

THE CORPORATION OF THE CITY OF RICHMOND HILL

By-law Number 98-23

BEING A BY-LAW to amend

By-law 55-15, as amended of the Corporation of the City of Richmond Hill

NOW THEREFORE THE ONTARIO LAND TRIBUNAL ENACTS AS FOLLOWS:

1. THAT By-law 55-15, of The Corporation of the City of Richmond Hill (“By-law 55-15”) be and hereby is further amended by adding the following exception:

“7.66

Notwithstanding any inconsistent or conflicting provisions of By-law 55-15, as amended of the Corporation, as amended, the following special provisions shall apply to the lands zoned “Residential Multiple 10 (RM10) Zone” and more particularly shown as “RM10” on Schedule “1” to By-law 98-23 and denoted by a bracketed number (7.66)

- i. For the purposes of Section 7.66, the following shall apply in addition to the definitions set out in Section 6:
 - a. **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 **BASEMENTS, MECHANICAL PENTHOUSES**, loading areas, **PARKING GARAGES, GARAGES**, elevator shafts, stairwells, mechanical or electrical rooms or shafts, spaces open to below, and any space with a floor to ceiling **HEIGHT** of less than 1.8 metres.
 - b. a **LIVE-WORK DWELLING** means a **DWELLING UNIT** that includes living space and working space accessible from the living area, reserved for and regularly used by one or more of the occupants of that unit. The working space component may be used for a **PERSONAL SERVICE SHOP**, and **OFFICE**.
 - c. **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.
- ii. A **LIVE-WORK DWELLING** shall be permitted
- iii. The maximum **FLOOR AREA RATIO** shall be 3.8. For the purposes of calculating maximum **FLOOR AREA RATIO**, the **LOT AREA** shall be deemed to be 9,396 square metres regardless of any conveyances for road widening purposes, dedications or severances.

- iv. The **LOT LINE** abutting John Birchall Road shall be deemed the **FRONT LOT LINE** and the **LOT LINE** abutting Leslie Street shall be deemed the **FLANKAGE LOT LINE**. The **LOT LINE** opposite the **FLANKAGE LOT LINE** shall be deemed the **SIDE LOT LINE**.
- v. Minimum required **FRONT YARD**: 1.5 metres (4.92 feet)
- vi. Minimum required **SIDE YARD**: 1.5 metres (4.92 feet)
- vii. Minimum required **FLANKAGE YARD**: 1.5 metres (4.92 feet)
- viii. Minimum required **REAR YARD**: 1.5 metres (4.92 feet)
- ix. No setbacks or yards shall be required for any portion of a **PARKING GARAGE** if it is constructed completely below **ESTABLISHED GRADE**. This exemption shall also apply to ventilation shafts and housings, stairways and other similar facilities above **ESTABLISHED GRADE** associated with below grade **PARKING GARAGES**.
- x. Maximum tower floorplate size for a **BUILDING**:
 Above 14 storeys: 750 square metres
 Between 9 storeys and 14 storeys: 1,000 square metres
- xi. Maximum **BUILDING HEIGHT**: 16 storeys
- xii. Notwithstanding the definitions of **STOREY** and **BUILDING HEIGHT**, a **MECHANICAL PENTHOUSE** which is less than 6.0 metres (19.69 feet) in height and do not occupy more than 50% of the area of the roof upon which they are located shall not be considered a **STOREY** and shall not be included in the calculation of maximum **HEIGHT**
- xiii. Notwithstanding the definition of **STOREY**, the first **STOREY** (ground floor) of an **APARTMENT DWELLING** shall be permitted to have a maximum **HEIGHT** of 5.7 metres (18.70 feet).
- xiv. The minimum separation distance between tower portions of **BUILDINGS** above the 8th storey is 25 metres (82.02 feet).
- xv. A minimum of 5% of the total **DWELLING UNITS** will be three-bedroom units.
- xvi. A strip of land not less than 1.5 metres in depth immediately abutting all street lines shall be used only for landscaping, except that driveways perpendicular to the street line shall be permitted to cross such a landscaping area.
- xvii. In addition to the parking standards provided for in Section 5.14, the following parking standards shall apply to **APARTMENT DWELLINGS** and **LIVE-WORK DWELLINGS**
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|----------------------------|----------------------------------|
| (1) Bachelor/studio units: | minimum of 0.9 spaces/unit; |
| (2) 1-bedroom units: | minimum of 1.0 space/unit; |
| (3) 2-bedroom units: | minimum of 1.2 spaces/unit; |
| (4) 3-bedroom units: | minimum of 1.5 spaces/unit; |
| (5) Live-work units: | minimum of 2.0 spaces/unit; and, |
| (6) Visitors: | minimum of 0.2 spaces/unit. |

2. All other provisions of By-law 55-15, as amended, not inconsistent with the foregoing, shall continue to apply to the Lands shown on Schedule 1 attached hereto.
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. Schedule "1" attached to By-law 98-23 is declared to form part of this by-law

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The Corporation of the City of Richmond Hill

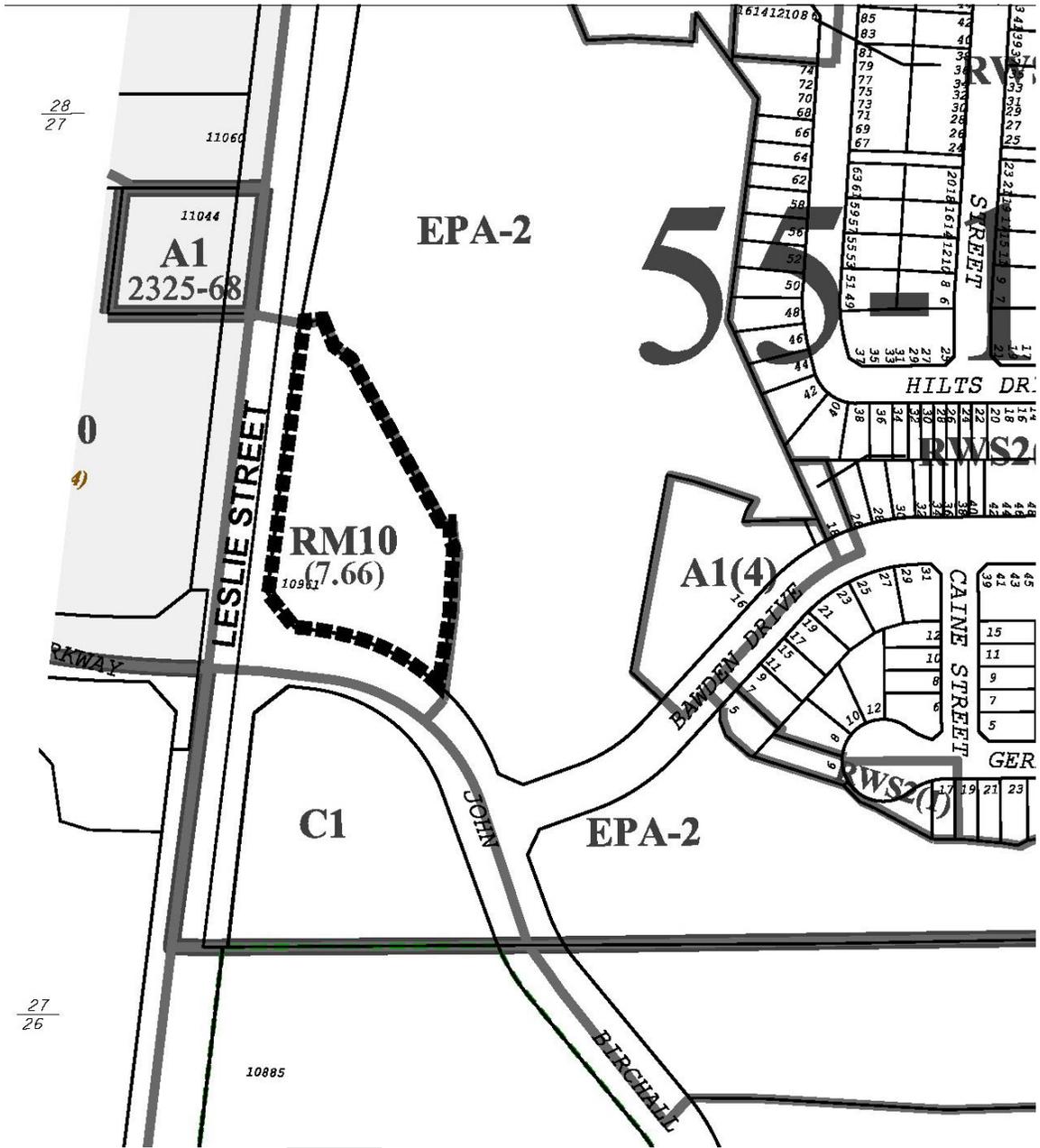
Explanatory Note to By-law 98-23

By-law 98-23 affects the lands described as Block 51, Registered Plan 65M-4668

By-law 55-15, as amended of The Corporation of the City of Richmond Hill, zones the subject lands "Residential Multiple 10 (RM10) Zone"

By-law Number 98-23 will have the effect of adding site specific development standards applicable to the subject lands shown on Schedule 1 to facilitate the construction of a high density mixed-use development consisting of an apartment building with two 16-storey towers connected by a 3 to 6-storey podium with site-specific development standards for setbacks, building height, floorplate size, floor area ratio, landscaping, and parking requirements.

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This is Schedule "1" to
By-law 98-23

 Lands affected by this By-law