

The Corporation of the City of Richmond Hill

By-law 135-20

A By-law to Amend By-law 2523, as amended, of
The Corporation of the former Township of Vaughan

Now Therefore the Local Planning Appeal Tribunal adopts and approves as follows:

1. That By-law 2523, as amended, of the former Township of Vaughan (“By-Law 2523”), be and is hereby further amended as follows:
 - a) by rezoning the lands shown on Schedule “A” to this By-law 135-20 (the “Lands”) from “Rural Residential (RR) Zone” to “Multiple Family Six (RM6) Zone” and “Flood (F) Zone” under By-law 2523, as amended;
 - b) by rezoning the lands shown on Schedule “A” to this By-law 135-20 (the “Lands”) from “Commercial Urban Fringe (C-UF) Zone” to “Multiple Residential Ten (RM10) Zone” and “Flood (F) Zone” under By-law 2523, as amended; and,
 - c) by adding the following to Section 25 – Exceptions

“RH194

Notwithstanding any inconsistent or conflicting provision of By-law 2523, as amended, the following special provisions shall apply to the lands zoned “Multiple Family Six (RM6) Zone” and more particularly identified on Schedule “A” to By-law 135-20 and denoted by a bracketed number (RH194):

i) **PERMITTED USES**

Permitted uses shall be as follows:

- **TOWNHOUSE DWELLINGS**
- **STACKED TOWNHOUSE DWELLINGS**
- **HOME OCCUPATIONS**

ii) **DEVELOPMENT STANDARDS**

The following development standards shall apply (1)(2)(3)(4):

Minimum LOT AREA	4,000.0 square metres (43,057.05 square feet)
Maximum GROSS FLOOR AREA	6,400.0 square metres (68,891.28 square feet)
Maximum LOT COVERAGE (SITE)	35%
Minimum YARD SETBACKS	
Block 1 from Gamble Road	5.5 metres (18.04 feet)
Block 2 from south property line	2.0 metres (6.56 feet)
Block 3 from south property line	3.5 metres (11.48 feet)
Block 3 from west property line	4.0 metres (13.12 feet)
Blocks 1 and 2 from east property line	1.2 metres (3.94 feet)
Maximum HEIGHT OF BUILDINGS	4 storeys (15.3 metres)
Minimum distance between BUILDINGS (Blocks 2 and 3)	11.8 metres (38.71 feet)
Minimum Outdoor Amenity Area	340.0 square metres (3,659.85 square feet)

Notes:

- (1) No portion of the building, either above or below grade, may encroach within the Region right-of-way without the written permission of the

Regional Municipality of York, or a City right-of-way without the written permission of the City of Richmond Hill.

- (2) balconies shall be permitted to encroach within the required 1.0 metre.
- (3) For the purposes of calculating the maximum **floor space index** the maximum **gross floor area**, and the maximum **lot coverage**, the **lot area** shall be deemed to be 4,000.0 square metres (43,057.05 square feet), regardless of any conveyances for road widening purposes, dedications or severances.
- (4) The following encroachments shall be permitted:

Structure	Yards In Which Projections are Permitted	Maximum Projections Into A Required Yard
Sills, belt courses cornices, eaves or canopies or gutters	any yard	70 centimetres
Chimneys, fireplaces or pilasters	any yard	40 centimetres
Window bays	front, rear and flankage yards	1 metre over a maximum width of 3 metres
Canopy over an entrance to an apartment building	any yard	one-half (1/2) the required minimum yard
Balconies	Front and rear yard for block or street townhouse dwellings; Front, rear and flankage yards for single detached and semi-detached dwellings; any yard for other residential dwellings	1 metre
Roof overhangs	any yard	0.9 metres
A canopy or portico over a major entrance to an apartment dwelling	any yard	One half the setback of the building from the street line
Exterior steps including any associated landings (for frame construction only)	any yard	0.9 metres

iii) **Parking Standards**

The number of parking spaces shall be calculated in accordance with the following standards:

Two (2) Bedroom Dwelling Unit:	1.0 spaces per unit
Three (3) Bedroom Dwelling Unit:	1.1 spaces per unit
Visitor Parking	0.15 spaces per unit
Bicycle spaces	0.6 spaces per unit
Minimum parking space width:	2.7 metres (8.86 feet)
Minimum parking space length:	5.8 metres (19.03 feet)

iv) **Definitions**

For the purposes of this by-law, the following Definitions shall apply:

DWELLING, TOWNHOUSE

Means a building divided vertically into three (3) or more dwelling units, each sharing a wall above the established grade and each of which has independent entrances at grade to a front and rear yard immediately abutting the front and rear walls.

DWELLING, STACKED TOWNHOUSE

Means a building containing at least three (3) dwelling units, each dwelling unit being separated from the other vertically and horizontally and having an independent external access.

FLOOR AREA, GROSS

Means the aggregate of the floor areas of a building above established grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any part of the building used as mechanical area or electric equipment area, loading areas, parking areas and any space with a floor to ceiling height of less than 1.8 metres.

GRADE

Means the level of the ground adjacent to the outside wall of a building or structure.

GRADE, ESTABLISHED

Means with reference to a building or structure, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and, when used with reference to a structure other than a building, shall mean the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, or road means the elevation of the street or road established by the Corporation or other designated authority.

HEIGHT, BUILDING

Means with reference to a building or structure, the vertical distance measured from the established grade of such building or structure to:

- i) the highest point of the roof surface or the parapet, whichever is the greater, or a flat roof;
- ii) the decline of a mansard roof;
- iii) the mean level between eaves and ridge of a gabled hip or gambrel roof or other type of pitched roof;
- iv) in case of a structure with no roof, the highest point of the said structure.

Flagpoles and roof constructions which are less than 5.5 metres in height and do not occupy more than 30% of the area of the roof upon which they are located shall not be included in the calculation of maximum height.

HOME OCCUPATION

Means an economic enterprise operated within a dwelling unit, incidental and secondary to the residential use.”

- d) by adding the following to Section 25 – Exceptions

“RH195

Notwithstanding any inconsistent or conflicting provision of By-law 2523, as amended, the following special provisions shall apply to the lands zoned “Multiple Residential Ten (RM10) Zone” and more particularly identified on Schedule “A” to By-law 135-20 and denoted by a bracketed number (RH195):

i) **PERMITTED USES**

Permitted Uses shall be as follows:

- **APARTMENT DWELLING**
- **HOME OCCUPATION**
- **COMMERCIAL/RETAIL**
- **PERSONAL SERVICES**
- **RESTAURANT**

ii) **DEVELOPMENT STANDARDS**

The following development standards shall apply (1)(2)(3):

Minimum LOT AREA	2,600.0 square metres (27,987.08 square feet)
Maximum GROSS FLOOR AREA	13,300.0 square metres (143,164.69 square feet)
Maximum FLOOR SPACE INDEX (FSI)	4.99
Maximum LOT COVERAGE (SITE)	46%
Maximum BUILDING HEIGHT	10 storeys (36.1 metres)
Minimum YARD SETBACKS from Gamble Road	2.0 metres (6.56 feet)
from south property limit	1.2 metres (3.94 feet)
from Yonge Street	3.0 metres (9.84 feet)
from west property limit	8.2 metres (26.90 feet)
SETBACK to UNDERGROUND GARAGE	NIL(1)

Notes:

- (1) No portion of the building, either above or below grade, may encroach within the Region right-of-way without the written permission of the Regional Municipality of York, or a City right-of-way without the written permission of the City of Richmond Hill.
- (2) For the purposes of calculating the maximum floor space index the maximum gross floor area, and the maximum lot coverage, the lot area shall be deemed to be 2,600.0 square metres (27,987.08 square feet), regardless of any conveyances for road widening purposes, dedications or severances.
- (3) Notwithstanding the maximum building height, and minimum building setbacks, the following encroachments above the specified heights and setbacks shall be permitted:
 - a) Mechanical penthouses, to a maximum height of 8.5 metres (27.89 feet).
 - b) Bay windows and sills, railings, cornices, wall-mounted lighting fixtures, awnings, canopies, columns, eaves, guardrails, balustrades, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features, mechanical equipment, mechanical screens and flag poles, balconies and columns, to a maximum height and projection of 2.25 metres (7.38 feet).
 - c) Parapets, to a maximum height of 1.4 metres (4.59 feet).

iii) **PARKING**

The number of parking spaces shall be calculated in accordance with the following

standards (1)(2):

One (1) Bedroom Dwelling Unit:	0.9 spaces per unit
Two (2) Bedroom Dwelling Unit:	1.0 spaces per unit
Three (3) Bedroom Dwelling Unit:	1.1 spaces per unit
Visitor Parking	0.15 spaces per unit
Bicycle spaces	0.6 spaces per unit
Commercial/Retail, Personal Services and Restaurant Uses	4.3 spaces per 100.0 square metres
Minimum parking space width:	2.7 metres (8.86 feet)
Minimum parking space length:	5.8 metres (19.03 feet)

Notes:

- 1) Above grade parking shall only be permitted at the rear or side of an apartment building.
- 2) No loading or service areas shall be permitted along Yonge Street.

iv) **Definitions**

For the purposes of this by-law, the following Definitions shall apply:

DWELLING, APARTMENT

Means a building containing five (5) or more dwelling units all of which have a common external access to the building by means of a common corridor system. An apartment dwelling may take the form of a high rise, mid rise or low rise building.

FLOOR AREA, GROSS

Means the aggregate of the floor areas of a building above established grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any part of the building used as mechanical area or electric equipment area, loading areas, parking areas and any space with a floor to ceiling height of less than 1.8 metres.

GRADE

Means the level of the ground adjacent to the outside wall of a building or structure.

GRADE, ESTABLISHED

Means with reference to a building or structure, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and, when used with reference to a structure other than a building, shall mean the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, or road means the elevation of the street or road established by the Corporation or other designated authority.

HEIGHT, BUILDING

Means with reference to a building or structure, the vertical distance measured from the established grade of such building or structure to:

- i) the highest point of the roof surface or the parapet, whichever is the greater, or a flat roof;

- ii) the decline of a mansard roof;
- iii) the mean level between eaves and ridge of a gabled hip or gambrel roof or other type of pitched roof;
- iv) in case of a structure with no roof, the highest point of the said structure.

Flagpoles and roof constructions which are less than 5.5 metres in height and do not occupy more than 30% of the area of the roof upon which they are located shall not be included in the calculation of maximum height.

HOME OCCUPATION

Means an economic enterprise operated within a dwelling unit, incidental and secondary to the residential use.”

2. Section 37

- a) Pursuant to Section 37 of the *Planning Act*, or any statute, regulation or by-law providing for the provision of community benefits to The Corporation of the City of Richmond Hill (the “City”) being in force and effect, the density and height of the development permitted by this exception is permitted subject to ongoing compliance with the conditions set out in this exception and in return for the provision, by the Owner of the Site (the “Owner”), of the facilities, services or matters set out in this subsection, the provision of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*, or any statute, regulation or by-law providing for the provision of community benefits to the City being in force and effect, and which agreement or agreements shall pertain to the construction of a recreational trail at the southwest quadrant of Yonge Street and Gamble Road and the funding of the repair and replacement of Melinda Clarke Parkette (47 Royal Chapin Crescent), or such alternative project in or near the general neighbourhood of the Lands as the City determines in its sole and absolute discretion, all in a form satisfactory to the City.
- b) The agreement or agreements referred to in Paragraph (a) above shall be registered on title to the Lands by the Owner prior to the City entering into and executing a Site Plan Agreement with the Owner, pursuant to Section 41 of the *Planning Act*.
- c) For greater clarity, the Owner, at the Owner’s expense and in accordance with and subject to the agreement or agreements referred to in Paragraph (a) above shall provide or fund the following facilities, services or matters on terms satisfactory to the City, in order to permit the increase in density and height authorized under this exception regulation:
 - i. the construction of a recreational trail in the south-west quadrant of Yonge Street and Gamble Road; and
 - ii. the provision of a cash contribution toward the repair and replacement of the Melinda Clarke Parkette or towards an alternative community benefit up to an equal amount as approved by Council.

3. All other provisions of By-law 2523, as amended, not inconsistent with the foregoing, shall continue to apply to the lands shown on Schedule “A” attached hereto.

4. 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.

5. Schedule "A" attached to By-law 135-20 are declared to form part of this by-law.

DRAFT

The Corporation of The City Of Richmond Hill

Explanatory Note to By-Law 135-20

By-law 135-20 affects the lands described as Part of Block A and all of Block B, Plan 4667 in the City of Richmond Hill, Regional Municipality of York, municipally known as 49 Gamble Road and 11488 Yonge Street.

By-law No. 2523, as amended, of The Corporation of the former Township of Vaughan zones the lands "Rural Residential (RR) Zone" and "Commercial Urban Fringe (C-UF) Zone".

By-law 135-20 will have the effect of rezoning the subject lands to two new site specific zone categories, "Multiple Family Six (RM6 - RH194) Zone" and "Multiple Residential Ten (RM10 - RH195) Zone" as well as "Flood (F) Zone" to permit a medium/high density residential development with a valleyland that bisects comprised of one 10 storey apartment building and 53 stacked townhouse dwelling units on the subject lands shown on Schedule "A".

DRAFT

GAMBLE ROAD

49

FROM
"RR"
TO
"RM6"
(RH194)

FROM
"RR"
TO
"F"

FROM
"C-UF"
TO
"RM10"
(RH195)
11488

FROM
"C-UF"
TO
"F"

YONGE STREET

SCHEDULE "A"

TO BY-LAW 135-20

This is Schedule "A" to By-Law
135-20 approved by the
Local Planning Appeal Tribunal on the
Day of _____, 2020.

ROYAL CHAPIN

CRESCENT

65M-3147

AREA SUBJECT TO THIS BY-LAW



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LAP/HL