

The Corporation of the City of Richmond Hill

By-law 83-21

A By-law to Amend By-law 2523, as amended, of

The Corporation of the former Township of Vaughan

Whereas the Council of The Corporation of the City of Richmond Hill (the "Corporation") at its Meeting of July 9, 2019, directed that this by-law be brought forward to Council for its consideration;

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

1. That By-law 2523, as amended, of The Corporation of the former Township of Vaughan ("By-law 2523") be and hereby is further amended as follows:
 - a) by rezoning those lands shown on Schedule "A" to this By-law 83-21 (the "Lands") from "Third Density Residential (R3) Zone" to "Multiple Family One (RM1) Zone" under By-law 2523, as amended; and,
 - b) by adding the following to Section 25 – Exceptions:

"RH197

Notwithstanding any inconsistent or conflicting provisions of By-law 2523, as amended, the following special provisions shall apply to the lands zoned "Multiple Family One (RM1) Zone" and more particularly shown as "RM1" on Schedule "A" to By-law 83-21 and denoted by a bracketed number (RH197):

- i) Definitions:
 - (a) A **LANE** shall mean a public or private means of vehicular access to a **LOT** or an abutting property. This may also include a parcel of land which is a **COMMON ELEMENT CONDOMINIUM** for means of vehicular access.
 - (b) A **LOT** shall include a **PARCEL OF TIED LAND**.
 - (c) A **STREET** shall include a **LANE**.
 - (d) A **DWELLING, TOWNHOUSE** shall mean a **BUILDING** divided vertically into three 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.
 - (e) A **LOT LINE** shall mean a line delineating any boundary of a **LOT**.
 - (f) **GRADE, ESTABLISHED** shall mean, 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.

- (g) A **PORCH** shall mean a **STRUCTURE** abutting a dwelling having a roof but with walls that are open and unenclosed to the extent that 50% of the vertical plane of the wall is open to the movement of air and which is used as an outdoor living area.
- (h) A **DECK** shall mean a **STRUCTURE** without a roof having a foundation to hold it erect and attached to or abutting one or more walls of a **BUILDING** or constructed separate from a **BUILDING** with or without direct access to the ground, the floor of which is above finished grade, and which is designed and intended for use as a sun deck but shall not include a landing or a stair.
- (i) A **MAIN WALL** shall mean the exterior front, side or rear wall of a **BUILDING** and all structural members essential to the support of a fully enclosed space or roof.

ii) Permitted Use:

(a) **DWELLING, TOWNHOUSE**

iii) The following provisions shall apply to the Lands:

- (a) The lands shown on Schedule "A" shall be deemed to be a **LOT**.
- (b) Minimum **LOT FRONTAGE**: 45.0 metres (147.64 feet)
- (c) Minimum **LOT AREA**: 4,500 square metres
(48,437.6 square feet)
- (d) Maximum number of **DWELLING UNITS**: 21
- (e) Maximum **LOT COVERAGE**: 35%
- (f) Minimum **BUILDING** setbacks:
 - (i) 3.0 metres (9.84 feet) to westerly **LOT LINE** (Bathurst Street)
 - (ii) 6.0 metres (19.69 feet) to the easterly **LOT LINE**
 - (iii) 6.0 metres (19.69 feet) to the southerly **LOT LINE**.
Notwithstanding, the minimum **BUILDING** setback to the southerly **LOT LINE** for Parcel "B" as shown on Schedule "B" to this By-law 83-21 shall be 4.5 metres (14.76 feet)
 - (iv) 4.0 metres (13.12 feet) to the northerly **LOT LINE**.
Notwithstanding, the minimum **BUILDING** setback to the northerly **LOT LINE** for Parcel "B" as shown on Schedule "B" to this By-law 83-21 shall be 1.2 metres (3.94 feet)
 - (v) 1.8 metres (5.91 feet) to a daylighting triangle
- (g) Minimum width of a **DWELLING UNIT**: 6.0 metres
(19.69 feet)
- (h) Maximum **BUILDING HEIGHT**: 11.0 metres (36.09 feet)
- (i) Maximum number of **STOREYS**: 3
- (j) Minimum drive aisle width: 6.0 metres (19.69 feet)
- (k) Minimum number of **PARKING SPACES**:
 - (i) 2 **PARKING SPACES** per **DWELLING UNIT**
 - (ii) 0.25 visitor **PARKING SPACES** per **DWELLING UNIT**
- (l) A private attached garage shall have a minimum interior width of 3.2 metres (10.5 feet) and a minimum interior length of 6.0 metres (19.69 feet).
- (m) **DECKS** and **PORCHES** are permitted in accordance with the following regulations:

- (i) **PORCHES** not exceeding 4.5 metres (14.76 feet) in height, with the height being measured from the **ESTABLISHED GRADE** to the underside of the rafters or ceiling of the **PORCH** and with or without basements, shall be located a minimum of 1.4 metres (4.6 feet) from the westerly **LOT LINE** (Bathurst Street). Notwithstanding, a **PORCH** may have a minimum setback of nil to a daylighting triangle.
 - (ii) **DECKS** shall be located a minimum of 2.2 metres (7.22 feet) from the northerly **LOT LINE** and 4.3 metres (14.11 feet) from the southerly and easterly **LOT LINES**, but in no case shall the **DECK** extend beyond a side **MAIN WALL** of the dwelling.
 - (iii) No **DECK** or **PORCH** shall be enclosed to a height of more than 1.07 metres (3.51 feet) above floor level, exclusive of roof supports, but this shall not prohibit the enclosure of a **DECK** or **PORCH** by latticing or screening or any other form of enclosure to the extent that 50% of the vertical plane of the wall is open to the movement of air.
 - (iv) Stairs used to access a **DECK** or a **PORCH** shall be setback at least 0.45 metres (1.48 feet) from any **LOT LINE**.
 - iv) The following provisions shall apply to the further division of the Lands shown on Schedule "A" to those parcels denoted on Schedule "B" to this By-law 83-21 as Parcel "A", Parcel "B" and Parcel "C", each of which shall be deemed to be a **LOT**:
 - (a) Minimum **LOT FRONTAGE**:
 - (i) Parcel "A": 35 metres (114.83 feet)
 - (ii) Parcel "B": 40 metres (131.23 feet)
 - (iii) Parcel "C": 35 metres (114.83 feet)
 - (b) For the purposes of Section 1.b)iv), the **FRONT LOT LINES** for the purpose of measuring **LOT FRONTAGE** shall be deemed to be the following:
 - (i) Parcel "A": the northerly **LOT LINE** that abuts a driveway as shown on Schedule "B" to this By-law 83-21
 - (ii) Parcel "B": the westerly **LOT LINE** that abuts a driveway as shown on Schedule "B" to this By-law 83-21
 - (iii) Parcel "C": the southerly **LOT LINE** that abuts a driveway as shown on Schedule "B" to this By-law 83-21
 - (c) Minimum **LOT AREA**:
 - (i) Parcel "A": 900 square metres (9,687.52 square feet)
 - (ii) Parcel "B": 1,700 square metres (18,298.65 square feet)
 - (iii) Parcel "C": 800 square metres (8,611.13 square feet)
 - v) The provisions of Section 5 (15)(f) and (g) shall not apply to the Lands."
2. 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.

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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. Schedules "A" and "B" attached to By-law 83-21 are declared to form a part of this by-law.

Passed this 7th day of July, 2021.

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk

The Corporation of the City of Richmond Hill

Explanatory Note to By-law 83-21

By-law 83-21 affects the lands described as Part of Lots 11 and 12, Plan 1960, municipally known as 9113 and 9125 Bathurst Street.

By-law 2523, as amended, of the former Township of Vaughan, zones the subject lands "Third Density Residential (R3) Zone".

By-law 83-21 will have the effect of rezoning the subject lands to "Multiple Family One (RM1) Zone" with site specific development standards to permit the construction of a residential development comprised of 21 townhouse dwelling units on the subject lands.