

Appendix C to SRPI.21.023

Draft Yonge and Bernard Key Development Area Zoning By-law Amendment: Additional Residential Units

The Corporation of the City of Richmond Hill

By-law ____-21

A By-law to Amend By-law 111-17, 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 Local Appeals Planning Tribunal approved By-law 111-17, as amended, on ____.

And Whereas the lands affected by this amending by-law are situated in the City of Richmond Hill and are shown in Schedule “A” 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 ____-21 shall apply to the lands as shown in Schedule “A” of this amending by-law (altogether, the “Lands”).
2. With respect to the Lands, notwithstanding any inconsistent or conflicting provisions of zoning by-law 111-17, as amended (the “Zoning By-law”), the following provisions shall apply:
 - a. The Definitions within the Zoning By-law are hereby further amended by adding the following definition of “Additional Residential Unit, as follows:

“Means a self-contained dwelling unit accessory to the primary dwelling unit.”
 - b. “Additional residential unit” shall replace the defined term “Secondary Suites” in the Zoning By-law.
 - c. The following definition shall apply to “Floor Area” when reference 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 definition for the defined term, or any similar term whether or not such similar term is defined, within the Zoning By-law.
 - e. Subject to subsections 2(f), 2(g), 2(h), 2(i) and 2(j) 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-law:
 - i. back to back dwellings;
 - ii. block townhouse dwellings;
 - iii. rear lane townhouse dwellings;
 - iv. street townhouse dwellings; and,
 - v. townhouse dwellings.

- f. The following shall apply to Additional Dwellings Units:
- i. Additional Residential Units shall only be permitted where 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.
- 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); and,
 - 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);
 - 3. 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 lot 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 lots 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 rear lane.
- iv. For an Additional Residential Unit located above a detached garage abutting a side lane or 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.

- h. Home occupations uses shall not be permitted within Additional Residential Units.
- i. Additional Residential Units are exempted from the requirement for water and sanitary sewer allocation.
- j. 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 the second Additional Residential Unit;
 - ii. 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;
 - iii. 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;
 - iv. 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.j(ii) and 2.j(iii) of this amending by-law, shall not count towards the minimum parking spaces required for one (1) or two (2) Additional Residential Units; and,
 - v. parking spaces may be arranged in tandem.
- 3. By-law 111-17 of the City of Richmond Hill, as amended, shall be further amended by deleting subsections 5.21(a) to 5.21(h), inclusive.
- 4. All other provisions of the Zoning By-law 111-17, as amended, not inconsistent with the provisions set of this amending by-law ___21 shall continue to apply to the "Lands." Where a conflict or inconsistency exists, the provisions set out in this By-law ___-21 shall prevail.
- 5. 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.

6. Schedule “A”, attached to this amending By-law __-21 is declared to form a part of this by-law.

Passed this __th day of _____, 2021

Dave Barrow
Mayor

Stephen M.A. Huycke
City Clerk

The Corporation of The City Of Richmond Hill

Explanatory Note to By-Law __-21

By-law __-21 affects the Subject Lands shown on Schedule “A”.

The purpose and effect of this amending Zoning By-law __-21 is to permit additional dwelling units within any zone that permits 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 lot line or rear lot line abutting a lane with appropriate development standards.

SCHEDULE "A"

TO BY-LAW XX-21

This is Schedule "A" to By-Law
XX-21 passed by the Council
of the Corporation of the
City of Richmond Hill on the
Day of 2021.

Dave Barrow
Mayor

Stephen M.A.Huycke
City Clerk



AREA SUBJECT TO THIS BY-LAW

