

THE CORPORATION OF THE CITY OF RICHMOND HILL

BY-LAW NO. ____ - ____

A By-law to Repeal By-law Nos. 2325-68, as amended of the former Township of Markham and 128-04, as amended of The Corporation of the Town of Richmond Hill and to Amend By-law No. 55-15, as amended of The Corporation of the City of Richmond Hill.

AND WHEREAS the Council of The Corporation of the City of Richmond Hill at its Meeting of _____, 20, directed that this By-law be brought forward to Council for consideration;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF RICHMOND HILL ENACTS AS FOLLOWS:

1. That By-law No. 55-15 of The Corporation of the City of Richmond Hill, as amended, be and is hereby further amended as follows:

- a) Section 1.9 – REPEAL OF FORMER BY-LAWS is deleted in its entirety and replaced by the following:

“1.9 REPEAL OF FORMER BY-LAWS

The provisions of By-law 2325-68 of the former Township of Markham, as amended, and the provisions of By-law 128-04 of The Corporation of the Town of Richmond Hill, as amended, are hereby repealed insofar as they affect the lands covered by this By-law.”

- b) Schedule “A” – Zoning Map Area, is amended by adding the lands shown on Schedule ‘A’ to this by-law to the Institutional One (I1)(____) Zone, Environmental Protection Two (EPA2) Zone, Open Space (O) Zone, Park (P) Zone, Semi Detached One (RD1)(____) Zone, Residential Wide Shallow Two (RWS2)(____) Zone, and Multiple Residential One (RM1)(____) Zone.

- c) **Section 7 – Exceptions**, is amended by adding the following:

“Exception 7.____

Notwithstanding any other provisions in the By-law to the contrary, the following provisions shall apply to the subject lands generally described as Part of Lot 29, Concession 2, and municipally known as 11289 Bayview Avenue:

- a) For the block zoned Institutional One (I1) Zone and denoted by the bracketed (____) on Schedule ‘A’ to this By-law, the following shall apply:

- i) The permitted uses shall be **Community Centre, Day Nursery, Institutional Use** excluding over-night accommodation, **Place of Worship, Private Park, Private School, Private Utility, Public Park, Recreational Use**, and **School**;
- ii) The minimum **Lot Area** for an **Interior Lot** shall be 1.2 ha;
- iii) Section 5.5 of this By-law – Frontage on a Public Street shall not apply providing access from Bayview Avenue is constructed in accordance with the Agreement of Purchase and Sale between The Regional Municipality of York, Devon Lane Construction Ltd., and the Trustees of the Canadian Reformed Church of Toronto, dated December 13, 2016;
- iv) The **Front Lot Line** shall be the westerly lot line abutting lands owned by The Regional Municipality of York;
- v) The minimum **Front Yard** shall be 3.0 metres;
- vi) Where an **Interior Side Yard** abuts an Open Space (O) Zone and land that comprises an easement in favour of the TransCanada Pipeline, the required minimum **Interior Side Yard** shall be 7.0 metres; and,
- vii) Notwithstanding any inconsistent or conflicting provisions of this By-law, the following special provisions shall apply:
 - 1. No portion of a permanent **Building** or **Structure** shall be located below a Canadian Geodetic Datum elevation as recommended in a Geotechnical Report approved by the **Commissioner** or his or her designate, save and except a **Building** or **Structure** required for the uses described in Section 5.18;
 - 2. Clause 1 above shall not apply to **Decks** or their foundations; and,
 - 3. Clause 1 above shall not apply if the **Commissioner** or his or her designate, in his or her reasonable discretion, is satisfied that the placement of a permanent **Building** or **Structure** below the Canadian Geodetic Datum elevation recommended in Clause 1 shall not result in undue adverse impacts on soil stability.
- b) For those lots zoned Semi Detached One (RD1) Zone and denoted by the bracketed () on Schedule 'A' to this By-law, the following shall apply:
 - i) Notwithstanding Table A2 – Residential Zone Standards, Special Provision Number 17, where a **Rear Yard** abuts an Open Space (O) Zone and land that comprises an easement in favour of the

TransCanada Pipeline, the required minimum **Rear Yard** shall be 7.0 metres; and,

- ii) Notwithstanding any inconsistent or conflicting provisions of this By-law, the following special provisions shall apply:
 - 1. No portion of a permanent **Building** or **Structure** shall be located below a Canadian Geodetic Datum elevation of 242.30 metres, save and except a **Building** or **Structure** required for the uses described in Section 5.18;
 - 2. Clause 1 above shall not apply to **Decks** or their foundations; and,
 - 3. Clause 1 above shall not apply if the **Commissioner** or his or her designate, in his or her reasonable discretion, is satisfied that the placement of a permanent **Building** or **Structure** below a Canadian Geodetic Datum elevation of 242.30 metres shall not result in undue adverse impacts on soil stability.
- c) For those lots zoned Residential Wide Shallow Two (RWS2) Zone and denoted by the bracketed (___) on Schedule 'A' to this By-law, for the use of Street townhouse dwelling:
 - i) The maximum **Lot Coverage** shall be 62%; and,
 - ii) The minimum required **Side Yard** shall be 0.9 metres provided that:
 - 1. There is no detached garage in the rear yard with a driveway crossing the **Front Lot Line**; and,
 - 2. The Town has entered into a subdivision agreement pursuant to the *Planning Act*, which addresses as necessary, matters of municipal services location, construction and maintenance of grading and drainage services, and space for building maintenance.
- d) For those lands zoned Multiple Residential One (RM1) Zone and denoted by the bracketed (___) on Schedule 'A' to this By-law, the following shall apply:
 - i) Notwithstanding any other provision of this By-law to the contrary, all buildings and structures shall be setback a minimum of 7.0 metres from lands that are zoned Open Space (O) Zone and that comprise an easement in favour of the TransCanada Pipeline; and,
 - ii) Notwithstanding any inconsistent or conflicting provisions of this By-law, the following special provisions shall apply:

1. No portion of a permanent **Building** or **Structure** shall be located below a Canadian Geodetic Datum elevation of 243.50 metres, save and except a **Building** or **Structure** required for the uses described in Section 5.18;
 2. Clause 1 above shall not apply to **Decks** or their foundations; and,
 3. Clause 1 above shall not apply if the **Commissioner** or his or her designate, in his or her reasonable discretion, is satisfied that the placement of a permanent **Building** or **Structure** below a Canadian Geodetic Datum elevation of 243.50 metres shall not result in undue adverse impacts on soil stability.”
2. All other provisions of By-law No. - as amended, not conflicting with or inconsistent with the foregoing, shall continue to apply to the lands shown on Schedule “A” 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 measurements. The metric or SI measurements 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 measurement shall apply.
 4. Schedule ‘A’ attached to By-law No. - is declared to form a part of this By-law.

PASSED THIS ____ DAY OF _____, 20__.

Mayor

City Clerk

THE CORPORATION OF THE CITY OF RICHMOND HILL

EXPLANATORY NOTE TO BY-LAW NO. ____ - ____

Location of the Amendment

This Zoning By-law Amendment applies to lands at 11289 Bayview Avenue (east side) which are legally described as Part of Lot 29, Concession 2, City of Richmond Hill, Regional Municipality of York.

Existing and Proposed Zoning

These lands are currently zoned Agricultural A1 Zone and Urban Reserve UR Zone. This Zoning By-law Amendment rezones these lands to Institutional One (I1)(___) Zone, Environmental Protection Two (EPA2) Zone, Open Space (O) Zone, Park (P) Zone, Semi Detached One (RD1)(___) Zone, Residential Wide Shallow Two (RWS2)(___) Zone, and Multiple Residential One (RM1)(___) Zone.

Purpose of Proposed Zoning By-law Amendment

The purpose of this Zoning By-law Amendment is to rezone these lands to permit certain types of institutional, recreational and tourism uses facing Bayview Avenue, environment and open spaces uses, park, and semi-detached and block townhouse dwellings including stacked townhouse dwellings at the rear of the property. The Amendment facilitates development of a proposed plan of subdivision.

[DEVON LANE CONSTRUCTION]

CITY of RICHMOND HILL

REGIONAL MUNICIPALITY of YORK

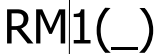


SCALE 1:4000
January 2020

TO BY-LAW NO. _____-20

This is Schedule 'A' to By-Law No. _____-20

Clerk



RWS2(_)

RD1()

0

P

EPA2

I1()

BAYVIEW

AVENUE

LEGEND

RD1()	Semi Detached One Zone
RWS2()	Residential Wide Shallow Two Zone
RM1()	Multiple Residential One Zone
I1()	Institutional One Zone
P	Park Zone
EPA 2	Environmental Protection Two Zone
O	Open Space Zone