

# **The Corporation of the City of Richmond Hill**

## **By-law 13-21**

A By-law to Amend By-laws 986, 1275, 1703, 2325-68, 2523, 39-71, 66-71, 3-74, 109-81, 181-81, 183-82, 251-82, 273-82, 108-85, 232-85, 88-86, 107-86, 184-87, 190-87, 256-88, 329-89, 76-91, 38-95, 255-96, 278-96, 312-96, 313-96, 235-97, and 42-02, 85-02, 128-04, 91-13, 54-15 and 55-15, all as amended, of The Corporation of the City of Richmond Hill.

Whereas the Council of The Corporation of the City of Richmond Hill at its Meeting of February 24, 2021, directed that this by-law be brought forward to Council for its consideration;

And Whereas the lands affected by this amending by-law are situated in the City of Richmond Hill and are as shown in Schedules “A”, “A - Area 1”, “A - Area 2”, “A - Area 3” and “A - Area 4” to this amending by-law;

Now therefore the Council of The Corporation of the City of Richmond Hill enacts as follows:

1. This by-law 13-21 shall apply to the lands as shown in Schedules “A”, “A – Area 1”, “A – Area 2”, “A – Area 3” and “A – Area 4” of this amending by-law (altogether, the “Lands”).
2. With respect to the Lands, notwithstanding any inconsistent or conflicting provisions of Zoning By-laws 986, 1275, 1703, 2325-68, 2523, 39-71, 66-71, 3-74, 109-81, 181-81, 273-82, 108-85, 183-82, 251-82, 232-85, 88-86, 107-86, 150-86, 184-87, 190-87, 256-88, 329-89, 76-91, 38-95, 255-96, 278-96, 312-96, 313-96, 235-97, and 42-02, 85-02, 128-04, 91-13, 54-15 and 55-15, of The Corporation of the City of Richmond Hill, all as amended (the “Zoning By-laws”), the following provisions shall apply:
  - a. The Definitions within the Zoning By-laws are hereby further amended by adding the following definition of “Additional Residential Unit”, as follows:

“Additional Residential Unit” means a self-contained dwelling unit accessory to the primary dwelling unit.”
  - b. For greater clarity, the defined term “Additional Residential Unit” provided in subsection 2(a) of this amending by-law shall replace the existing definitions for the defined term, or any similar term whether or not such similar term is defined, within the Zoning By-laws.
  - c. The following definition shall apply to “Floor Area” when referenced within this amending by-law:

“Floor Area means the total horizontal area of all floors in a building measured between the exterior faces of the exterior walls of the building.”
  - d. For the purpose of calculating the maximum floor area pertaining to an Additional Residential Unit, the defined term “Floor Area” provided in subsection 2(c) of this amending by-law shall be applied in place of the existing definitions for the defined term, or any similar term whether or not such similar term is defined, within the Zoning By-laws.
  - e. Subject to subsections 2(f), 2(g) 2(h) 2(i) 2(j) and 2(k) of this amending by-law, Additional Residential Units shall be permitted within any zone where the following types of primary dwelling units are permitted in the Zoning By-laws:

- i. single detached dwellings;
  - ii. single family dwellings;
  - iii. single family detached dwellings;
  - iv. semi-detached dwellings;
  - v. back to back dwellings;
  - vi. block townhouse dwellings;
  - vii. group dwellings, but only with respect to group dwellings that are comprised of the primary dwelling units listed within this sub-section 2(e) of this amending by-law;
  - viii. link villa dwellings;
  - ix. rear lane townhouse dwellings;
  - x. row-house dwellings;
  - xi. street townhouse dwellings; and,
  - xii. townhouse dwellings.
- f. The following shall apply to Additional Residential Units:
- i. Additional Residential Units shall not be permitted unless the primary dwelling unit is located:
    - 1. on a lot that has lot frontage on a street and has direct vehicular access to a street;
    - 2. on a parcel of tied land; or,
    - 3. within a standard condominium.
  - ii. No more than one (1) Additional Residential Unit shall be permitted in the primary dwelling unit.
  - iii. No more than one (1) Additional Residential Unit shall be permitted in:
    - 1. a detached accessory structure; or,
    - 2. above a detached garage that has a side lot line or rear lot line abutting a lane.
- g. The following shall apply to Additional Residential Units
- i. No Additional Residential Units shall be located within the Toronto Region Conservation Authority (TRCA) regulated areas unless approved by the TRCA.
  - ii. With respect to the lands affected by By-law 128-04, of the Corporation of the City of Richmond Hill, as amended, the following provisions shall apply:
    - 1. Additional Residential Units shall not be permitted in the **“Oak Ridges Moraine Natural Core (ORMNC) Zone”** and the **“Oak Ridges Moraine Natural Linkage (ORMNL) Zone”**;

2. No more than one (1) Additional Residential Unit shall be permitted in a single detached dwelling in the “**Oak Ridges Moraine Countryside (ORMCO) Zone**” and the “**Oak Ridges Moraine Hamlet Zone (ORMH) Zone**”; and,
- iii. With respect to the lands affected by By-law 55-15 of the Corporation of the City of Richmond Hill, as amended, the following provisions shall apply:
  1. no more than one (1) Additional Residential Unit shall be permitted in an existing single detached dwelling, or in an existing detached accessory structure that is accessory to the single detached dwelling, in the “**Agricultural One (A1) Zone**”.
- h. No Additional Residential Unit shall be permitted unless it adheres to the following development standards:
  - i. For an Additional Residential Unit located in the primary dwelling unit, the following shall apply:
    1. for any lot where access to the Additional Residential Unit is from an interior side yard wall of the primary dwelling unit, the interior side yard wall containing the access shall have a minimum side yard setback of 1.2 metres (3.94 feet);
    2. for any interior lot where access to the Additional Residential Unit is from a rear yard wall of the primary dwelling unit, at least one side yard shall have a minimum side yard setback of 1.2 metres (3.94 feet); and, for any lot where there is more than one access to the Additional Residential Unit, at least one access must not contravene subsections 2.h.i.(1) or 2.h.i.(2) of this amending by-law.
  - ii. For an Additional Residential Unit located in whole, or in part, in a detached accessory structure, the following shall apply:
    1. for interior lots, at least one side yard of the primary dwelling unit shall have a minimum side yard setback of 1.2 metres (3.94 feet);
    2. for any lots where access to the Additional Residential Unit is from an interior side yard wall of the detached accessory structure, the side yard wall containing the access to the detached accessory structure shall have a minimum side yard setback of 1.2 metres (3.94 feet);
    3. for any lot where access to the Additional Residential Unit is from a rear yard wall of a detached accessory structure, the detached accessory structure shall have a minimum rear yard setback of 1.2 metres (3.94 feet);
    4. the maximum height of a detached accessory structure containing an Additional Residential Unit shall not exceed 4.2 metres (13.8 feet) measured from the established grade to the highest point of the roof;
    5. the maximum floor area of an Additional Residential Unit shall not exceed 40.0 square metres (430.57 square feet); however, in no circumstance shall an Additional Residential Unit exceed the maximum lot coverage requirements for

detached accessory structures; and,

6. for an Additional Residential Unit attached to a detached garage at grade level, the maximum floor area of the Additional Residential Unit shall not exceed 40.0 square metres (430.57 square feet) and the maximum floor area devoted to the garage portion shall not exceed 40.0 square metres (430.57 square feet); however, in no circumstance shall the floor area of the Additional Residential Unit exceed the maximum lot coverage requirements for detached accessory structures.
- iii. No Additional Residential Unit shall be permitted to locate above a detached garage unless it abuts a side lane or a rear lane.
- iv. For an Additional Residential Unit located above a detached garage abutting a side lane or a rear lane, the following shall apply:
  1. where access to the Additional Residential Unit is from an interior side yard wall of the detached garage not abutting a lane, that side yard wall of the detached garage containing the access to the Additional Residential Unit shall have a minimum side yard setback of 1.2 metres (3.94 feet);
  2. where there is a rear lane and no side lane and access to the Additional Residential Unit is from a wall other than a wall facing the rear lane or an interior side yard, at least one side yard of the detached garage shall have a minimum side yard setback of 1.2 metres (3.94 feet);
  3. the maximum height of the detached garage containing an Additional Residential Unit shall not exceed 8.5 metres (27.9 feet) measured from the established grade to the highest point of the roof nor shall it exceed two (2) storeys; and,
  4. the maximum floor area of the detached garage with an Additional Residential Unit above the detached garage shall not exceed the following:
    - a. 55.0 square metres (592.03 square feet) where there is an enclosed stair access; or,
    - b. 40 square metres (430.57 square feet) where there is an unenclosed stair access.
- v. An Additional Residential Unit shall not be accessed from within a garage, whether attached to or detached from a primary dwelling unit.
- i. Home occupations uses shall not be permitted within Additional Residential Units.
- j. Additional Residential Units are exempted from the requirement for water and sanitary sewer allocation.
- k. No Additional Residential Unit shall be permitted unless it adheres to the following parking standards:
  - i. A minimum of one (1) parking space is required for each Additional Residential Unit.

- ii. Notwithstanding subsection 2.k(i) of this amending by-law, the following shall apply:
  - 1. for Zoning By-laws 91-13, 54-15 and 55-15 of the Corporation of the City of Richmond Hill, as amended, where there are two (2) parking spaces provided for the primary dwelling unit, then no additional parking is required where there is only one (1) Additional Residential Unit. However, where there is a second Additional Residential Unit, additional parking shall be required in accordance with subsection 2.k(i) of this amending by-law; and,
  - 2. where the Zoning By-laws do not require parking spaces for the primary dwelling unit, then no parking spaces shall be required for any Additional Dwelling Unit.
- iii. On a lot or a parcel of tied land, all parking spaces required for the primary dwelling unit and each Additional Residential Unit shall be located on a dedicated driveway and/or within a garage, whether attached or detached, on the same lot or parcel of tied land on which the primary dwelling unit is located.
- iv. Within a standard condominium, parking spaces required for the primary dwelling unit and the Additional Residential Unit shall be provided on a driveway and/or garage, whether attached or detached from the primary dwelling unit, that serve exclusively the primary dwelling unit.
- v. Parking spaces provided by way of a shared parking area within the lot or standard condominium, or common element condominium, other than as described in subsections 2.k(iii) and 2.k(iv) of this amending by-law, shall not count towards the minimum parking spaces required for one (1) or two (2) Additional Residential Units.
- vi. Parking spaces may be arranged in tandem.
- 3. By-law 91-13 of the City of Richmond Hill, as amended, shall be further amended by deleting subsections 5.19 (a) to (g) inclusive, and subsection 5.19(i).
- 4. By-law 54-15 of the City of Richmond Hill, as amended, shall be further amended by deleting subsections 5.22 (a) to (g), inclusive.
- 5. By-law 55-15 of the City of Richmond Hill, as amended, shall be further amended by deleting subsections 5.25 (a) to (g), inclusive.
- 6. All other provisions of the Zoning By-laws not inconsistent with the provisions set out in this amending by-law 13-21 shall continue to apply to the "Lands." Where a conflict or inconsistency exists, the provisions set out in this By-law 13-21 shall prevail.
- 7. 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.

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8. Schedules “A”, “A - Area 1”, “A - Area 2”, “A - Area 3” and “A - Area 4” attached to this amending By-law 13-21 all declared to form a part of this by-law.

Passed this 24th day of February, 2021

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Dave Barrow  
Mayor

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Stephen M.A. Huycke  
City Clerk

File: D24-20002 (SC)

## **The Corporation of The City Of Richmond Hill**

### **Explanatory Note to By-Law 13-21**

By-law 13-21 affects the Lands as shown on Schedules “A”, “A - Area 1”, “A - Area 2”, “A - Area 3” and “A - Area 4”.

The purpose and effect of this amending Zoning By-law 13-21 is to permit additional dwelling units within any zone that permits single detached dwellings, semi-detached dwellings and certain forms of townhouse dwellings with certain restrictions. A maximum of two (2) Additional Residential Units shall be permitted, with a maximum of one (1) Additional Residential Unit in the primary dwelling unit and a maximum of one (1) Additional Residential Unit in a detached accessory structure or above a detached garage that has a side or rear lot line abutting a lane with appropriate development standards.