

BY-LAW NO. XX – 23

A By-law to Amend By-law No. 2523, as amended,
of The Corporation of the former Township of
Vaughan

Now Therefore the Ontario Land Tribunal hereby approves as follows:

1. That By-law No. 2523, as amended, of The Corporation of the former Township of Vaughan, be and is hereby amended as follows:
 - a) By rezoning the lands shown on Schedule "A" to By-law No. XX-23 (the "Lands") from "General Commercial One (GC1) Zone" to "Residential Multiple Ten Special (RM10-S) Zone" under By-law 25-23, as amended.
2. By adding the following to Section 25 – EXCEPTIONS of By-law No. 2523:

“RH 202”

Notwithstanding any inconsistent or conflicting provision of By-law No. 2523, as amended, the following special provision shall apply to Lands zoned “Multiple Residential Ten (RM10) Zone and more particularly identified on Schedule “A” to By-law XX-23 and denoted by a bracketed number (RH202):

1. DEFINITIONS

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

- (a) **AMENITY SPACE** – shall mean an 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) **COMMERCIAL USE** – shall mean the use of land, buildings or structures for the purpose of buying or selling commodities and supplying of services, including personal service uses provided to the public or where entertainment is offered for gain or profit. Notwithstanding the foregoing, commercial uses shall exclude automobile service station, gas bar convenience retail store, gas bar, motor vehicle/lubrication establishment, motor vehicle washing establishment, auto body repair shop, repair shops for internal combustion engines, motorized vehicles or similar uses, public garage.
- (c) **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. An apartment dwelling may take the form of a high rise, mid-rise or low rise building.
- (d) **FLOOR SPACE INDEX** – shall mean the maximum **gross floor area** of all buildings on a lot expressed as a ratio or multiple of the lot area.
- (e) **GROSS FLOOR AREA** – shall be defined as the aggregate of the floor areas of all the STOREYS of a BUILDING, excluding areas below grade, mechanical / electrical spaces, elevator shafts, elevator rooms, stairs and equipment, fire prevention and plumbing equipment rooms, indoor amenity space, loading and service areas, garbage collection and recycling areas, storage lockers and bicycle storage areas.
- (f) **HEIGHT** – shall be defined as the vertical distance measured from ESTABLISHED GRADE of 196.90 m ASL to the highest point of the roof surface, excluding any parapets or mechanical penthouse.

- (g) **HOME OCCUPATION**: means an office operated within a dwelling unit, incidental and secondary to the residential use and shall not occupy more than 25% of the **gross floor area** of the dwelling unit. Medical office (medical clinic) and veterinary clinic uses are not permitted.
- (h) **LIVE-WORK UNIT** – means a dwelling unit that is primarily used as living space with subsidiary working space accessible from the living area, reserved for and regularly used by one or more residents of the dwelling unit. The work space component may be used for business and professional offices with ancillary retail. Medical office (medical clinic) and veterinary clinic uses are not permitted.
- (i) **LOT COVERAGE** - Means the percentage of the gross 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.
- (j) **MECHANICAL PENTHOUSE (MPH)** – shall mean 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.
- (k) **STOREY** – shall be defined as 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 **storey** exceeding 3.6 m in height shall be deemed an additional **storey**, save for and except the ground floor which may maintain a maximum height of 8.25 m within the service areas.
- (l) **TOWER FLOOR PLATE** – shall mean 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.

2. **PERMITTED USES**

No building or structure or part thereof shall be erected or used except for one or more of the following purposes:

- a) **APARTMENT DWELLING** (1);
- b) **COMMERCIAL USE**;
- c) **HOME OCCUPATION** (1)(2); and,
- d) **LIVE-WORK UNIT** (1)(2).

Notes:

- (1) No dwelling units shall be permitted to face Yonge Street on the ground floor of a building.
- (2) Home occupation uses and live work units shall only be permitted within ground level dwelling units.

3. **DEVELOPMENT STANDARDS**

The following development standards shall apply (1) (2) (3) (4) (5) (6):

Maximum Height exclusive of MPH	30 storeys (94.0 m) (308.5 ft)
Maximum Podium (base building) Height	8 storeys (25.0 m) (82.0 ft)
Maximum Gross Floor Area	37,600 m ² (404,736 ft ²)
Maximum Floor Space Index	4.92
Maximum LOT COVERAGE	60%
Minimum Front Yard (Yonge Street)	2.5m (8.2 ft)
Minimum Front Yard (daylight triangle)	0 m (0 ft)
Minimum Side Yard (north)	3.0 m (9.8 ft)
Minimum Side Yard (Garden Avenue)	1.8 m (5.9 ft)
Minimum Rear Yard (new public street)	2.6 m (8.53 ft)

NOTES:

- (1) For the purpose of calculating the Floor Space Index and Lot Coverage, the lot area shall be deemed to be 7,639 square metres (82,228.2 square feet), regardless of any conveyances for road widening purposes, dedications or severances.
- (2) For the purposes of this By-law, the front lot line shall be the lot line abutting Yonge Street.
- (3) The maximum **tower floor plate** shall be 865 square metres (9,311.1 square feet).
- (4) A **mechanical penthouse** shall be permitted to project 8.3 metres above the maximum permitted building **height**.
- (5) Balconies and architectural features shall be permitted to project 2.0 metres into the required yard setbacks and shall not project beyond the lot line.
- (6) A minimum of 630 square metres (6,782 square feet) of **commercial gross floor area** shall be provided along the Yonge Street frontage.

4. **PARKING REQUIREMENTS**

For every building or structure permitted in this by-law, parking spaces shall be provided in accordance with the following minimum standards:

Bachelor:	0.6 spaces per unit
One Bedroom:	0.8 spaces per unit
Two Bedroom:	0.9 spaces per unit
Three Bedroom:	1.0 spaces per unit
Townhouse:	1.0 spaces per unit
Visitor:	0.15 spaces per unit
Retail:	1.7 spaces per 100 square metres
Bicycle Parking Resident (Long Term)	0.68 spaces per unit
Bicycle Parking Visitor (Short Term)	0.07 spaces per unit

5. **Amenity space** must be provided at a rate of 2.0 square metres (21.53 square feet) per dwelling unit.”

3. All other provisions of By-law No. 2523, as amended, not inconsistent with the foregoing, shall continue to apply to the lands shown on Schedule "A" attached hereto.
4. The imperial measurements found in this by-law in brackets are provided for

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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 No. XX-23 is declared to form a part of this by-law.

Approved by OLT Decision in case No. 22-002152 dated ____

The Corporation of the City of Richmond Hill

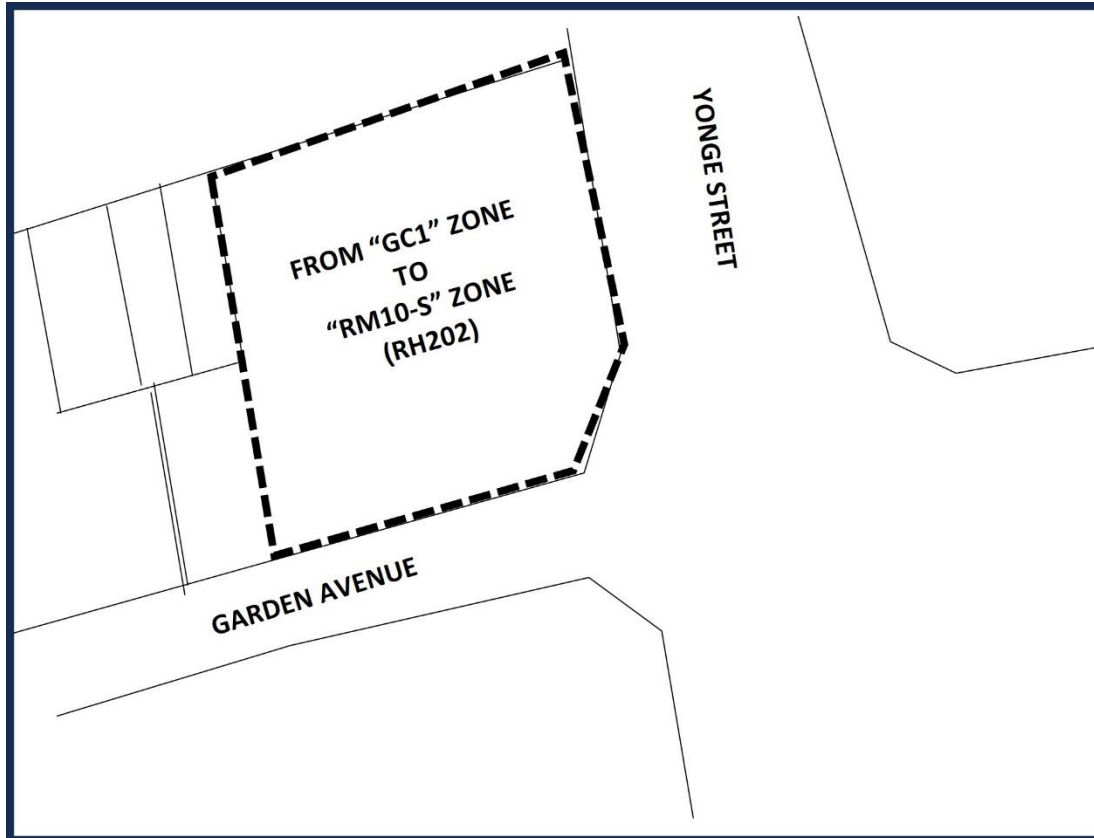
Explanatory Note to By-law XX-23

By-law XX-23 affects lands known as Part of Lots 1, 2, 3, and 4, Registered Plan 1984, municipally known as 8700 and 8710 Yonge Street, and located at the northwest corner of Yonge Street and Garden Avenue.

The lands are currently zoned "General Commercial One (GC1 Zone". The "GC1" Zone permits various commercial uses and indoor recreational uses, but, does not permit residential uses.

By-law XX-23 will have the effect of rezoning the subject lands to "Residential Multiple Ten Special (RM10-S) Zone under By-law 2523, as amended with site specific development standards to permit the construction of a high-density mixed use residential/commercial development comprised of a 30-storey apartment building on the subject lands.

SCHEDULE "A" TO BY-LAW NO. XX - 23



This is Schedule "A" to By-law No. XX-23 as approved by the Ontario land Tribunal in OLT case file 22-002152 in a Decision and/or Order dated ____.