

The Corporation of the Town of Richmond Hill

By-law 38-19

A By-law to Amend By-law 38-95, as amended, of

The Corporation of the Town of Richmond Hill

Whereas the Council of The Corporation of the Town of Richmond Hill (the "Corporation") at its Meeting of March 18, 2019, directed that this by-law be brought forward to Council for its consideration;

The Council of the Corporation of the Town of Richmond Hill enacts as follows:

1. That By-law No.38-95 of the Corporation of the Town of Richmond Hill (the "own"), as amended, be and is hereby further amended as follows:
 - a) by rezoning the subject lands to "Residential Multiple Family One (RM1) Zone" under By-law 38-95 as shown on Schedule "A" of this By-law 38-19.
 - b) by adding the following to **SECTION 7 – EXCEPTIONS:**

"7.47 Block 43, Registered Plan 65M-3786

Notwithstanding any inconsistent or conflicting provisions of By-Law 38-95, as amended, the following special provisions shall apply to the lands zoned "Residential Multiple Family One (RM1) Zone" and more particularly shown as (RM1) on Schedule "A" to By-law 38-19 and denoted by a bracketed number (7.47):

1. In this by-law,
 - (a) **LANE** means a parcel of land which is a **COMMON ELEMENT CONDOMINIUM** for means of vehicular and pedestrian access.
 - (b) **LOT** means a **LOT** as defined under By-law 38-95, as amended, includes a **PARCEL OF TIED LAND**.
 - (c) **STREET** means a public highway as defined by the *Municipal Act*, RSO, 1990, as amendment and shall include a **LANE**.
2. Notwithstanding any inconsistent or conflicting provisions of Section 5-General Provisions of By-law 38-95, the following special provisions shall apply to the lands zoned (RM1) on Schedule "A" to By-law 38-19:
 - (a) Notwithstanding any inconsistent or conflicting provisions of Section 5.1.5 Regulations for Attached Private Garages if the

Private Garage is accessed by a driveway crossing the front lot line, the following provision shall apply:

- i) A private garage attached to a block townhouse dwelling shall have a minimum front yard setback of 5.8 metres.

(b) Notwithstanding any inconsistent or conflicting provisions of Section 5.1.11 Accessory Structure Encroachment in Yards, the following provision shall apply:

- i) Balconies that are above grade shall be permitted to have a minimum rear yard setback of 2.4 metres (7.87 feet).

3. No person shall hereafter use any land or erect or use a **BUILDING** or **STRUCTURE** in a "Residential Multiple Family One (RM1) Zone" except in accordance with the following provisions:

(a) The following provisions shall apply to the "Lands" zoned "RM1" shown on Schedule "A":

- i) The "Lands" zoned "RM1" shall be deemed to be a **LOT**.
- ii) Minimum **LOT FRONTAGE**: 40.0 metres (131.2 feet)
- iii) Minimum **LOT AREA**: 4,800 m² (51,666.77 ft²)
- iv) Maximum **LOT COVERAGE**: 35%
- v) Minimum **LANDSCAPING** area: 28%
- vi) Maximum number of **TOWNHOUSE DWELLING UNITS**: 23

(b) The following provisions shall apply to the further division of the "Lands" shown on Schedule "B" into those parcels denoted on Schedule "2" to By-law No. 38-19 as Parcel "A", Parcel "B", Parcel "C", Parcel "D" and Parcel "E", each of which shall be deemed to be a **LOT**:

- i. Minimum **LOT FRONTAGE**:
 - a) Parcel A: 28.0 metres (91.86 feet)
 - b) Parcel B: 35.0 metres (114.82 feet)
 - c) Parcel C: 19.0 metres (62.33 feet)
 - d) Parcel D: 42.0 metres (137.79 feet)
 - e) Parcel E: 27.0 metres (88.58 feet)

For the purposes of Section 3(b)(i), **LOT FRONTAGE** shall be deemed to be the following:

- a) Parcel A: northerly lot line that abuts a lane as shown on Schedule "2"
- b) Parcel B: northerly lot line that abuts a lane as shown on Schedule "2"
- c) Parcel C: easterly lot line that abuts a lane as shown on Schedule "2"

- d) Parcel D: northerly lot line that abuts Elgin Mills Road East as shown on Schedule “2”
- e) Parcel E: easterly lot line that abuts Redstone Road as shown on Schedule “2”

ii. **Minimum LOT AREA:**

- a) Parcel A: 600 square metres (6,458.34 square feet)
- b) Parcel B: 880 square metres (9,472.24 square feet)
- c) Parcel C: 400 square metres (4,305.56 square feet)
- d) Parcel D: 830 square metres (8,934.04 square feet)
- e) Parcel E: 550 square metres (5,920.15 square feet)

(c) the following provisions shall apply to a **LOT** that is a **PARCEL OF TIED LAND**:

i) **RESIDENTIAL ZONE STANDARDS (PARCEL “A”)**

Within Parcel “A” shown on Schedule “B” to By-law 38-19, no building or structure or part thereof shall be erected or used except in accordance with the following:

MINIMUM LOT FRONTAGE	6.0 metres (19.7 feet)
MINIMUM LOT AREA	120.0 square metres (1,291.66 square feet)
MINIMUM FRONT YARD	5.2 metres (17.06 feet)
MINIMUM EXTERIOR SIDE YARD	2.7 metres (8.85 feet)
MINIMUM REAR YARD	5.0 metres
MAXIMUM NUMBER OF STOREYS	3
MAXIMUM BUILDING HEIGHT	13.0 metres (42.65 feet)

ii) **RESIDENTIAL ZONE STANDARDS (PARCEL “B”)**

Within Parcel “B” shown on Schedule “B” to By-law No. 38-19, no **BUILDING** or **STRUCTURE** or part thereof shall be erected or used except in accordance with the following:

MINIMUM LOT FRONTAGE	6.0 metres (19.68 feet)
MINIMUM LOT AREA	120.0 square metres (1,291.66 square feet)
MINIMUM FRONT YARD	5.2 metres (17.06 feet)
MINIMUM REAR YARD	5.0 metres (16.40 feet)
MAXIMUM NUMBER OF STOREYS	3
MAXIMUM BUILDING HEIGHT	13.0 metres (42.65 feet)

iii) **RESIDENTIAL ZONE STANDARDS (PARCEL “C”)**

Within Parcel “C” shown on Schedule “2” to By-law No. 38-19, no building or structure or part thereof shall be erected or used except in accordance with the following:

MINIMUM LOT FRONTAGE	6.0 metres (19.68 feet)
MINIMUM LOT AREA	120.0 square metres (1,291.66 square feet)
MINIMUM FRONT YARD (2)(3)	5.2 metres (17.06 feet)
MINIMUM SIDE YARD from a LANE (1)	1.2 metres (3.93 feet)
MINIMUM REAR YARD	5.0 metres (16.40 feet)
MAXIMUM NUMBER OF STOREYS	3
MAXIMUM BUILDING HEIGHT	13.0 metres (42.65 feet)

NOTES:

- (1) This provision shall only apply to the end unit of a **TOWNHOUSE DWELLING**.
- (2) Minimum **FRONT YARD** setback for end units shall be 3.7 metres (12.13 feet).
- (3) Minimum **FRONT YARD** setback to the garage for Unit 13 shall be 5.5 metres (18.04 feet).

iv) **RESIDENTIAL ZONE STANDARDS (PARCEL “D”)**

Within Parcel “D” shown on Schedule “2” to By-law No. 38-19, no building or structure or part thereof shall be erected or used except in accordance with the following:

MINIMUM LOT FRONTAGE	6.0 metres (19.68 feet)
MINIMUM LOT AREA	110.0 square metres (1,184.03 square feet)
MINIMUM FRONT YARD	2.0 metres (6.56 feet)
MINIMUM REAR YARD (1)	5.0 metres (16.4 feet)
MAXIMUM NUMBER OF STOREYS	3
MAXIMUM BUILDING HEIGHT	13.0 metres (42.65 feet)

NOTES:

- (1) Minimum **REAR YARD** setback for Unit 19 shall be 3.5 metres (11.48 feet).

v) **RESIDENTIAL ZONE STANDARDS (PARCEL “E”)**

Within Parcel “E” shown on Schedule “2” to By-law No. 38-19, no building or structure or part thereof shall be erected or used except in accordance with the following:

MINIMUM LOT FRONTAGE	6.0 metres (19.68 feet)
MINIMUM LOT AREA	117.0 square metres (1,259.37 square feet)
MINIMUM FRONT YARD	2.1 metres (6.88 feet)
MINIMUM SIDE YARD (1)	2.0 metres (6.56 feet)
MINIMUM REAR YARD (2)	5.0 metres (16.40 feet)
MAXIMUM NUMBER OF STOREYS	3
MAXIMUM BUILDING HEIGHT	13.0 metres (42.65 feet)

NOTES:

- (1) Side yard setback from a **LANE** shall be 1.2 metres (3.93 feet).
- (2) Minimum **REAR YARD** setback for end units only shall be 3.0 metres (9.84 feet).

- 2. All other provisions of By-law No. 38-95 as amended, not conflicting with or inconsistent with the foregoing, shall continue to apply to the lands shown on Schedules “1” and “2” attached hereto.
- 3. The imperial measurements found in this by-law in brackets are provided for information purposes only and are intended to be an approximate conversion of the metric measurement. The metric or SI measurement shall be deemed to be the standards established by this by-law and, wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurements shall apply.
- 4. Schedules “1” and “2” attached to By-law No. 38-19 are declared to form a part of this by-law.

PASSED THIS DAY OF, 2019.

Dave Barrow
Mayor

Stephen M.A. Huycke
Town Clerk

File: D02-16042 (AD)

The Corporation of The Town Of Richmond Hill

Explanatory Note to By-Law 38-19

This by-law affects lands legally described as Block 43, Registered Plan 65M-3786 (Municipal Address: 1335 Elgin Mills Road East).

By-law No. 38-95, as amended, presently zones the subject lands “Neighbourhood Commercial (NC) Zone” which permits a Day Nursery, Office, Public and Private Parking Area, Restaurant, Retail Trade (within an enclosed building), shopping centre, service establishment or repair shop and clubs and fraternal organizations.

The purpose of By-law No. 38-19 is to rezone the subject lands to “Residential Multiple Family One (RM1) Zone” and establish site specific development standards to facilitate the construction of a medium density residential development comprised of twenty three (23) townhouse dwelling units on the subject lands. The tenure of the proposed development is intended to be a common element condominium.