

The Corporation of The City of Richmond Hill

By-law 87-22

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 Council Meeting of June 8, 2022, 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 87-22 (the "Lands") from "Agricultural (A) Zone" to "Multiple Residential Ten (RM10) Zone" under By-law 2523, as amended; and,
 - b) by adding the following to Section 25 – Exceptions
- "RH201

Notwithstanding any inconsistent or conflicting provisions of By-law 2523, as amended, the following special provisions shall apply to the lands zoned "Multiple Residential Ten (RM10) Zone" and more particularly shown as "RM10" on Schedule "A" to By-law 87-22 and denoted by a bracketed number (RH201) (the "Lands"):

i) DEFINITIONS

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

- (a) **AMENITY SPACE** means outdoor space on a **LOT** that is communal and available for use by the occupants of a **BUILDING** on the **LOT** for recreational or social activities.
- (b) **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.
- (c) **FLOOR AREA** means the total horizontal area of all floors in a **BUILDING**.
- (d) **FLOOR AREA, GROSS (GFA)** means the aggregate of the **FLOOR AREAS** of a **BUILDING**, measured between the exterior faces of the exterior walls of the **BUILDING** at each floor level but excluding basement, **MECHANICAL PENTHOUSES**, loading areas, a parking structure, elevator shaft, stairwell, mechanical or electrical rooms, and any space with a floor to ceiling height of less than 1.8 metres.
- (e) **FLOOR SPACE INDEX (FSI)** means the maximum **GROSS FLOOR AREA** of all **BUILDINGS** on a **LOT** expressed as a ratio or multiple of the **LOT AREA**.
- (f) **GRADE** means the level of the ground adjacent to the outside wall of a **BUILDING** or **STRUCTURE**.

- (g) **ESTABLISHED GRADE** 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.
- (h) **HEIGHT, BUILDING** means with reference to a **BUILDING** or **STRUCTURE**, the vertical distance measured from the **ESTABLISHED GRADE** of such **BUILDING** or **STRUCTURE** to the highest point of the roof surface.
- (i) **MECHANICAL PENTHOUSE** means the rooftop floor area above the livable area of a **BUILDING** that is used exclusively for the accommodation of stairwells and/or mechanical equipment necessary to physically operate the **BUILDING** such as heating, ventilation, air conditioning, electrical, telephone, plumbing, fire protection and elevator equipment and includes walls and **STRUCTURES** intended to screen the mechanical penthouse and equipment.
- (j) **STOREY** means that portion of a **BUILDING** between the surface of a floor and the floor, ceiling or roof immediately above, provided that any portion of a **BUILDING** partly below **GRADE** level shall not be deemed a **STOREY** unless its ceiling is at least 1.8 metres above **ESTABLISHED GRADE**, and provided that the floor to ceiling height of a storey shall not exceed 4.5 metres. Any **STOREY** with a floor to ceiling height beyond 4.5 metres shall be deemed an additional **STOREY**.
- (k) **TOWER** means all **STOREYS** in a **BUILDING** above six **STOREYS**.

ii) **PERMITTED USES**

Permitted uses shall be as follows:

- (a) **DWELLING, APARTMENT**

iii) **DEVELOPMENT STANDARDS**

The following development standards shall apply:

- (a) The lands shown on Schedule "A" shall be deemed to be a **LOT**.
- (b) Maximum **GROSS FLOOR AREA**: 37,800.0 square metres (406,875.81 square feet)
- (c) Maximum **FLOOR SPACE INDEX**: 3.55
- (d) Minimum **LOT FRONTAGE**: 75.0 metres (246.06 feet)
- (e) Maximum **LOT COVERAGE**: 42%
- (f) Minimum **LOT AREA**: 10,650.0 square metres (114,635.65 square feet)

- (g) A minimum separation distance of 25.0 metres (82.02 feet) shall be maintained between **TOWERS** on the same **LOT**.
- (h) For the purpose of calculating the maximum **FLOOR SPACE INDEX**, the **LOT AREA** shall be deemed to be 10,650.0 square metres (114,635.65 square feet).
- (i) The minimum **YARDS** shall be required in accordance with the following, where the **LOT LINES** are as shown on Schedule "B" attached hereto (1) (3):
 - i. Lot Line "A": 6.5 metres
 - ii. Lot Line "B": 26.5 metres
 - iii. Lot Line "C": 20.0 metres
 - iv. Lot Line "D": 12.0 metres
 - v. Lot Line "E": 6.0 metres
 - vi. Lot Line "F": 4.5 metres
- (j) Maximum **HEIGHT**: 20 **STOREYS** or 70 metres (229.66 feet), whichever is the lesser, excluding the **MECHANICAL PENTHOUSE** (2) (4).
- (k) For the purposes of determining **HEIGHT, ESTABLISHED GRADE** shall be measured with reference to the portion of the **BUILDING** adjacent to Bathurst Street.
- (l) No **BUILDING** or **STRUCTURE** or part thereof shall be located above a 45 degree angular plane measured perpendicular from an abutting Residential Zone to the north (Lot Line "B" as shown on Schedule "B"), starting at a height equal to 10 metres (32.81 feet) above the finished **GRADE** of the **LOT LINE**.
- (m) A **MECHANICAL PENTHOUSE** shall not exceed 5.5 metres (18.04 feet) in height. Notwithstanding the foregoing, a portion of the **MECHANICAL PENTHOUSE**, not occupying more than 14% of the area of the **MECHANICAL PENTHOUSE** roof, may exceed 5.5 metres in height to a maximum height of 6.5 metres (21.33 feet) (4).
- (n) Maximum **MECHANICAL PENTHOUSE GROSS FLOOR AREA**: 1,450 square metres (15,607.67 square feet).
- (o) The minimum width of an aisle used to access a **PARKING SPACE** shall be 6.0 metres (19.69 feet).
- (p) Notwithstanding Section 5(15)(e), the minimum width of a driveway shall be 6.0 metres (19.69 feet).
- (q) **AMENITY SPACE** shall be provided for each **DWELLING UNIT** at a minimum rate of 2.0 square metres (21.53 square feet) per **DWELLING UNIT**.

NOTES:

- (1) The minimum required **YARDS** shall not apply to any portion of a **BUILDING** or **STRUCTURE** below **GRADE**.

- (2) Any portion of the first **STOREY** up to a maximum of 7.7 metres (25.26 feet) in height shall not be considered an additional **STOREY**.
- (3) The following are permitted to encroach into the minimum required **YARDS**:

Structure	Yards in which encroachments are permitted	Maximum encroachments into a minimum required yard
Exterior Stairs	Any YARD	1.0 metre (3.28 feet)
Balconies and terraces	Any YARD	3.4 metres (11.15 feet)
Permanent Landscape Features	Any YARD	1.6 metres (5.25 feet)

- (4) The following shall be excluded from the calculation of maximum permitted building **HEIGHT** and the height of a **MECHANICAL PENTHOUSE**:

Structure	Maximum projection above permitted height
Parapets	0.6 metres (1.97 feet)
Chimneys, guardrails and railings, vents and pipes	1.5 metres (4.92 feet)
Roof drainage, insulation, and window washing equipment	0.5 metres (1.64 feet)

iv) PARKING AND LOADING STANDARDS

Parking spaces shall be provided in accordance with the following:

- (a) The minimum number of **PARKING SPACES** shall be calculated in accordance with the following standards:
- i. Studio: 0.9 spaces per **DWELLING UNIT**
 - ii. 1-bedroom: 1.0 spaces per **DWELLING UNIT**
 - iii. 2-bedroom: 1.3 spaces per **DWELLING UNIT**
 - iv. 3-bedroom: 1.55 spaces per **DWELLING UNIT**
 - v. Visitor: 0.2 spaces per **DWELLING UNIT**
- (b) The minimum number of bicycle parking spaces shall be calculated in accordance with the following standards:
- i. A minimum of 0.8 bicycle parking spaces shall be provided per **DWELLING UNIT**.

- ii. 10% of the minimum required bicycle spaces shall be provided for visitors.
- (c) The minimum number of loading spaces shall be calculated in accordance with the following standards:
 - i. A minimum of one (1) loading space is required for **BUILDINGS** containing 31 to 399 **DWELLING UNITS**;
 - ii. A minimum of two (2) loading spaces are required for **BUILDINGS** containing 400 **DWELLING UNITS** or more; and,
 - iii. A loading space shall have a width of not less than 4.0 metres (13.12 feet) and a length of not less than 13.0 metres (42.7 feet) with a minimum of 6.5 metres (21.33 feet) overhead clearance.

v) SECTION 37 AGREEMENT

- (a) Pursuant to Section 37.1 of the *Planning Act*, in conjunction with Section 37 of the *Planning Act* as it read on September 17, 2020, the density and height of the development set out herein is permitted subject to the provision, by the Owner of the Lands (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* as it read on September 17, 2020, in a form satisfactory to The Corporation of the City of Richmond Hill (the "City"). The Owner of the Lands, at the Owner's expense and in accordance with, and subject to the agreement or agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City, in order to permit the increase in height and density authorized under this exception regulation:
 - i. The Owner shall make a cash contribution to the City in the amount of TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000.00) towards a trail and valleyland enhancement project involving a 500 metre trail loop and associated valleyland enhancements to be located between Webster Park and Udine Court, or towards such alternative community benefit as approved by the City up to an equal amount, 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*.
- 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.
 - 3. By-law 87-22 shall be subject to Section 34(21) of the *Planning Act* in respect of Official Plan Amendment 33 coming into effect.

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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. Schedules “A” and “B” attached to By-law 87-22 are declared to form a part of this by-law.

Passed this 8th day of June, 2022.

David West
Mayor

Stephen M.A. Huycke
City Clerk

File: D02-20024

The Corporation of the City of Richmond Hill

Explanatory Note to By-law 87-22

By-law 87-22 affects the lands described as Part of Lot 38, Concession 1 W.Y.S., municipally known as 8905 Bathurst Street.

By-law 2523, as amended of The Corporation of the former Township of Vaughan, zones the subject lands “Agricultural (A) Zone”

By-law 87-22 will have the effect of rezoning the subject lands shown on Schedule “A” to “Multiple Residential Ten (RM10) Zone” under By-law 2523, as amended, with site-specific development standards to facilitate the development of a high-density residential development on the subject lands.

SCHEDULE " B "
TO BY-LAW NO.87-22

This is Schedule "B" to By-Law
87-22 passed by the Council
of the Corporation of the
City of Richmond Hill on the
8th day of June, 2022

David West Stephen M.A. Huycke
Mayor City Clerk



 AREA SUBJECT TO THIS BYLAW

