks 4 to 9 (inclusive) identified on Schedule 'E-1352A' are deemed to be a Lot accessed by a Lane fronting upon a public street.
- a iii) For lots within Blocks 4 to 9 (inclusive) identified on Schedule 'E-1352A', the northern lot line is deemed to be abutting a Lane.
- a iv) For lots within Blocks 1 to 3 (inclusive) identified on Schedule 'E-1352A', the front lot line is deemed to be the easterly lot line.
- a v) For lots within Blocks 4 to 9 (inclusive) identified on Schedule 'E-1352A', the front lot line is deemed to be the southernly lot line.
- bi) The minimum distance between the intersection of street lines and the nearest driveway shall not apply.
- ci) The minimum 6.0 m landscape street to be provided along a lot line which abuts a street shall not apply.
- di) Lots within Blocks 4 to 9 (inclusive) identified on Schedule 'E-1352A' are deemed to have frontage upon an improved public street (Rutherford Road).
- ei) The Lot Frontage shall be comprised of a minimum of 20% Landscaped Front or Exterior side yard and a minimum 45% of the Landscaped Front or Exterior side yard shall be soft landscaping.
- fi) The following provisions shall apply for Lots within Blocks 1 to 9, Lots within Blocks 15 to 17 (inclusive), Lots within Blocks 19 to 23

(inclusive) and Lots within Blocks 25 to 29 (inclusive) identified on Schedule 'E-1352A':

- i. The Minimum Lot Area - 160 m<sup>2</sup>
  - ii. The Minimum Rear Yard - 6.0 m
  - iii. The Minimum Lot Depth – 27.5 m
- fii) The following provisions shall apply for Lots within Block 14 and 18 identified on Schedule 'E-1352A':
  - i. The Minimum Lot Area - 150 m<sup>2</sup>
  - ii. The Minimum Rear Yard - 5.0 m
  - iii. The Minimum Lot Depth - 26 m
- fiii) The following provisions shall apply for Lots within Block 24 identified on Schedule 'E-1352A':
  - i. The Minimum Rear Yard - 7.0 m
- fv) The following provisions shall apply for Lots within Blocks 49 and 50 identified on Schedule 'E-1352A':
  - i. The Minimum Lot Area – 130 m<sup>2</sup>
  - ii. The Minimum Rear Yard - 6.0 m
  - iii. The Minimum Lot Depth - 23 m
- fv) The maximum building height shall be 12 m.
- fvii) No minimum interior side setback shall be required between attached dwelling units, except where the common wall is entirely below grade.
- fviii) The minimum exterior side yard for Lots within Blocks 33 and 34 identified on Schedule 'E-1352A' shall be 3.0 m.
- g) For a lot accessed by a lane, the minimum exterior side yard setback to an attached garage that faces a lot line shall be:
  - i. 4.5 m to the attached garage;
  - ii. 2.0 m to a site triangle for an attached garage.
- h) The minimum interior yard abutting lands zoned OS2 Open Space Park Zone shall be 1.2 m.
- hii) The minimum interior side yard setback abutting a pedestrian pathway (Block 57) for Blocks 9 and 10 shall be 3.0 m.
- ii) The minimum exterior side yard abutting a sight triangle shall be 2.0 m.
- ji) A maximum of eight townhouse units shall be constructed in a row for Block 13 as identified on Schedule 'E-1352A'.

- ki) The minimum interior garage dimension shall be 3 m X 6 m on a Lot zoned “RT1 Residential Townhouse Zone” regardless of the Lot Frontage. An encroachment of one step (2 risers) may encroach into the rear portion of the garage abutting the dwelling unit; no encroachment shall be permitted into the minimum garage width.
- kii) For Lots within Blocks 1 to 3 (inclusive), Lots within Blocks 10 to 13 (inclusive), Lots within Block 24, and Lots within Blocks 30 to 54 (inclusive) identified on Schedule ‘E-1352A’, the maximum interior garage width may be increased provided the increased width shall:
  - i). only occur on an interior wall;
  - ii). be a maximum of 1.8 m in width; and
  - iii). not occur within the first 1.2 m immediately behind the garage door.
- kiii) For Lots within Blocks 4 to 9 (inclusive), Lots within Blocks 14 to 23 (inclusive), and Lots within Blocks 25 to 29 (inclusive) identified on Schedule ‘E-1352A’, the maximum interior garage width on a lot shall be 5.9 m.
- li) For Blocks 10 to 13 (inclusive), Block 24, and Blocks 30 to 54 (inclusive) identified on Schedule ‘E-1352A’, the following provisions are added to General Notes, Note “B”:

“No garage shall project into the front yard or exterior yard more than 1 m beyond the most distant point of any wall of the dwelling facing the street at the ground floor level and a maximum of 2 m where there is a covered and unenclosed porch or a covered and enclosed porch.

For the purposes of this note, a “covered and enclosed porch” means: a platform with or without a foundation and with at least one side open, which is covered by either a roof, balcony or enclosed space or room.

For the purposes of this Note, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling.”

- mi) The minimum interior side yard setback to a door that provides access to the dwelling or an attached garage may be reduced to 1.2 m provided that no stairs or risers to access the said door are located within the minimum required yard.
- ni) Encroachment of an Enclosed or Unenclosed Porch (Covered or Uncovered), Cold Cellars, and Architectural Features and Balconies:

In addition to the requirements of Section 3.14, Permitted Yard Encroachments and Restrictions, encroachments (in addition to eaves and gutters) are permitted into the minimum required front yard and exterior yard, and into the minimum required interior side yard for a lot abutting a walkway, buffer block or park as follows:

- i) an enclosed or unenclosed porch (covered or uncovered) to a maximum of 2.5 m, and eaves, gutters and may encroach an additional 0.5 m;
- ii) steps may encroach into the minimum required front yard and exterior side yard and into the minimum required interior side yard for a lot abutting a walkway, or park provided said steps are located at least 0.3 m from the front lot line or exterior side lot line or an interior side lot line abutting a walkway or park for lots within Blocks 1 to 3 (inclusive) and Blocks 10 to 54 (inclusive) identified on Schedule 'E-1352A';
- iii) steps may encroach into any required yard up to the lot line for lots within Blocks 4 to 9 (inclusive) identified on Schedule 'E-1352A'.
- iv) a 1.5 m no encroachment zone shall be maintained inside the property line within the front and exterior yard; this no encroachment zone shall not apply to lots within

Blocks 4 to 9 (inclusive) identified on Schedule 'E-1352A' and shall not apply to steps on lots within Blocks 1 to 3 (inclusive) and Blocks 10 to 54 (inclusive) identified on Schedule 'E-1352A'

v) the maximum finished floor elevation of an enclosed or 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 park, shall not exceed 1.5 m above finished grade.

For the purposes of these encroachment provisions, a "covered and enclosed porch" means: a platform with or without a foundation and with at least one side open, which is covered by either a roof, balcony or enclosed space or room.

- oi) Central air conditioner units and/or heat pumps located in the interior side yard, or the rear yard shall have a minimum setback of 0 m from a lot line between two attached dwelling units;
- pi) A minimum of forty-five percent (45%) of the required minimum Landscaped Front or Exterior yard as defined in Section 4.1.4.f) shall be composed of soft landscaping;
- qi) The driveway shall not exceed 3.5 m in width for lots within Blocks 1 to 3 (inclusive) identified on Schedule 'E-1352A'.
- ri) The following provisions shall apply to all lands zoned RT1 Residential Townhouse Zone with the Holding Symbol ("H") as shown on Schedule 1, until the Holding Symbol ("H") is removed from the Subject Lands, or any portion thereof, pursuant to Subsection 36(3) or (4) of the *Planning Act*. Lands zoned RT1 Residential Townhouse Zone with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of Bylaw 100-2023 or a

Temporary Sales Office in accordance with Section 3.25 of By-law 1-88. The Holding Symbol (“H”) shall be removed and no longer apply to the lands shown on ‘E-1352A’ upon the following being satisfied:

- ii) Vaughan Council adopts a resolution allocating sewage and water capacity in accordance with the City’s approved Servicing Capacity Distribution Policy assigning capacity to the Subject Lands.

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

Enacted by City of Vaughan Council this 20<sup>th</sup> day of June, 2023.

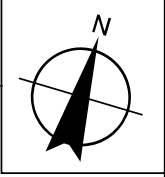
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Steven Del Duca, Mayor

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Todd Coles, City Clerk

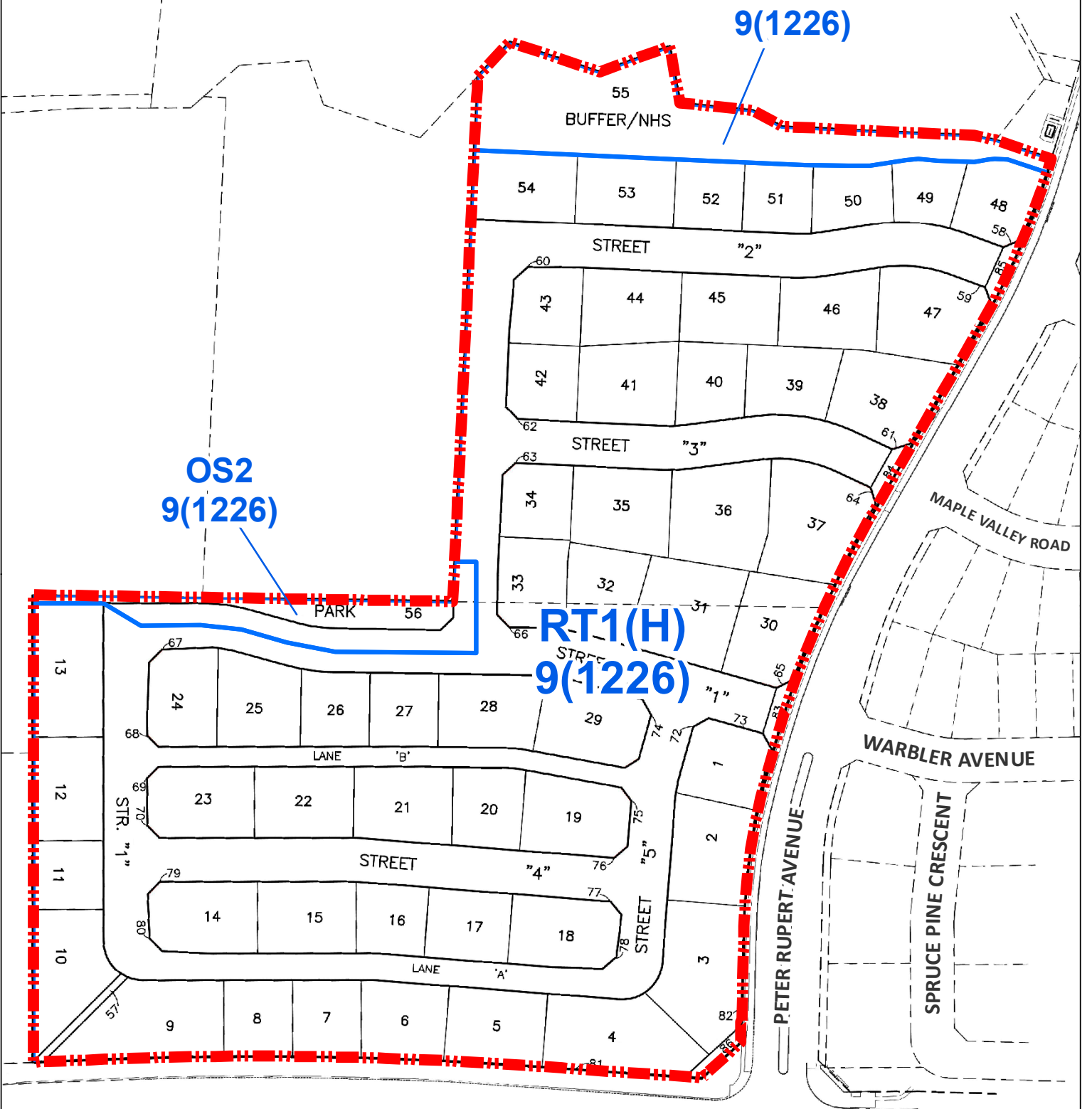




OS5  
9(1226)


OS2  
9(1226)

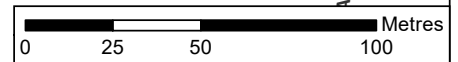
RT1(H)  
9(1226)



RUTHERFORD ROAD

THIS IS SCHEDULE 'E-1352A'  
TO BY-LAW 1-88  
SECTION 9(1226)

 Subject Lands



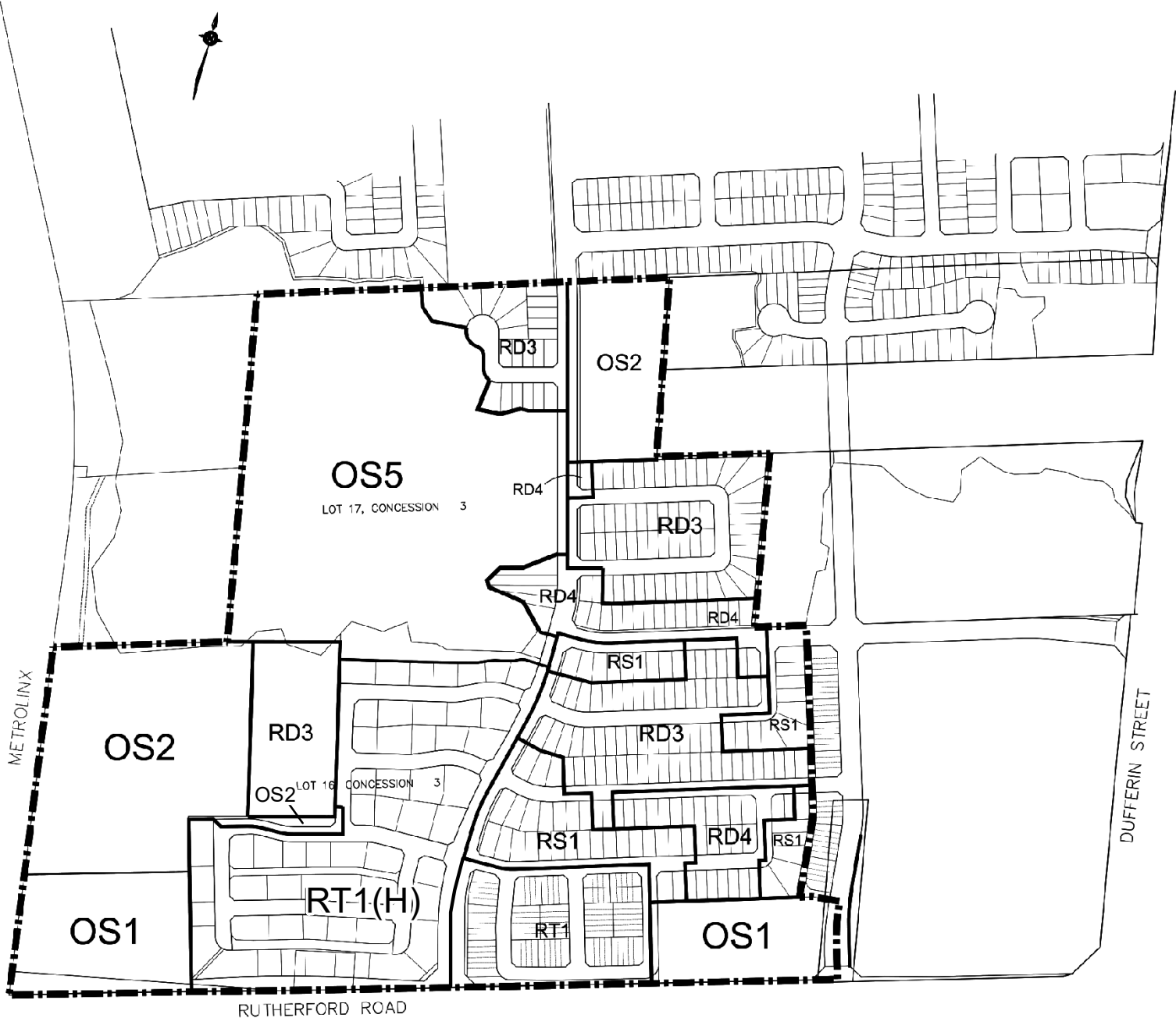
THIS IS SCHEDULE '1'  
TO BY-LAW 100-2023  
PASSED THE 20TH DAY OF JUNE, 2023

**File:** Z.20.039 **Related File:** 19T-20V008  
**Location:** Part of Lot 16, Concession 3  
Part of Blocks 1 and 3, 65M-3972  
**Applicant:** Block 18 Properties Inc. and  
Block 18 (Rutherford) Inc.  
**City of Vaughan**


SIGNING OFFICERS

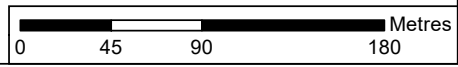
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MAYOR

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CLERK



THIS IS SCHEDULE 'E-1352'  
 TO BY-LAW 1-88  
 SECTION 9(1226)

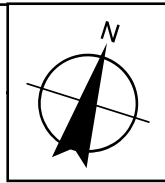
 Subject Lands



**THIS IS SCHEDULE '2'  
 TO BY-LAW 100-2023  
 PASSED THE 20TH DAY OF JUNE, 2023**

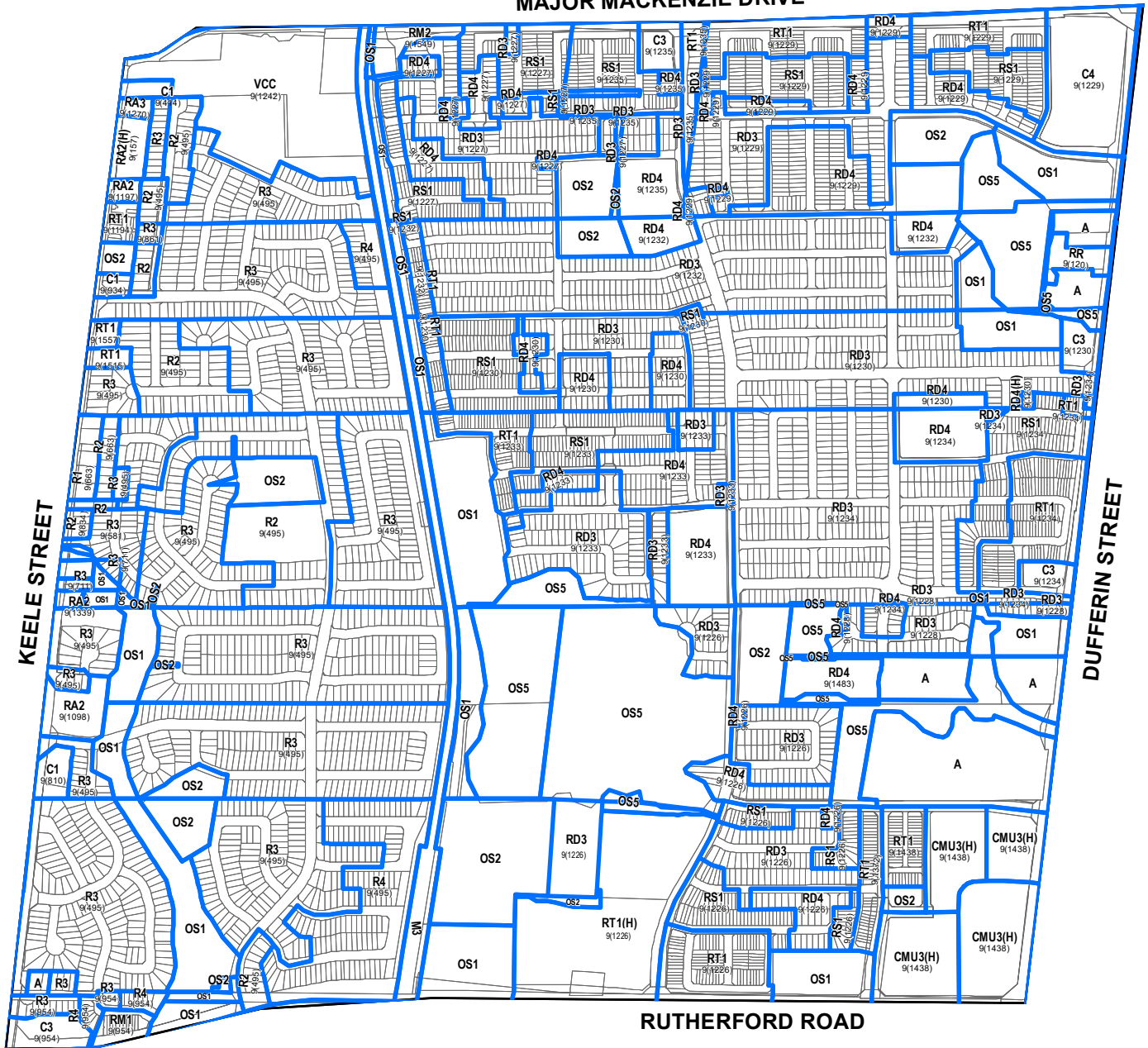
**File:** Z.20.039 **Related File:** 19T-20V008  
**Location:** Part of Lot 16, Concession 3  
 Part of Blocks 1 and 3, 65M-3972  
**Applicant:** Block 18 Properties Inc. and  
 Block 18 (Rutherford) Inc.  
**City of Vaughan**

SIGNING OFFICERS  
 \_\_\_\_\_ MAYOR  
 \_\_\_\_\_ CLERK

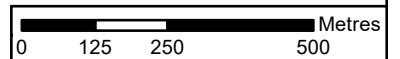


TESTON ROAD

MAJOR MACKENZIE DRIVE



KEY MAP 3D  
BY-LAW 1-88



THIS IS SCHEDULE '3'  
TO BY-LAW 100-2023  
PASSED THE 20TH DAY OF JUNE, 2023

File: Z.20.039 Related File: 19T-20V008

Location: Part of Lot 16, Concession 3

Part of Blocks 1 and 3, 65M-3972

Applicant: Block 18 Properties Inc. and  
Block 18 (Rutherford) Inc.

City of Vaughan

SIGNING OFFICERS

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MAYOR

\_\_\_\_\_  
CLERK

### **SUMMARY TO BY-LAW 100-2023**

The Subject Lands are located at the northwest corner of Rutherford Road and Peter Rupert Avenue and are legally described as being Part of Blocks 1 and 3 on Registered Plan 65M-3972 and within Part of Lot 16, Concession 3.

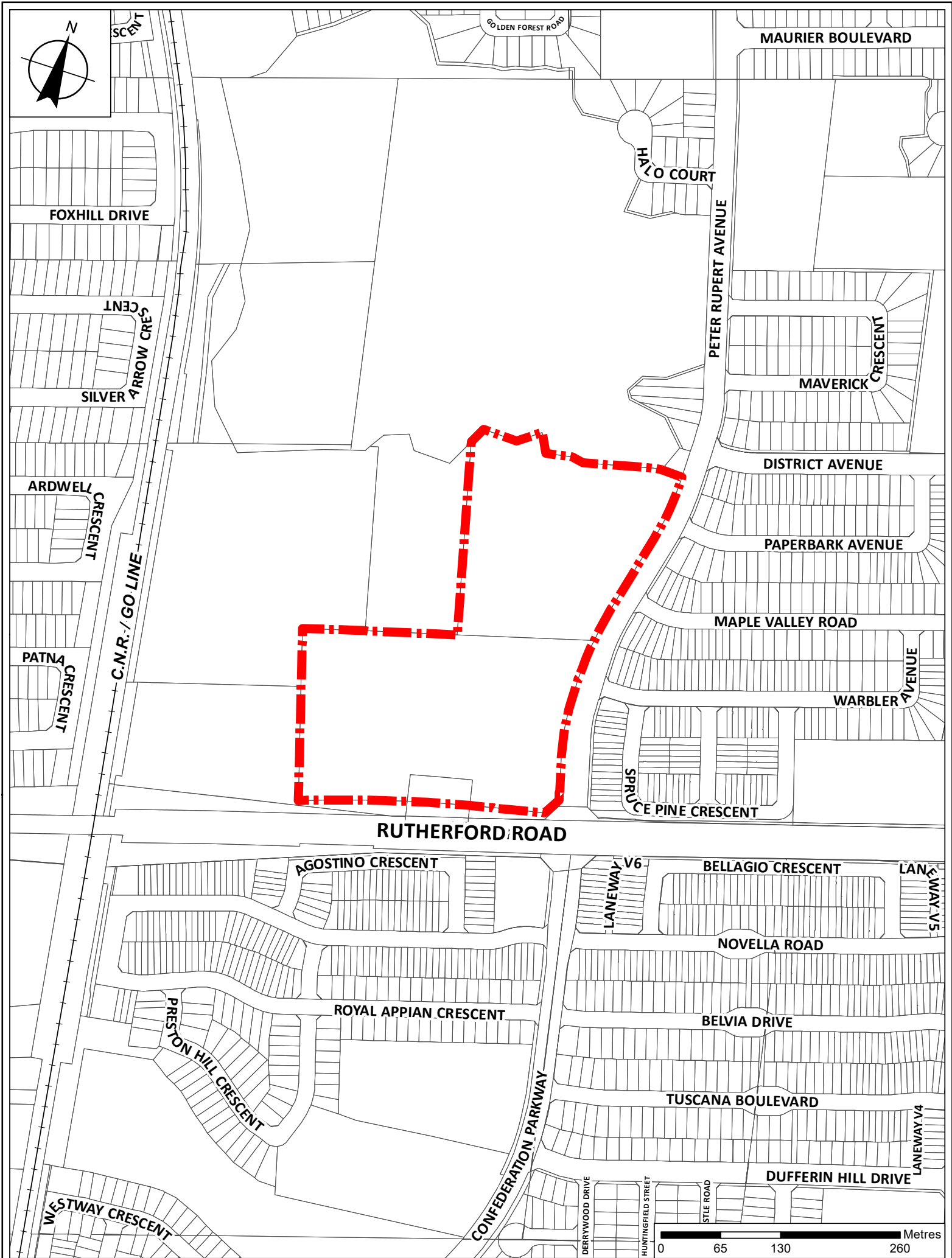
The purpose of this by-law is to rezone the Subject lands from “RD4 Residential Detached Zone Four”, “RD3 Residential Detached Zone Three”, “OS5 Open Space Environmental Protection Zone” and “A Agricultural Zone” to “RT1(H) Residential Townhouse Zone” with a Holding Symbol (‘H’), “OS2 Open Space Park Zone” and to revise the zone boundary for the “OS5 Open Space Environmental Protection Zone.”

The Holding Symbol “(H)” has been placed on the Subject Lands and shall not be removed from the Subject Lands or any portion thereof, until the condition has been satisfied.

The implementing By-law also includes exceptions related to:

- Definitions;
- Distance between streets and driveways;
- Minimum Landscaped area abutting a street line;
- Frontage upon an improved public street;
- Calculation of minimum landscaped front and exterior yards;
- Development standards for townhouses;
- Minimum garage dimensions and maximum interior garage width for townhouse dwelling units;
- Maximum garage projection;
- Minimum interior side yard setback to a door;
- Encroachment provisions;
- Maximum number of townhouse units constructed in a row.

This By-law and the exceptions contained herein are required to facilitate the development of the subject lands with 273 townhouse dwellings units, parkland, and open space.



## LOCATION MAP TO BY-LAW 100-2023

**File:** Z.20.039

**Related File:** 19T-20V008

**Location:** Part of Lot 16, Concession 3

Part of Blocks 1 and 3, 65M-3972

**Applicant:** Block 18 Properties Inc. and

Block 18 (Rutherford) Inc.

**City of Vaughan**



**Subject Lands**