

The Corporation of the City of Richmond Hill

By-law ___-22

A By-law to Amend By-law 38-95, as amended, of
The Corporation of the City of Richmond Hill

Now Therefore the Council of the City of Richmond Hill adopts and approves as follows:

1. That By-law 38-95, as amended, of the City of Richmond Hill, be and is hereby further amended as follows:
 - a) by rezoning the lands shown on Schedule "A" to this By-law ___-22 (the "Lands") from "Community Commercial (CC) Zone" to "Multiple Residential Six (RM6) Zone" under By-law 38-95, as amended,
 - b) by adding the following to Section 10 – Exceptions
"RM6___"

Notwithstanding any inconsistent or conflicting provision of By-law 38-95, as amended, the following special provisions shall apply to the lands zoned "Multiple Residential Six (RM6) Zone" and more particularly identified on Schedule "A" to By-law ___-22 and denoted by a bracketed number (___):

1. Definitions

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

a) **Retirement Residence**

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. A **Retirement Residence** may take the form of a high rise, mid rise or low rise building and offer a variety of services and care levels that include both independent living and assisted living.

b) **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:

- loading areas (enclosed and/or open) and parking ramps;
- a room or enclosed area, including its enclosing walls, within the **building** or structure, that is used exclusively for the accommodation of mechanical equipment, including the **Mechanical Penthouse**, heating, cooling, ventilation, electrical equipment, shafts, stairs, fire prevention equipment, plumbing or elevator equipment and service and elevator shafts;
- bicycle storage and parking areas within the **building**;
- any below grade areas;
- any space with a floor to ceiling height of less than 1.8 metres (5.91 feet);
- unenclosed balconies and terraces; and
- any openings in floor slabs such as, but not limited to, a two storey atrium, stairway or second floor of loading space.

c) **Floor Area Ratio**

Means the maximum **gross floor area** of all **buildings** on the **lot** expressed as a ratio or multiple of the **lot area** prior to any road widenings or conveyances.

d) **Grade, Established**

Means 228.95m A.S.L.

e) Height, Building

Means the vertical distance measured between **established grade** and the highest point of the roof surface.

f) Lot Coverage

Means the percentage of the **lot area**, covered by all **buildings**, and shall not include that portion of such **lot area** which is occupied by a **building** or portion thereof which is completely below grade or provides linkage between **buildings** above the ground floor.

g) Mechanical Penthouse

Means the rooftop floor area above or adjacent to the livable area of an apartment **building** that is used exclusively for the accommodation of 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.

h) Storey

Means the portion of the **building** other than the cellar which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it. Notwithstanding this definition, the first **storey** can be up to 7.5 metres in height and shall include the upper ground floor level. Further, the **mechanical penthouse** shall not be considered a **storey** for the purpose of calculating **building height**.

i) Tower Floor Plate

Means the total **gross floor area** of individual floors within the **building** located above the eighth **storey**, measured from the exterior of the main walls at each **storey**, excluding balconies and mechanical penthouse.

j) Lot Frontage

For the purpose of this by-law the **Lot Frontage** shall be deemed to be Bayview Avenue.

2. Permitted Uses

Permitted uses are limited to the following:

- a) **Retirement Residence** ;and,
- b) **Commercial Uses**;

3. Development Standards

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

Maximum Gross Floor Area	19,900 m ²
Maximum Floor Area Ratio	306%
Maximum Tower Floor Plate	760 square metres
Maximum Lot Coverage	47%
Minimum Side Yard: (North)	6.0 metres
Minimum Rear Yard (East)	7.5 metres
Minimum Front Yard (West)	4.5 metres
Minimum Side Yard (South)	1.5 metres

Maximum Building Height	9 storeys/35 metres
Maximum Coverage of Mechanical Penthouse	70% of roof surface
Minimum Drive Aisle Width	6.0 metres

Notes:

- 1) For the purposes of calculating the maximum **floor area ratio** the maximum **gross floor area**, and the maximum **lot coverage**, the **lot area** shall be deemed to be 6,499 square metres regardless of any conveyances for road widening purposes, dedications or severances.
- 2) Notwithstanding any other provision in this by-law, the setback to below grade parking structures is 0.0 metres.
- 3) Notwithstanding any other provision in this by-law, setbacks to daylight triangles shall be 0.0 metres.
- 4) Notwithstanding the maximum **building height**, and minimum building **setbacks**, the following encroachments above the specified **heights** and **setbacks** shall be permitted:
 - a) Bay windows and sills, railings, cornices, wall-mounted lighting fixtures, awnings, columns, eaves, guardrails, balustrades, mechanical equipment, mechanical screens and flag poles, balconies and columns, to a maximum height and/or projection of 2.5 metres
 - b) enclosed vestibule and canopies to a maximum projection of 2.5 metres into a required yard.
 - c) parapets, to a maximum height of 1.4 metres.
 - d) Privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features, to a maximum height of 3.0 metres .
 - e) Exit staircases to a maximum height of 3.2 metres.
 - f) A drive aisle with a minimum width of 6.0 m is permitted to be shared with the adjacent property to the east.
 - g) Notwithstanding the foregoing, no portion of the **building**, either above or below grade, may encroach within the Regional right-of-way without the written permission of the Regional Municipality of York.

4. **Parking Standards**

The number of required **parking spaces** shall be calculated in accordance with the standards set out below (1) :

Use	Minimum Parking Space Standard
Retirement Residence including visitor parking	0.26 parking spaces/dwelling unit

Notes:

- 1) Above grade parking shall not be permitted between the **building** and Bayview Avenue or Major Mackenzie Drive.

5. **Bicycle Parking Standards**

A total of 10 Short Term bicycle parking spaces shall be provided.

6. Loading

One (1) external loading space with minimum dimensions of 4.0 metres by 13 metres and a vertical clearance of 6.1 metres shall be provided.

7. Landscaping

Notwithstanding the requirement of by-law 38-95, a landscape strip along the east property limits shall not be required.

2. All other provisions of By-law 38-95, as amended, not inconsistent with the foregoing, shall continue to apply to the lands shown on Schedule "A" attached hereto.
3. Notwithstanding the uses permitted in the RM6(____) Zone by this By-law, all uses permitted on the **Lot** by By-law 38-95, as amended, prior to the passage of this Bylaw, shall continue to apply to the **Lot**.
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 __-22 are declared to form part of this by-law.

The Corporation of The City of Richmond Hill

Explanatory Note to By-Law ___-22

By-law ___-22 affects the lands described as Parcels A, B, C, D, E, F, G, H, I, J, L and M as Shown on Commercial Development Plan Prepared by Cosburn, Patterson , Mather Limited , City of Richmond Hill, Regional Municipality of York, municipally known as 1070 Major Mackenzie Drive East. By-law No. 38-95, as amended, of The Corporation of the City of Richmond Hill zones the lands "Community Commercial (CC) Zone". By-law No. ___-22 will have the effect of rezoning a portion of the subject lands identified in dashed black lines to a new site specific zone category "Multiple Residential Six (RM6-(___) Zone" with site specific provisions to permit a retirement residence of 9 storeys on the lands shown on Schedule "A".



Schedule "A" to By-law _____

This is Schedule "A" to By-law _____ adopted
By City Council _____, 202_



Area subject to this by-law

