

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 138-2019**

**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 10<sup>th</sup> day of October 2019 (LPAT File No. PL170640), attached hereto as Attachment “1”, is hereby designated as By-Law Number 138-2019.

Enacted by City of Vaughan Council this 23<sup>rd</sup> day of October, 2019.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

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



**ISSUE DATE:** October 10, 2019

**CASE NO.:** PL170640

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

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 "Low Rise Residential"
Existing Designation:	"Low Rise Residential"
Proposed Designation:	To amend the policies in the Vaughan Official Plan 2010 regarding the design and compatibility criteria for new development in a "Community Area" in the "Low Rise Residential" designation respecting lot configuration and size, and the built form and physical character with the surrounding development
Purpose:	To permit the development of 19 three-storey freehold townhouse units to be served by a privately owned and maintained common element condominium road
Property Address/Description:	9560 & 9570 Keele Street/ Part of Lot 18, Concession 4, Part 1, 65R 34170, City of Vaughan and Part of Lot 18, Concession 4, Part 1, 65R 34161, City of Vaughan
Municipality:	City of Vaughan
Approval Authority File No.:	OP.15.008
OMB Case No.:	PL170640
OMB File No.:	PL170640
OMB 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 and Appellant:	Laurier Harbour (Keele) Inc.
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Neglect of application by the City of Vaughan
Existing Zoning:	“R1 Residential Zone”
Proposed Zoning:	“RT1 Residential Townhouse Zone” with site-specific provisions to facilitate the redevelopment of the property
Purpose:	To permit the development of 19 three-storey freehold townhouse units to be served by a privately owned and maintained common element condominium road
Property Address/Description:	9560 & 9570 Keele Street/ Part of Lot 18, Concession 4, Part 1, 65R 34170, City of Vaughan and Part of Lot 18, Concession 4, Part 1, 65R 34161, City of Vaughan
Municipality:	City of Vaughan
Municipal File No.:	Z.15.034
OMB Case No.:	PL170640
OMB File No.:	PL170641

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Laurier Harbour (Keele) Inc.
Subject:	Proposed Plan of Subdivision - Failure of the City of Vaughan to make a decision
Purpose:	To permit the development of 19 three-storey freehold townhouse units to be served by a privately owned and maintained common element condominium road
Property Address/Description:	9560 & 9570 Keele Street/ Part of Lot 18, Concession 4, Part 1, 65R 34170, City of Vaughan and Part of Lot 18, Concession 4, Part 1, 65R 34161, City of Vaughan
Municipality:	City of Vaughan
Municipal File No.:	19T-15V014
OMB Case No.:	PL170640
OMB File No.:	PL170642

BEFORE:

C. CONTI	)	Thursday, the 10 <sup>th</sup> day of
VICE-CHAIR	)	
	)	October, 2019

**THIS MATTER** having come on for a public hearing and the Tribunal, in its Decision issued on February 26, 2019, having withheld its Order on the Zoning By-law Amendment (the "ZBA") until such time as the parties advise the Tribunal that a Site Plan has been finalized and the parties provide the Tribunal with a final form of the ZBA, and the Tribunal also having withheld its Order on the Draft Plan of Subdivision until such time as the parties provide a final version of the Draft Plan Conditions to the Tribunal;

**THE TRIBUNAL ORDERS** that the appeal with respect to the ZBA is allowed in part, and By-law 1-88, as amended, of the City of Vaughan 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 in part and the draft plan shown in the form set out in Exhibit 6, as referred to in the Tribunal's February 26, 2019 Decision, is approved subject to the fulfillment of the final version of the Draft Plan Conditions as set out in Attachment "2" to this Order;

**AND THE TRIBUNAL 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.

*“Evelyn Dawes”*

EVELYN DAWES  
DEPUTY REGISTRAR

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://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](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

## ATTACHMENT "1"

***THE CITY OF VAUGHAN******BY-LAW*****BY-LAW NUMBER 138-2019****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 R1 Residential Zone to RT1 Residential Townhouse Zone in the manner shown on the said Schedule "1".
  - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":
 

"(1484) Notwithstanding the provisions of:

    - a) Subsection 2.0 respecting Definitions of a Parking Space, Street Townhouse Dwelling, and Street Line, and Subsection 3.21 respecting Frontage on a Public Street;
    - b) Subsection 3.8 c) respecting Visitor Parking Requirements and 3.8 g) respecting Driveway Width requirements;
    - c) Subsections 3.14 and 4.22.2 respecting Permitted Yard Encroachments for Covered Porches;
    - d) Subsection 3.17 respecting Portions of Buildings Below Grade;
    - e) Subsection 4.1.4 respecting Parking Areas for Multiple Family Dwellings;
    - f) Subsection 4.22.3 and Schedule "A3" respecting Minimum Zone requirements in the RT1 Residential Townhouse Zone;
    - g) 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-1615":

    - ai) For the purposes of this By-law, the following definitions shall apply:
 

**PARKING SPACE** - Means a rectangular area measuring at least 2.7 m

by 6.0 m for Blocks 1, 2 and 3, and 2.7 m by 5.75 m for Blocks 4, 5 and 6, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage or carport and private driveway leading thereto;

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;

- aii) Subsection 3.21 shall not apply;
- bi) A minimum of 4 visitor parking spaces shall be required;
- bii) The driveway width for joint ingress and egress from Keele Street shall be 6.84 m;
- ci) A covered porch shall have a minimum rear yard setback of 2.4 m for Blocks 2, 3 and 4;
- cii) A covered porch shall have a minimum exterior side yard setback of 2.4 m for Block 5;
- ciii) A 0.74 m no encroachment zone shall be maintained inside the Subject Lands within the front yard for Block 4;
- civ) A 0.65 m no encroachment zone shall be maintained inside the Subject Lands within the exterior side yard for Block 4;
- di) The minimum setback from the exterior lot line to the nearest part of a building below finished grade shall be 0.65 m for Block 4;
- ei) Sections 4.1.4 b) i) and 4.1.4 b) ii) shall not apply;
- fi) The minimum lot frontage for Blocks 1, 2, 3 and 4 shall be 5.5 m;
- fii) The minimum lot area shall be:
  - 118 m<sup>2</sup> for Block 1;
  - 128 m<sup>2</sup> for Block 2;
  - 123 m<sup>2</sup> for Blocks 3 and 4;
  - 129 m<sup>2</sup> for Block 5; and
  - 136 m<sup>2</sup> for Block 6;
- fiii) The minimum lot depth shall be:
  - 20.5 m for Blocks 1 and 5;
  - 20 m for Blocks 2, 3 and 4;
  - 22.4 m for Block 6
- fv) The maximum building height shall be 9.5 m
- fvi) The minimum front yard setback to the front wall of the dwelling shall be:
  - 0.72 m for Block 4;

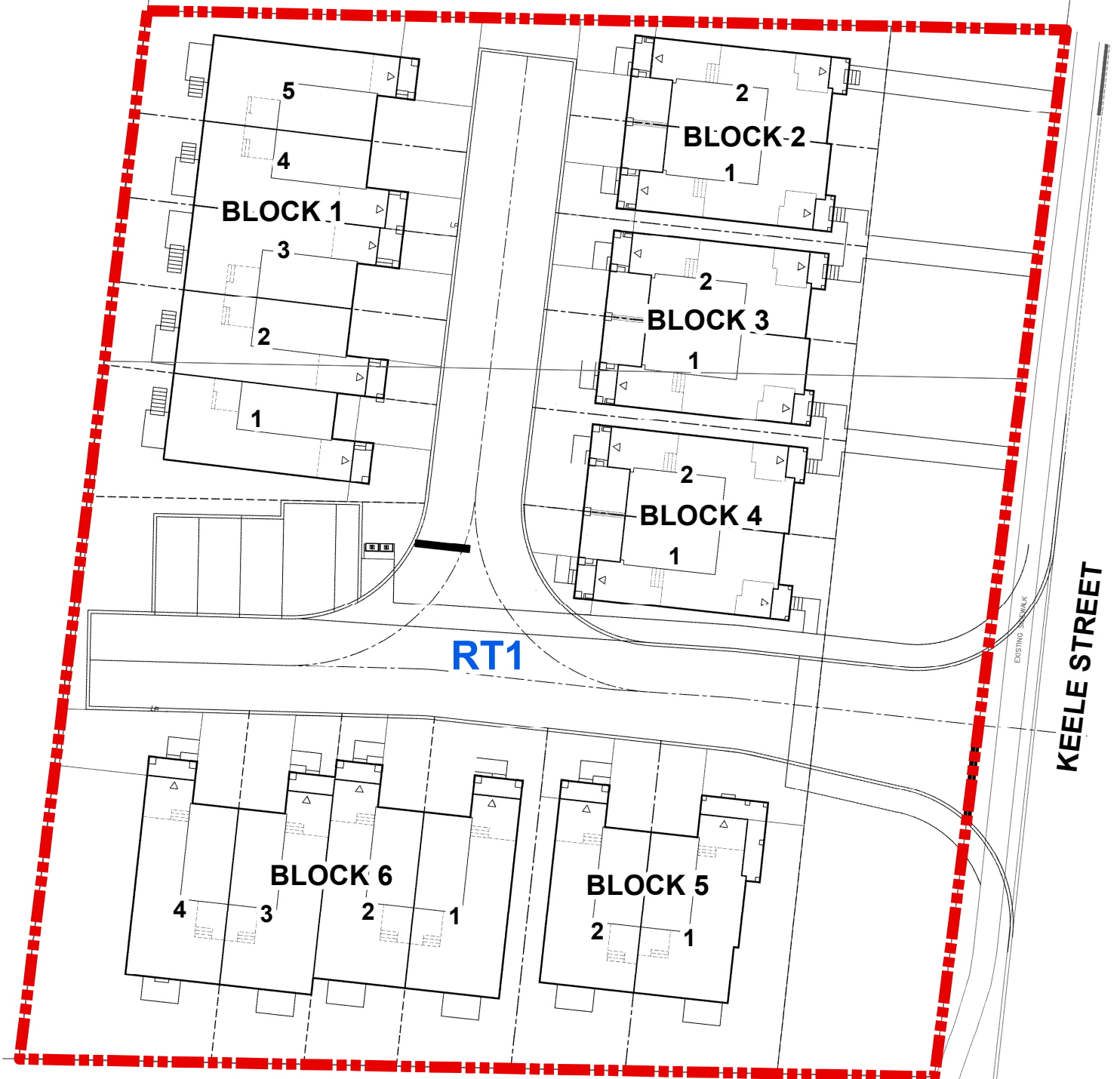
- 4.09 m for Block 5; and
  - 4.11 m for Block 6;
- fvi) The minimum front yard setback to an attached garage shall be:
- 5.75 m for Blocks 4 and 5; and
  - 5.87 m for Block 6;
- fvii) The minimum rear yard setback shall be:
- 4.5 m for Blocks 1, 5 and 6; and
  - 3 m for Blocks 2, 3 and 4;
- fviii) The minimum interior side yard setback shall be:
- 1.15 m for Block 5; and
  - 0.70 m for Block 2, 3 and 4
- fix) The minimum exterior side yard setback shall be:
- 0.65 m for Block 4; and
  - 3.35 m for Block 5;
- fx) The minimum interior garage dimension for Block 6, Unit 4 shall be 3 m x 6 m;
- fxi) A maximum of one step (two risers) shall be permitted to encroach into the minimum garage width;
- gi) the following uses shall be permitted:
- Street Townhouse Dwelling; and
  - Semi-Detached Dwelling"
- c) Adding Schedule "E-1615" attached hereto as Schedule "1".
- d) Deleting Key Map 4D and substituting therefor the Key Map 4D attached hereto as Schedule "2".
2. Schedules "1" and "2" shall be and hereby form part of this By-law.

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Hon. Maurizio Bevilacqua, M.P.

\_\_\_\_\_  
Todd Col

TRIBUNAL ORDER: PL170640  
October 10, 2019





THIS IS SCHEDULE 'E-1615'  
TO BY-LAW 1-88  
SECTION 9(1484)

0 5 10 20 Metres

THIS IS SCHEDULE '1'  
TO BY-LAW 138 -2019  
PASSED THE 23rd DAY OF October, 2019

**FILE:** Z.15.034  
**RELATED FILES:** OP.15.008, 19T-15V014 and DA.16.116  
**LOCATION:** Part of Lot 18, Concession 4  
**APPLICANT:** Laurier Harbour (Keele) Inc.  
**CITY OF VAUGHAN**

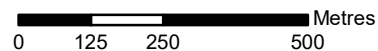
 SUBJECT LANDS



MAJOR MACKENZIE DRIVE



KEY MAP 4D  
BY-LAW NO. 1-88



THIS IS SCHEDULE '2'  
 TO BY-LAW 138 -2019  
 PASSED THE 23rd DAY OF OCTOBER, 2019

FILE: Z.15.034  
 RELATED FILES: OP.15.008, 19T-15V014 and DA.16.116  
 LOCATION: Part of Lot 18, Concession 4  
 APPLICANT: Laurier Harbour (Keele) Inc.  
 CITY OF VAUGHAN

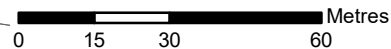
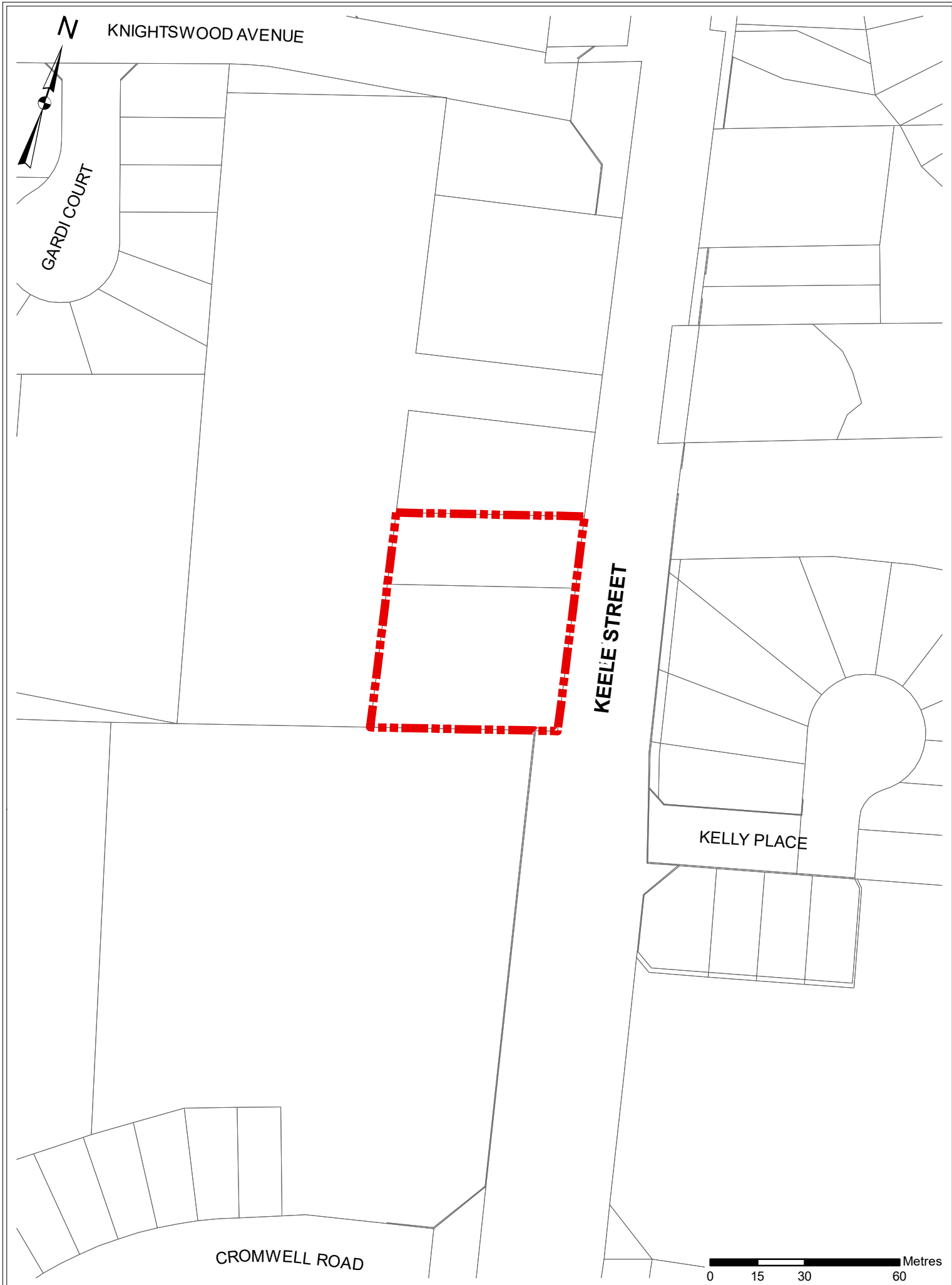
SIGNING OFFICERS

Tribunal Order: **PL170640**  
 October 10, 2019  
 MAYOR  
 CLERK

**SUMMARY TO BY-LAW 138-2019**

The lands subject to this By-law are located on the west side of Keele Street, north of Cromwell Avenue, in Part of Lot 18, Concession 4, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from R1 Residential Zone 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 9 townhouse dwelling units (freehold) served by common element roads, visitor parking spaces, and walkways.



## LOCATION MAP TO BY-LAW 138 -2019

**FILE:** Z.15.034

**RELATED FILES:** OP.15.008, 19T-15V014 and DA.16.116

**LOCATION:** Part of Lot 18, Concession 4

**APPLICANT:** Laurier Harbour (Keele) Inc.

**CITY OF VAUGHAN**

