

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 137-2019

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.

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 25th day of September 2019 (LPAT File No. PL160978), attached hereto as Attachment “1”, is hereby designated as By-Law Number 137-2019.

Enacted by City of Vaughan Council this 23rd day of October, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

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



ISSUE DATE: September 25, 2019

CASE NO.: PL160978

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: | Dufferin Vistas Ltd. |
| Subject: | Application to amend Zoning By-law No. 1-88, as amended – Neglect of application by the City of Vaughan "A Agricultural Zone" and "OS5 Open Space Environmental Protection Zone" |
| Existing Zoning: | "RT1 Residential Townhouse Zone" and "OS5 Open Space Environmental Protection Zone" |
| Proposed Zoning: | "RT1 Residential Townhouse Zone" and "OS5 Open Space Environmental Protection Zone" |
| Purpose: | To permit the development of 32 single detached residential lots and the extension of Grand Trunk Avenue on the western portion of the subject property as the 1 st phase and 42 townhouse units on the eastern portion of the subject property as the 2 nd phase, and to create 2 open space blocks adjacent to the existing forest blocks located to the north and south of the subject property as well as vegetated corridors along the west and south property lines |
| Property Address/Description: | 230 Grand Trunk Avenue/ Part of Lot 17, Concession 3 |
| Municipality: | City of Vaughan |
| Municipal File No.: | Z.16.016 |
| OMB Case No.: | PL160978 |
| OMB File No.: | PL160978 |
| OMB Case Name: | Dufferin Vistas Ltd. 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: | Dufferin Vistas Ltd. |
| Subject: | Proposed Plan of Subdivision - Failure of the City of Vaughan to make a decision |
| Purpose: | To permit the development of 32 single detached residential lots and the extension of Grand Trunk Avenue on the western portion of the subject property as the 1 st phase and 42 townhouse units on the eastern portion of the subject property as the 2 nd phase, and to create 2 open space blocks adjacent to the existing forest blocks located to the north and south of the subject property as well as vegetated corridors along the west and south property lines |
| Property Address/Description: | 230 Grand Trunk Avenue/ Part of Lot 17, Concession 3 |
| Municipality: | City of Vaughan |
| Municipal File No.: | 19T-16V001 |
| OMB Case No.: | PL160978 |
| OMB File No.: | PL160980 |

BEFORE:

| | | |
|-----------------|---|--|
| HUGH S. WILKINS |) | Wednesday, the 25 th day of |
| MEMBER |) | |
| |) | September, 2019 |

THIS MATTER having come on for a public hearing and the Local Planning Appeal Tribunal (the "Tribunal"), in its Decision issued on October 26, 2018 (the "Decision"), having withheld its Order pending receipt of the final implementing zoning by-law and draft plan of subdivision, which shall be drafted to the satisfaction of the City of

Vaughan, in consultation with the TRCA, and subject to the stipulations noted in pages 40 and 41 of the Decision;

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;

AND THE TRIBUNAL ORDERS that the appeal with respect to the Draft Plan of Subdivision is allowed and the draft plan shown in Attachment 2 of this Order is approved subject to the fulfilment of the conditions set out in Attachment 3 to this Order;

AND THE TRIBUNAL FURTHER ORDERS that pursuant to subsection 51(56.1) of the *Planning Act*, the City of Vaughan shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the *Act*. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.



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

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 137-2019

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 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:**

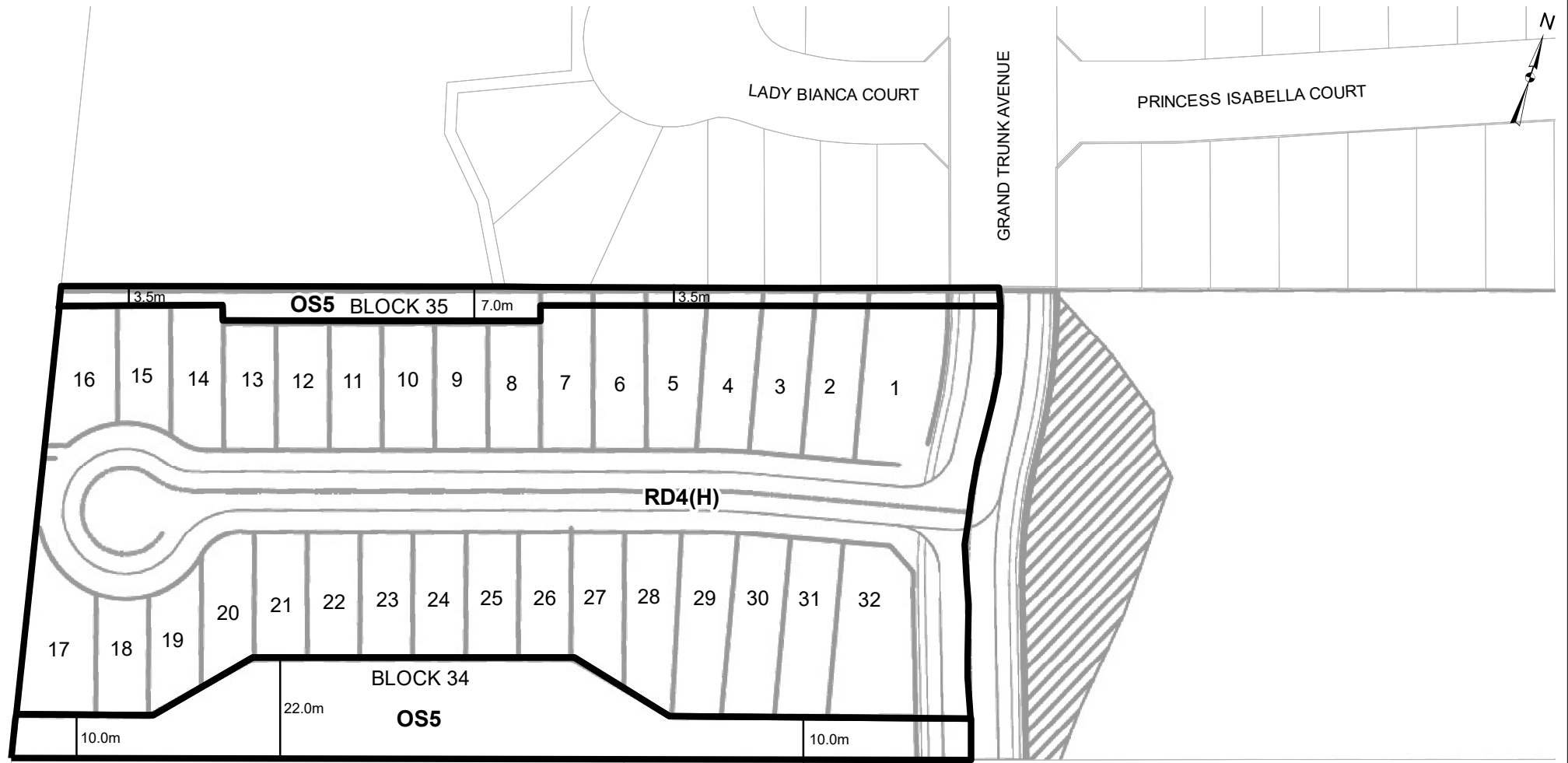
1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RD4(H) Detached Residential Zone Four with the Holding Symbol "(H)" and OS5 Open Space Environmental Protection Zone, in the manner shown on the said Schedule "1".
 - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1483) A. The following provisions shall apply to all lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-1614" until the Holding Symbol "(H)" is removed pursuant to Section 36(4) of the Planning Act:

 - i) Lands zoned with the Holding Symbol "(H)" shall be used only for the production of field crops or a use legally existing as of the date of the enactment of By-law 137-2019. The Holding Symbol "(H)" shall

- ii) not be removed until such time as:
 - a. York Region is in possession of a preliminary functional design and cost estimate for the roadway and intersection improvements required to Dufferin Street (both north and south) from Marc Santi Boulevard/District Avenue to Apple Blossom Drive/Dufferin Hill Drive intersections and its intersection with Rutherford Road, which are necessary to accommodate the proposed developments in the surrounding area;
 - b. York Region has completed a full review and issued approval of the preliminary functional design and cost estimate for the required roadway and intersection improvements identified above in item “a.”;
 - c. The Dufferin Street and Rutherford Road intersection improvement project incorporating the elements identified in item “a.” is identified and approved by Regional Council in the Region’s 2017 or future 10-Year Roads Capital Construction Program;
 - d. The Owner has submitted updated Geotechnical, Hydrogeological, and Slope Stability reports to determine the final road alignment and design interface on the east side of the Grand Trunk Avenue extension, to the satisfaction of the City of Vaughan, in consultation with the TRCA;
 - e. The interim and final design of the proposed sanitary servicing strategy for the proposed development shall be approved by the City of Vaughan Development Engineering Department.
- B. Notwithstanding the provisions of:

- a) Subsection 4.22.3 and Schedule "A3" respecting Minimum Zone requirements in the RD4 Detached Residential Zone Four; the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1614":
- ai) The minimum lot depth shall be:
 - 25 m for Lot 15
 - 24 m for Lots 18 and 19
 - aii) The minimum rear yard setback shall be:
 - 4.5 m for Lots 15, 18 and 19
 - 5.5 m for Lot 16
 - 5 m for Lot 17
- c) Adding Schedule "E-1614" attached hereto as Schedule "1".
- d) Deleting Key Map 3D and substituting therefor the Key Map 3D attached hereto as Schedule "2".
2. Schedules "1" and "2" shall be and hereby form part of this By-law.



THIS IS SCHEDULE 'E-1614'
 TO BY-LAW 1-88
 SECTION 9(1483)



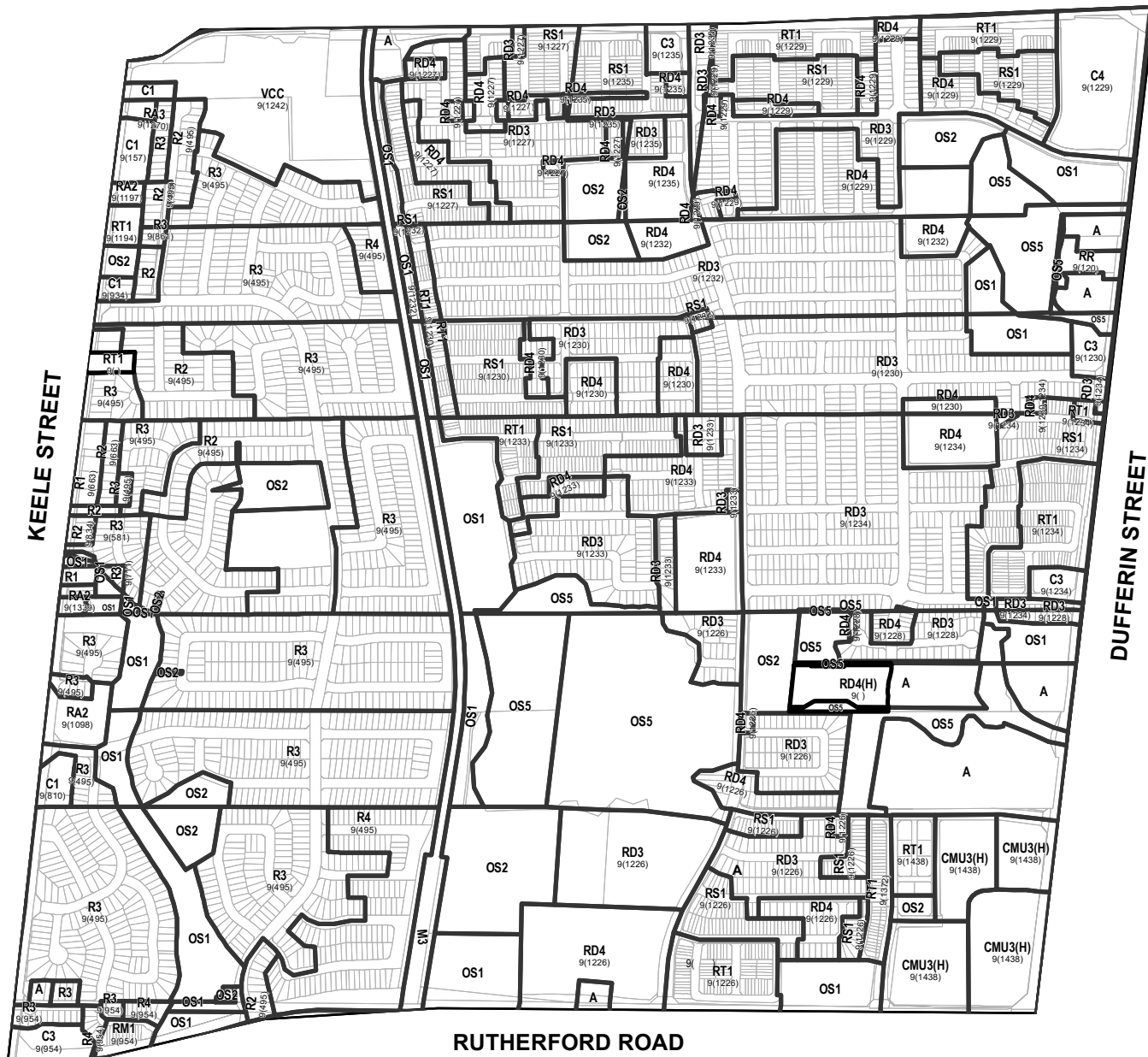
FILE: Z.16.016
RELATED FILE: 19T-16V001
LOCATION: Part of Lot 17, Concession 3
APPLICANT: Dufferin Vistas Ltd.
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 137-2019
PASSED THE 23rd DAY OF OCTOBER, 2019

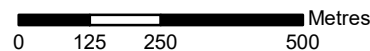
SIGNING OFFICERS
 Tribunal Order: **PL160978**
 September 25, 2019
 MAYOR
 CLERK



MAJOR MACKENZIE DRIVE



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



THIS IS SCHEDULE '2'
 TO BY-LAW 137 -2019
 PASSED THE 23rd DAY OF OCTOBER, 2019

FILE: Z.16.016
 RELATED FILE: 19T-16V001
 LOCATION: Part of Lot 17, Concession 3
 APPLICANT: Dufferin Vistas Ltd.
 CITY OF VAUGHAN

SIGNING OFFICERS

Tribunal Order: 160978
 September 25, 2019

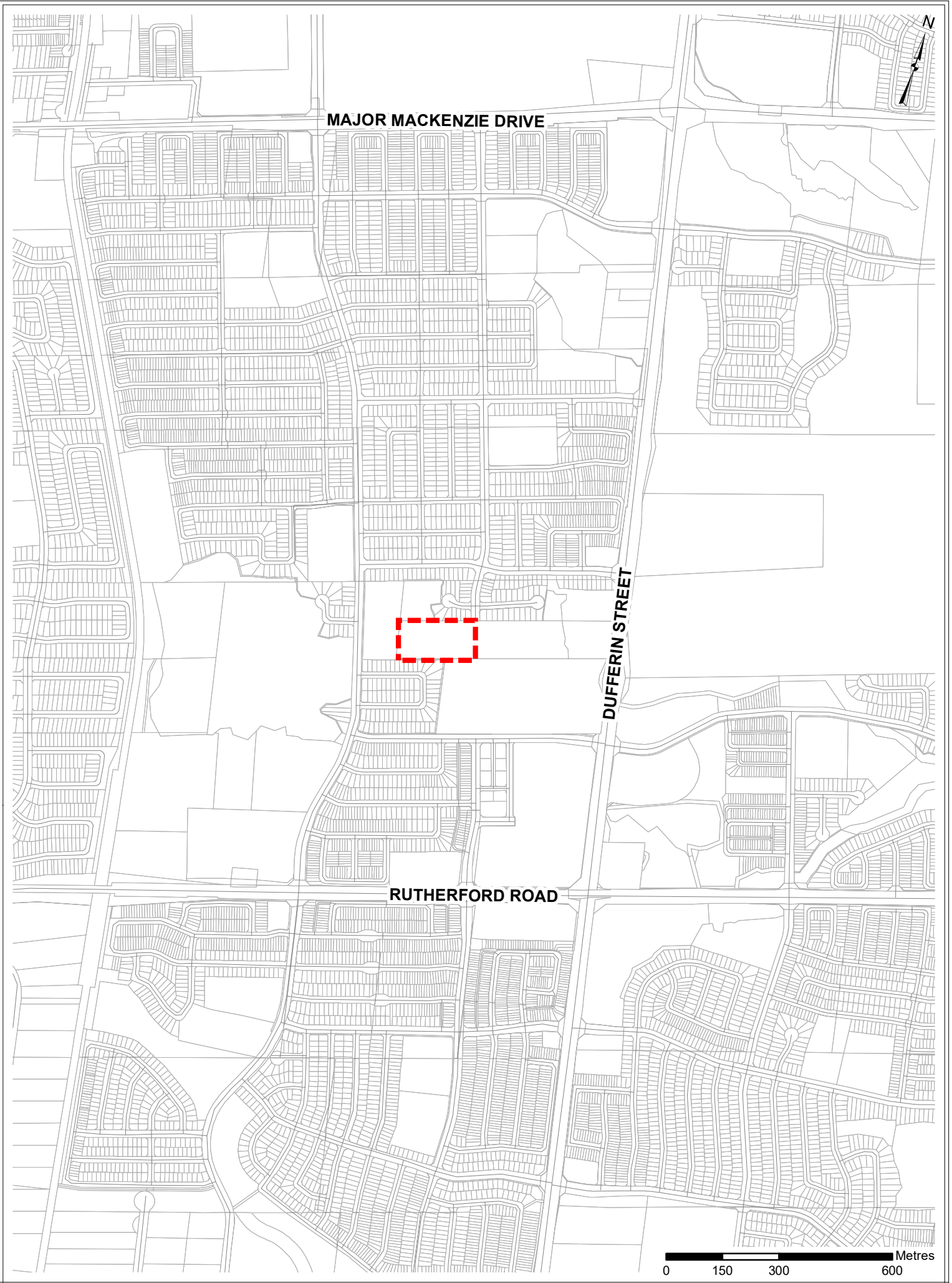
MAYOR

CLERK

SUMMARY TO BY-LAW 137- 2019


The lands subject to this By-law are located north of Rutherford Road, west of Dufferin Street, in Lot 17, Concession 3, City of Vaughan.

The purpose of this by-law is to rezone the Subject Lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RD4(H) Detached Residential Zone Four with the Holding Symbol "(H)" and OS5 Open Space Environmental Protection Zone to implement Phase 1 of Draft Plan of Subdivision File 19T-16V001 for 32 single detached lots. This By-law also provides site-specific zoning exceptions to minimum lot depth and rear yard setback.



**LOCATION MAP
TO BY-LAW 137 -2019**

FILE: Z.16.016
RELATED FILE: 19T-16V001
LOCATION: Part of Lot 17, Concession 3
APPLICANT: Dufferin Vistas Ltd.
CITY OF VAUGHAN

 **SUBJECT LANDS**