

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 079-2020

A By-law to designate by Number an amendment to City of Vaughan By-law 1-88, as effected by the Local Planning Appeal Tribunal in its' decision dated the 29th day of May 2020 in LPAT Case File No. PL171046.

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 Local Planning Appeal Tribunal Order Issue, dated the 29th day of May 2020 (LPAT File No. PL171046), attached hereto as Schedule "A", is hereby designated as By-Law Number 079-2020.

Enacted by City of Vaughan Council this 29th day of June, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Local Planning Appeal Tribunal

Tribunal d'appel de l'aménagement local



ISSUE DATE: May 29, 2020

CASE NO.:

PL171046

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

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|-------------------------------|--|
| Applicant and Appellant: | Valley Major Developments Limited |
| Subject: | Request to amend the Official Plan - Failure of City of Vaughan to adopt the requested amendment |
| Existing Designation: | "Urban Village and Woodbridge Expansion Area", "Estate Residential and Stream Corridor", "Area of Natural and Scientific Interest (Kleinburg Woodlot)" and "Woodland Area" |
| Proposed Designated: | A site specific Official Plan Amendment |
| Purpose: | To permit a common element condominium townhouse development |
| Property Address/Description: | 4433, 4455 & 4477 Major Mackenzie Drive West |
| Municipality: | City of Vaughan |
| Approval Authority File No.: | OP.17.005 |
| OMB Case No.: | PL171046 |
| OMB File No.: | PL171046 |
| OMB Case Name: | Valley Major Developments Limited v. Vaughan (City) |

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

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|-------------------------------|--|
| Applicant and Appellant: | Valley Major Developments Limited |
| Subject: | Application to amend Zoning By-law No. 1-88 - Refusal or neglect of City of Vaughan to make a decision |
| Existing Zoning: | "RR" (Rural Residential) |
| Proposed Zoning: | "RVM2" (Residential Urban Villa Multiple Family Zone Two) and "OS5" (Open Space Environmental Protection Zone) |
| Purpose: | To permit a common element condominium townhouse development |
| Property Address/Description: | 4433, 4455 & 4477 Major Mackenzie Drive West |
| Municipality: | City of Vaughan |
| Municipality File No.: | Z.17.013 |
| OMB Case No.: | PL171046 |
| OMB File No.: | PL171047 |

BEFORE:

| | | |
|---------------------------|---|------------------------------|
| SUSAN DE AVELLAR SCHILLER |) | Friday, the 29 th |
| VICE-CHAIR |) | |
| |) | day of May, 2020 |

THIS MATTER having come on for public hearing and after the hearing, the Tribunal in its Decision issued November 25, 2019 having allowed the appeal in part, and having withheld its Final Order on the Zoning By-Law Amendment is withheld until the Parties submit to the Tribunal a final version of the Zoning By-Law Amendment with confirmation from Ms. Humphries that it is consistent with the draft Zoning By-Law Amendment she supported in her testimony;

AND THE TRIBUNAL having received confirmation from Ms. Humphries that the final version of the Zoning By-Law Amendment is consistent with the draft Zoning By-Law Amendment she supported in her testimony;

THE TRIBUNAL ORDERS that the Zoning By-Law Amendment set out in 'Schedule A' to this Order is approved.

"Evelyn Dawes"

EVELYN DAWES
DEPUTY REGISTRAR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario – Environment and Land Division
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Draft Zoning By-law Amendment
 Valley Major Developments Limited
 File: Z.17.013 (*Natalie Wong)
Scheduled for Council Meeting: TBD

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 079-2020

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 is 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 “RR Rural Residential Zone” to “RT1 Residential Townhouse Zone” and “OS1 Open Space Conservation Zone”, in the manner shown on the said Schedule “1”.
 - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:
 - 1496) A. Notwithstanding the provisions of:
 - a) Subsection 2.0 respecting Definition for a Parking Space;
 - b) Subsection 3.8 g) respecting maximum Access Driveway Widths;
 - c) Subsection 3.14 and 4.22.2 respecting Permitted Yard Encroachments and Restrictions and Special Provisions for the RT1 Zones, 3.17 respecting Portions of Building Below Grade in the front yard, and 4.22.2 iii) respecting the maximum finished floor elevation of an

unenclosed porch;

- d) Schedule “A3” and General Notes respecting the zone standards for maximum and minimum interior garage widths, lengths, building heights a maximum number of townhouse units in a row in the RT1 Residential Townhouse Zone.

The following provisions shall apply to the lands shown as “Subject Lands” as shown on Schedules E-1627 and E-1627A attached hereto:

- ai) PARKING SPACE: Means a rectangular area measuring at least 2.6 m by 5.8 m, exclusive of any aisles or ingress or egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage and private driveway leading thereto, except in the case of a parking space located on a private road, which shall measure a minimum of 2 m by 6.1 m.
- bi) The following maximum two-way access driveway widths are permitted:
- 8.0 m (Major Mackenzie Drive);
 - 8.5 m (Pine Valley Drive).
- ci) The maximum encroachment of unenclosed porches and balconies, which are covered or uncovered, cold cellars, and architectural features shall not exceed 2.45 m into a required yard;
- cii) Notwithstanding ci) above, a rear yard encroachment is not permitted for all Units in Block 13 except for the following:
- A balcony above the first storey may be set back 0 m from the rear lot line;
 - Eaves may encroach up to a maximum of 0.45 m into the required rear yard;

- Equipment essential for the purpose of conditioning may be set back 0 m from the rear lot line;
- ciii) Notwithstanding ci) above, the maximum encroachment of decks, balconies and exterior stairs into the required rear yard for Unit 53 of Block 12, Units 59, 60, and 61 of Block 14 and Unit 63 of Block 15 shall be permitted as follows:
 - 1.3 m (Block 12, Unit 53);
 - 0.78 m (Block 14, Unit 59);
 - 4 m (Block 14, Unit 60);
 - 4 m (Block 14, Unit 61);
 - 1 m (Block 15, Unit 63);
- civ) Notwithstanding ci) above, the maximum interior side yard encroachment of unenclosed porches (covered, or uncovered), exterior stairways, balconies and bay windows shall not exceed 0.75 m into a required yard;
- cv) Structures such as stairs and balconies shall be located no closer than 0.3 m from any property line; and,
- cvi) The maximum finished floor elevation of an unenclosed porch required by subsection 4.22.2 iii) shall not apply to Blocks 6 and 7;
- di) The minimum interior garage dimension shall be 3.0 metres in width by 5.8 metres in length;
- dii) The maximum interior garage widths shall be permitted as follows for the dwelling units in Areas A, B and C:
 - Area A: 5.94 m, except Units 10, 11 and 41;
 - Area A: 6.25 m (Units 10 and 11 only);
 - Area A: 6.85 m (Unit 41);
 - Area B: 3.25 m, except Unit 91;
 - Area B: 4.65 m (Unit 91);

- Area C: 3.25 m, except Unit 42;
 - Area C: 4 m (Unit 42);
- diii) No encroachment shall be permitted into the required garage length or width except:
- one step (2 risers, 0.3 m) may encroach into the portion of the garage and the minimum parking space size abutting the dwelling unit for Units 6 and 9 of Block 6 and Unit 12 of Block 5, and;
 - two steps (3 risers) may encroach into the portion of the garage abutting the dwelling unit for Units 54,55, 56, 57, 58 of Block 13 and Unit 91 of Block 10;
- div) The maximum building height for a Townhouse dwelling shall not exceed 13m except the Townhouse dwelling in Block 12 shall not exceed 13.10m.
- dv) The maximum number of Townhouse Dwelling units constructed in a row shall be permitted for Blocks 5, 8, 9 and 12 as follows:
- Block 5: 7 units;
 - Block 8: 8 units;
 - Block 9: 7 units;
 - Block 12: 8 units;

B. Notwithstanding the provisions of:

- a) Schedule "A3" and "General Notes" respecting the zone standards in the RT1 Residential Townhouse Zone;
- b) Subsection 4.1.2 respecting Minimum Soft Landscaped Area and 4.1.4 (f)(v) 1 and 2;

The following provisions shall apply to the portion of the lands shown as "AREA A", on E-1627A, attached hereto:

- ai) The minimum lot frontage shall be 5.75 m;
- a ii) The minimum lot area shall be 100 m²;

- aiii) The minimum lot depth shall be 15 m;
- aiv) The minimum building setback requirements are as follows:
 - Front Yard Setback: 2.75 m (All Blocks);
 - Exterior Side Yard Setback:
 - o 0.85 m (Block 1 & 7, End Units Only);
 - Rear Yard Setback: 0.5 m (All Blocks);
 - Interior Side Yard: 1.2 m (All Blocks).
- bi) A minimum of 55% of the Front and/or Exterior Side Yard shall be soft landscaping.

C. Notwithstanding the provisions of:

- a) Section 2.0 respecting Definitions of Lot, Street Line, Street Townhouse Dwelling; and Subsection 3.21 respecting frontage on a public street;
- b) Subsections 4.1.2 and 4.1.4 (f)(v) 1 and 2 respecting Minimum Soft Landscaped Area;
- c) Schedule “A3” and “General Notes” respecting the zone standards in the RT1 Residential Townhouse Zone.

The following provisions shall apply to the portion of the lands shown as “AREA B”, on E-1627A, attached hereto:

- ai) LOT: Means a parcel of land fronting onto a street or private common element condominium 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.;
- aii) STREET LINE: Means the dividing line between a lot and a public or private street or the dividing line between a lot and a reserve abutting a public or private street;

- D. Notwithstanding the provisions of:
- a) Section 2.0 respecting Definitions of a Lot, Street Line, Street Townhouse Dwelling; and Subsection 3.21 respecting frontage on a public street;
 - b) Subsections 4.1.2 and 4.1.4(f)(v) 1 and 2 respecting Minimum Soft Landscaped Area;
 - c) Schedule “A3” and “General Notes” respecting zone standards in the RT1 Residential Townhouse Zone;

The following provisions shall apply to the portion of the lands shown as "AREA C", on E-1627A, attached hereto:

- ai) LOT: Means a parcel of land fronting onto a private common element condominium road. For the purposes of this By-law, lots within the RT1 Zone shall be deemed to be a standard lot;
- aii) STREET LINE - Means the dividing line between a lot and a public or private street or the dividing line between a lot and a reserve abutting a public or private street;
- aiii) DWELLING, STREET TOWNHOUSE: Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a private common element condominium road.
- aiv) Subsection 3.21 shall not apply to the RT1 Residential Townhouse Zone;
- bi) A minimum of 10% of the Front and/or Exterior Side Yard shall be soft landscaping.
- ci) The minimum front yard setback to a garage shall be 5.9 m;
- cii) The minimum lot frontage shall be 5.6 m;
- ciii) The minimum lot area shall be 105 m²;
- civ) The minimum lot depth shall be 13.9 m;
- cv) The minimum building setback requirements are as follows:
 - Front Yard Setback: 3.25 m for all Blocks, except for the following:
 - o 3.0 m (Unit 44, Block 11);
 - Rear Yard Setback shall be as follows:
 - o 5.0 m (Blocks 11, 12, 14, 15 and 16 only)
 - o 1 m (Block 13, Units 55, 56, and 57);
 - o 2.75 m (Unit 58, Block 13);

- 1.7 m (Unit 54, Block 13);
 - 1.3 m (Unit 53, Block 12);
 - 1.3m (Unit 62, Block 15);
 - 3.5 m (Unit 63, Block 15);
 - 1.7 m (Unit 59, Block 14);
 - Exterior Side Yard Setback: 1.2 m (All Blocks); and
 - Interior Side Yard Setback: 1.2 m (All Blocks).
- E. Reference to a Block or Unit anywhere within this exception shall mean a Block or Unit as shown on E-1627.
- F. Accessory structures are permitted within the central amenity area in the portion of the lands shown as “AREA C”, on E-1627A, and shall be subject to the provisions of Section 3.16.
- c) Adding Schedule “E-1627” attached hereto as Schedule “1”.
 - d) Adding Schedule “E-1627A” attached hereto as Schedule “2”.
 - e) Deleting Key Map 6D and substituting therefor the Key Map 6D attached hereto as Schedule “3”.
2. Schedules “1”, “2”, and “3” shall be and hereby form part of this By-law.

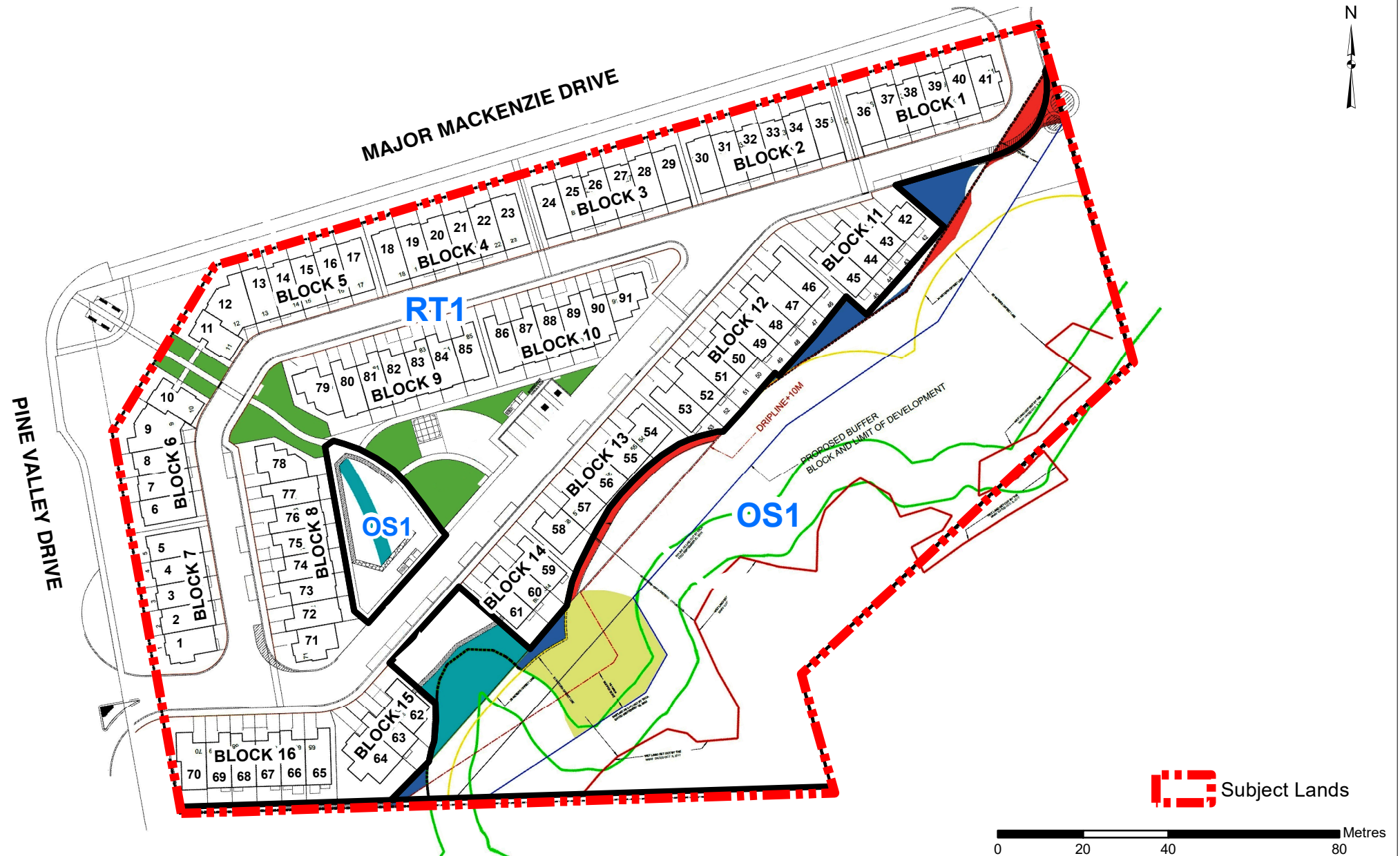
Enacted by City of Vaughan Council this 29th day of June, 2020.

Hon. Maurizio Bevilacqua

**TRIBUNAL ORDER: PL171046
MAY 29, 2020**

Todd Coles, City Clerk

Authorized by Item No.5 of Report No. 20
of the June 4, 2019 Committee of the Whole
Adopted by Vaughan City Council on
June 12, 2019



THIS IS SCHEDULE 'E- 1627 '
TO BY-LAW 1-88
SECTION 9(1496_)

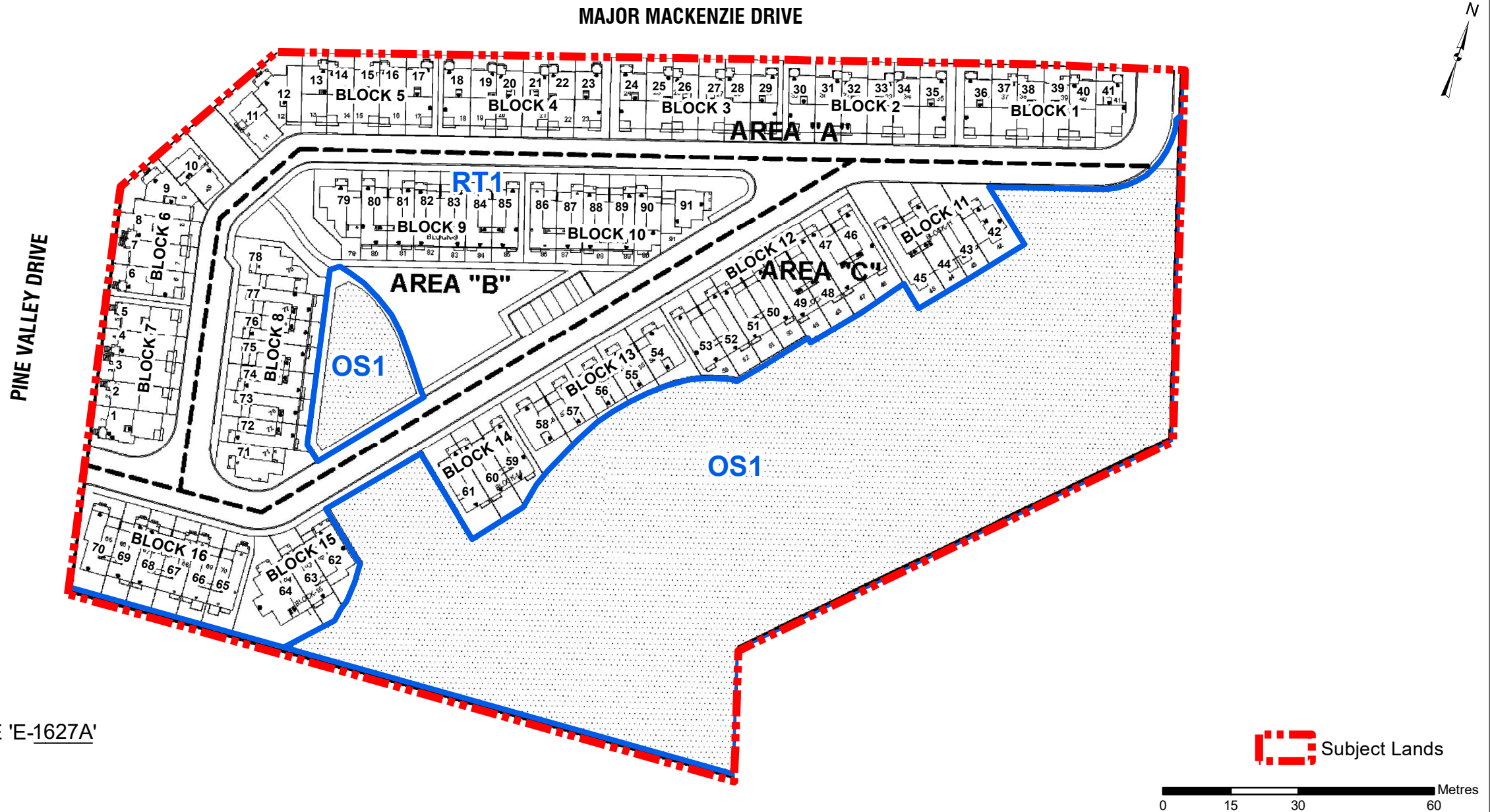
FILE: Z.17.013
RELATED FILE: OP.17.005
LOCATION: Part of Lot 20, Concession 6
APPLICANT: Valley Major Developments Limited
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 079-2020
PASSED THE 29th DAY OF JUNE, 2020

TRIBUNAL ORDER: PL171046
MAY 29, 2020

MAYOR

CLERK



THIS IS SCHEDULE 'E-1627A'
TO BY-LAW 1-88
SECTION 9(1496)

FILE: Z.17.013
RELATED FILE: OP.17.005
LOCATION: Part of Lot 20, Concession 6
APPLICANT: Valley Major Developments Limited
CITY OF VAUGHAN

THIS IS SCHEDULE '2'
TO BY-LAW 079-2020
PASSED THE 29th DAY OF JUNE, 2020

TRIBUNAL ORDER: PL171046
MAY 29, 2020

CLERK



KEY MAP 6D
BY-LAW NO. 1-88

0 125 250 500 Metres

THIS IS SCHEDULE '3'
TO BY-LAW 079-2020
PASSED THE 29th DAY OF JUNE, 2020

FILE: Z.17.013
RELATED FILE: OP.17.005
LOCATION: Part of Lot 20, Concession 6
APPLICANT: Valley Major Developments Limited
CITY OF VAUGHAN

TRIBUNAL ORDER: PL171046
MAY 29, 2020

CLERK

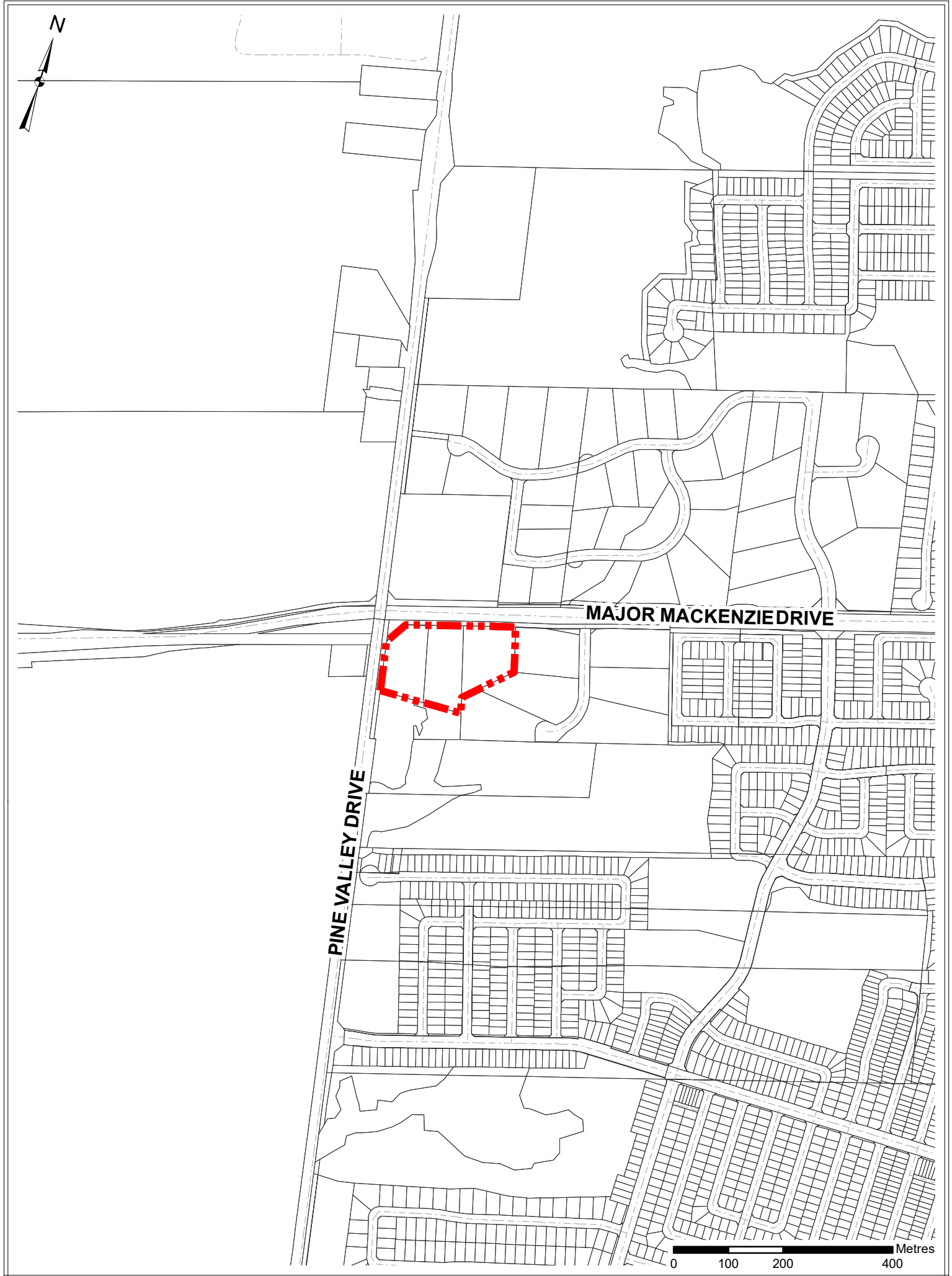
SUMMARY TO BY-LAW 079-2020

The lands subject to this By-law are located at the southeast corner of Major Mackenzie Drive and Pine Valley Drive, and municipally known as 4433, 4455, and 4477 Major Mackenzie Drive, and being Part of Lot 20, Concession 6, City of Vaughan.

The purpose of this By-law is to facilitate a residential development consisting of 91, three-storey townhouse dwelling units within 16 residential blocks on a private, common element condominium road. This By-law permits a 620 m² outdoor centralized amenity area to serve the townhouse dwellings and includes an “OS1 Open Space Conservation Zone” to protect the surrounding natural area features, including the open channel feature located in the center of the Subject Lands.

This By-law proposes a rezoning of the Subject Lands from the “RR Rural Residential Zone” to the “RT1 Residential Townhouse Zone”, and the “OS1 Open Space Conservation Zone”. This By-law creates a new exception and schedules and includes the following site-specific zoning exceptions:

- a) Site-specific definitions of the “parking space” dimensions, “Lot”, “Lot, Line Front” and “Street Townhouse Dwellings”.
- b) Amendments to the maximum permitted encroachments for unenclosed, uncovered, covered, unexcavated porches, exterior stairways, balconies and bay windows.
- c) Increased maximum porch heights;
- d) Reduced minimum, and increased maximum interior garage widths;
- e) Proposed encroachments within the minimum interior garage lengths;
- f) Proposed minimum and maximum driveway widths within a lot and for ingress and egress;
- g) Reduced minimum landscaping requirements around periphery of outdoor parking areas;
- h) Reduced minimum front yard soft landscaping requirements;
- i) Increased maximum building heights;
- j) Increased number of townhouse units within a row;
- k) Reduced minimum lot frontage requirements;
- l) Reduced minimum lot depth requirements;
- m) Reduced minimum lot area requirements;
- n) Reduced front yard, rear yard, exterior and sideyard setback requirements;



LOCATION MAP TO BY-LAW 079-2020

FILE: Z.17.013
RELATED FILE: OP.17.005
LOCATION: Part of Lot 20, Concession 6
APPLICANT: Valley Major Developments Limited
CITY OF VAUGHAN

