

BY-LAW NO. _____

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

NOW THEREFORE THE Ontario Land Tribunal approves AS FOLLOWS:

1. By-law No. 2523 of the former Corporation of the Township of Vaughan ("By-law No. 2523"), as amended, be and is hereby further amended as follows:
- a. by amending the site-specific zoning regulations applicable to the lands as shown on Schedule "A" of this By-law _____ (the "Lands") that are within the "Key Development Area One (KDA1) Zone", as shown on Schedule "A" attached hereto under By-law 2523; and,
 - b. By adding the following to Section 25 – EXCEPTIONS:

"RH_____"

Notwithstanding any inconsistent or conflicting provisions with the provisions of By-Law 2523, as amended, the following special provisions shall apply to the Lands zoned "Key Development Area One (KDA1) Zone" and more particularly shown as "KDA1" on Schedule "A" attached hereto:

1) DEFINITIONS

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

- a) AMENITY**
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) BICYCLE MAINTENANCE FACILITY**
Means an area for bicycle repairs and maintenance which may include work space, a repair stand, tools, and an air pump for inflating bicycle tires.
- c) BUILDING**
Means a STRUCTURE occupying an area greater than 10 square metres (107.64 square feet) consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all works, fixtures and service systems appurtenant thereto.
- d) CAR-SHARE**
Means a program offering short-term rental service of motor vehicles that are owned by a profit or non-profit car-sharing organization.
- e) CAR-SHARE PARKING SPACE**
Means a PARKING SPACE that is demarcated and reserved exclusively for CAR-SHARE use.
- f) CLINIC**
Means a medical office which contains three or more medical practitioners.
- g) COMPACT PARKING SPACE**
Means a parking space with minimum dimensions of 2.4m x 4.8m which is used for parking of smaller compact size motor vehicles.

h) DAY NURSERY

Means a day nursery facility licensed under the *Child Care and Early Years Act* or its successor.

i) 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.

j) FINANCIAL INSTITUTION

Means a bank, credit union, trust company, savings office or retail banking operation which is open to the general public, but not including an investment office.

k) FLOOR AREA

Means the total horizontal area of all floors in a BUILDING.

l) FLOOR AREA, GROSS

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.

m) FLOOR SPACE INDEX (FSI)

Means the total GROSS FLOOR AREA of all BUILDINGS on a LOT expressed as a ratio or multiple of the LOT AREA.

n) GRADE

Means the level of the ground adjacent to the outside wall of a BUILDING or STRUCTURE.

o) GRADE, ESTABLISHED

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. [NTD: The calculation of established grade needs to be confirmed with the City. If a different grade than is currently showing on the Architectural Plans is to be used, then heights need to be recalculated rather than the building being modified.]

p) 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 or in case of a structure with no roof, the highest point of the said STRUCTURE.

Flagpoles and roof constructions which are less than 5.5 metres in height and do not occupy more than 30% of the area of the roof upon which they are located shall not be included in the calculation of maximum height.

q) HIGH RISE

Means buildings or structures with a height of 9 storeys or higher.

r) LANDSCAPING

Means a combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, paving, screening, or other architectural elements all of which is designed to enhance the visual amenity of the

property and shall not include amenity space, parking areas, driveways and ramps.

s) OFFICE

Means a building or part of a building used for conducting the affairs of business, professions, services, industries, governments, or like activities, in which the chief product of labour is the processing of information rather than the production and distribution of goods.

t) OFFICE, MEDICAL

Means a building or part of a building used for the medical, dental, surgical and/or therapeutical treatment of human beings, but does not include a public or private hospital, or a professional office of a medical practitioner located in his or her residence.

u) MECHANICAL PENTHOUSE

Means the rooftop 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, structures intended to screen the mechanical penthouse and equipment.

v) PERSONAL SERVICE SHOP

Means a BUILDING or part of a BUILDING in which services involving the care of persons or their apparel are performed. Without limiting the generality of the foregoing, PERSONAL SERVICE SHOP includes a barber shop, a hair dressing shop, a manicure shop, a shoe repair, a DRY CLEANING DEPOT and similar service establishments.

w) PODIUM

Means the portion of a high rise building below the tower portion of a high rise building that abuts a front yard, flankage yard or a yard abutting a lane or public park.

x) RESTAURANT

Means a building or structure, or part thereof, whose principal business is the preparation and serving of food and refreshments to the public for consumption within the building or structure but does not include a drive-in restaurant, take-out restaurant, or fast food restaurant.

y) RESTAURANT FAST FOOD

Means a building or structure, or part thereof, whose principal business is the sale of pre-prepared food or rapidly prepared food directly to the customer in a ready to consume state for consumption either within or the outside of the building.

z) RESTAURANT TAKE OUT

Means a building or structure, or part thereof, designed and used for the sale of food or refreshments to the public and from which food or refreshment is made available to the customer from within the building; in addition no provision is made for consumption of the food or refreshment by the customer while in their car, within the building, or elsewhere on the site.

aa) RETAIL

Means a use conducted in a building or structure or part thereof in which goods, merchandise, substances or items are displayed, rented or sold directly to the general public.

bb) 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.

cc) STRUCTURE

Means anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground. For the purpose of this By-law, a fence, a retaining wall, a light standard and a sign shall be deemed not to be STRUCTURES.

dd) TOWER

Means all storeys above six storeys in a high rise building.

ee) TOWER FLOOR PLATE

Means the gross floor area of each storey in a tower.

ff) VETERINARY CLINIC

Means the premises of a veterinary surgeon, where animals, birds, or other livestock are treated but are not boarded overnight.

2) PERMITTED USES

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

Residential Uses:

- Apartment Dwelling

Non-Residential Uses (1)(2):

- Day Nursery;
- Financial Institution;
- Medical Office/Clinic;
- Office;
- Personal Service Shop
- Restaurant;
- Restaurant Fast Food
- Restaurant Take-Out
- Retail;
- Veterinary Clinic

- NOTES:

(1) One or more of the permitted uses is permitted in a building that is a high rise building.

(2) Outdoor storage of goods, materials, garbage and recycling, machinery or equipment is prohibited.

(3) Dwelling Units shall not be permitted to front onto Yonge Street or Carrville Road on the first Storey of a Building.

3) DEVELOPMENT STANDARDS

The development standards below shall apply to a high rise or mid-rise building:

MINIMUM LOT FRONTAGE (CORNER LOT):	30 metres
MINIMUM LOT AREA:	N/A
MAXIMUM GROSS FLOOR AREA:	61,650 square metres
MAXIMUM NUMBER OF DWELLING UNITS:	796
MAXIMUM FSI (6):	8.35
MINIMUM FSI (6):	2.5
MINIMUM FRONT YARD SETBACK (1)(2):	3.0 metres
MINIMUM SIDE YARD SETBACK(1)(2)(3)(5):	12.5 metres
MINIMUM FLANKAGE YARD SETBACK (1)(2)(3):	3.0 metres

MINIMUM REAR YARD SETBACK (1)(2)(3)(5):	12.5 metres
MAXIMUM BUILDING HEIGHT (4):	42 storeys or 134.0 metres from established grade, whichever is the lesser, excluding the Mechanical Penthouse [NTD: See comment above regarding definition of established grade]
MINIMUM BUILDING HEIGHT	3 storeys
MAXIMUM PODIUM BUILDING HEIGHT (4):	6 storeys
MINIMUM TOWER SEPARATION:	25 metres
MAXIMUM TOWER FLOOR PLATE:	750 square metres
MINIMUM SETBACK TO DAYLIGHTING TRIANGLE	8.0 metres
MINIMUM PERCENTAGE OF THREE-BEDROOM UNITS	9%
MINIMUM GFA FOR NON-RESIDENTIAL USES	781 square metres
MINIMUM REQUIRED AMENITY SPACE	2 square metres per dwelling unit

NOTES:

- (1) For the purposes of this by-law, the Yonge Street property line shall be deemed the front lot line; the west property line is the rear lot line, Carrville Road is the flankage and the south property line is the side lot line.
- (2) The minimum required yard setbacks shall not apply to any portion of a building or structure below grade.
- (3) A tower shall not be permitted closer than 12.5 metres from a side or rear yard that does not abut a street, lane or a public park.
- (4) The required height of the first storey of a building abutting Yonge Street or Carrville Road, measured between the floor of the first storey and the ceiling of the first storey, shall be a minimum of 4.5 metres and a maximum of 5.5 metres, and shall not be deemed to be an additional storey notwithstanding the definition of STOREY above.
- (5) No buildings or structures above grade shall be permitted within 8 metres (26.24 feet) of the southerly property limit. However, this 8 metre area may be improved for pedestrian and vehicular purposes above grade, as well as parking and structural uses below grade in accordance with City performance standards for such facilities.
- (6) For the purpose of calculating the maximum FSI, the LOT AREA shall be deemed to be 7,382.50 square metres, regardless of any conveyance(s) for road widening purposes, dedications or severances.

4) PROJECTIONS

The following are permitted to project over the maximum height or minimum required yards defined in this by-law as listed below:

Structure	Yards In Which Projections are Permitted	Maximum Projections Into A Minimum Required Yard
Sills, belt courses cornices, eaves or canopies or gutters	any yard	70 centimetres

Structure	Yards In Which Projections are Permitted	Maximum Projections Into A Minimum Required Yard
Chimneys, fireplaces, or pilasters	any yard	40 centimetres
Window bays	Front yard, rear yard, and flankage yard	1.0 metre over a maximum width of 3.0 metres
Balconies	Front yard and rear yard for street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling or a quadruplex dwelling; any yard for other building types	2.0 metres
Roof overhangs	any yard	90 centimetres
A canopy or portico over a major entrance to a high rise, mid rise or low rise building	any yard	One half (1/2) the setback of the building from the street line
Exterior steps including any associated landings (for frame construction only)	any yard	90 centimetres
Satellite Dishes	any yard	90 centimetres

- a) No balcony projecting into a minimum required yard as permitted by this subsection shall be enclosed to a height of more than 1.10 metres above floor level exclusive of roof supports, but this shall not prohibit the enclosure of a balcony by latticing or screening or any other form of enclosure provided that 50 percent of the vertical plane of the wall is open to the movement of air.
- b) In no case shall the roof overhang of any detached accessory structure encroach any closer than 0.45 metres to any lot line.
- c) A balcony cannot project beyond the main wall of a building abutting any arterial road, where the floor of the balcony is 10.5 metres or less measured from grade.

4.1) Mechanical Equipment and Penthouses

- a) Parapets, mechanical penthouses, and other decorative roof structures including screening of mechanical equipment up to a maximum height of 5.5 metres shall be deemed not to be a storey and shall be excluded from the calculation of maximum building height.
- b) Notwithstanding (a), a mechanical penthouse, having a sloped roof of not less than 20.0%, up to a maximum height of 7.8 metres measured to the midpoint of the sloped roof, and a maximum height of 10.25 metres measured to the peak, shall be deemed not to be a storey and shall be excluded from the calculation of maximum building height.

- d) A mechanical penthouse shall not occupy more than 65 percent of the area of the roof upon which it is located. [NTD: Further restrictions to the mechanical equipment and penthouses may be appropriate]

5) **LANDSCAPING**

The following provisions shall apply to a high rise building on a lot:

- a) a minimum of 20% of the lot area must be landscaping.

6) **PARKING STANDARDS**

- a) No person shall use any lot, building or structure in any zone for any purpose permitted by this By-law, unless parking spaces are provided on the same lot in accordance with the provisions of this Section. The number of parking spaces required shall be calculated in accordance with the standards set out below:

Use	Minimum Parking Space Standard	Maximum Parking Space Standard
RESIDENTIAL (parking space per Dwelling Unit)		
a) Apartment Dwelling		
i) Bachelor & 1 bedroom less than 55m ²	0.55	0.90
ii) 1 Bedroom equal or greater than 55m ²	0.65	1.00
iii) 2 bedroom	0.70	1.15
iv) 3+ bedroom	0.85	1.25
v) Visitor	0.15	0.20
NON RESIDENTIAL (parking space per 100 square metres of Gross Floor Area, unless otherwise specified)		
i) Office	2.4	3.5
ii) Medical Offices/Clinics	2.4	3.5
iv) Day Nursery	2.4	3.5
v) Financial Institution	2.4	3.5
(vi) Veterinary Clinics	2.4	3.5
(vii) Restaurants Restaurant Fast Food Restaurant Take-Out	2.4	3.5
(viii) Retail	2.4	3.5
(ix) Personal Service Shop	2.4	3.5

NOTES:

- 1) Where there is one or more uses on a lot, the minimum required parking spaces and the portion thereof shall be applied to each of the uses identified in the above table.
- 2) In addition to the requirements set out in the table in Section 6 of this By-law, a minimum of 1 car-share parking spaces shall be provided for each 160 dwelling units or portion thereof , up to a maximum of 1 car share parking space per 60 dwelling units.
- 3) Where parking spaces for residential-visitors and non-residential uses are provided, the parking spaces must be shared for use by both residential-visitors and non-residential uses. These shared spaces shall be accessible by all tenants and visitors to the non-residential uses.
- 4) A maximum of 10% of the total parking spaces provided for residents (excludes parking spaces for visitors, non-residential uses, and shared parking spaces) are permitted to be in the form of compact parking spaces. Compact parking spaces are not permitted for parking spaces for use by residential-visitors, non-residential uses, and shared parking spaces.

6.1 Parking Area Requirements

- a) Each parking space perpendicular to an aisle shall have a width of not less than 2.75 metres and a length of not less than 5.8 metres.
- b) Each parking space parallel to an aisle shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres.
- c) A parking space that is not perpendicular or parallel to an aisle shall have an area comprised of a rectangle with a minimum width of 2.75 metres and a minimum length of 5.8 metres.
- d) The width of an aisle shall comply with the following provisions:
 - i) Aisles perpendicular to the parking space: a minimum of 6 metres.
 - ii) Parking spaces at sixty (60) degrees to the aisle a minimum of 5.5 metres; and,
 - iii) Parking spaces at forty-five (45) degrees to the aisle a minimum of 3.7 metres.
- e) Tandem parking spaces shall not be permitted in a parking structure or parking area.
- f) All parking areas shall be located in the rear yard or side yards of a lot.
- g) Parking areas shall not be permitted to locate in any yard abutting an arterial road.

6.2 Bicycle space standards and requirements

No person shall use any lot, building or structure in any zone for any purpose permitted by this By-law, unless bicycle spaces are provided on the same lot where there is a parking structure, in accordance with the provisions of this Section.

- a) The following Table shall apply:

	Minimum Rate – Long-Term Bicycle Spaces	Minimum Rate – Short-Term Bicycle Spaces
Residential Use	0.72 bicycle space per dwelling unit	0.045 bicycle spaces per dwelling unit.
Non-residential Use	0.195 bicycle space per 100 square metres of gross floor area	0.225 bicycle space per 100 square metres of gross floor area

Short-term bicycle parking spaces shall be located at grade. Furthermore, a minimum of 50% of the required short-term bicycle parking spaces for residential and non-residential use shall be in a covered area.

Shower and change facilities shall be provided at the rate of 1 per 30 long-term bicycle spaces or portion thereof for the non-residential uses identified in the table in Section 6.2a) and shall be in a shared area for use of all non-residential uses.

Bicycle maintenance facilities, shall be provided at a rate of 1 facility per 200 long term bicycle parking spaces or portion thereof.

A minimum of 6 public bicycle parking spaces shall be provided. Public bicycle parking spaces shall be located within 5.0m of a public right-of-way.

Bicycle parking spaces may be provided in vertical or horizontal storage or stacked arrangements. Doorways to bicycle parking areas within a building shall be a minimum of 2.0m wide.

The standard bicycle parking space dimensions shall be 1.8m x 0.6m. Stacked bicycle parking spaces shall be acceptable as bicycle parking spaces and may have reduced minimum dimensions of 1.63 metres by 0.36 metres. Notwithstanding, the minimum vertical clearance for each stacked bicycle parking space shall be 1.2m.

7) Loading

No person shall use any lot, building or structure in any zone for any purpose permitted by this By-law, unless loading spaces are provided on the same lot in accordance with the provisions of this Section. The number of loading spaces required shall be calculated in accordance with the standards set out below in the Table:

Use	Minimum Required Loading Space
Building contains dwelling units	
0 to 30 dwelling units	0
31 to 399 dwelling units	1
400 dwelling units or more (1)	2
Buildings having a non-residential gross floor area less than 465 square meters	0
Buildings having a non-residential gross floor area of equal to 465 square metres and less than 2323 square metres.	1
Buildings having a non-residential gross floor area equal to 2323 square metres and up to 9290 square metres	2
For every additional 9290 square metres of non-residential gross floor area thereof greater than 9290 square metres	1 additional

7.1 Regulations for loading spaces

- a) A loading space shall be paved, free of any encroachments and have a width of not less than 4 metres and a length of not less than 13 metres with a minimum of 6.5 metres overhead clearance.
- b) A loading space shall not be located in any yard adjoining a street unless screened from view from the street by a fence, screen wall, or landscaped berm with a height of not less than 1.5 metres.
- c) Aisles and driveways leading to a loading space shall not be used for the temporary parking or storage of 1 or more motor vehicles.

- 8) All other provisions of by-law No. 2523, as amended, not inconsistent with the foregoing, shall continue to apply to the lands shown on Schedules “A” and “B” attached hereto.
- 9) The imperial measurements found in this by-law in brackets are provided for information 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.
- 10) Schedules “A” and “B” attached to By-law No. _____ are declared to form a part of this By-law.

DRAFT

THE CORPORATION OF THE CITY OF RICHMOND HILL

EXPLANATORY NOTE TO BY-LAW NO. _____

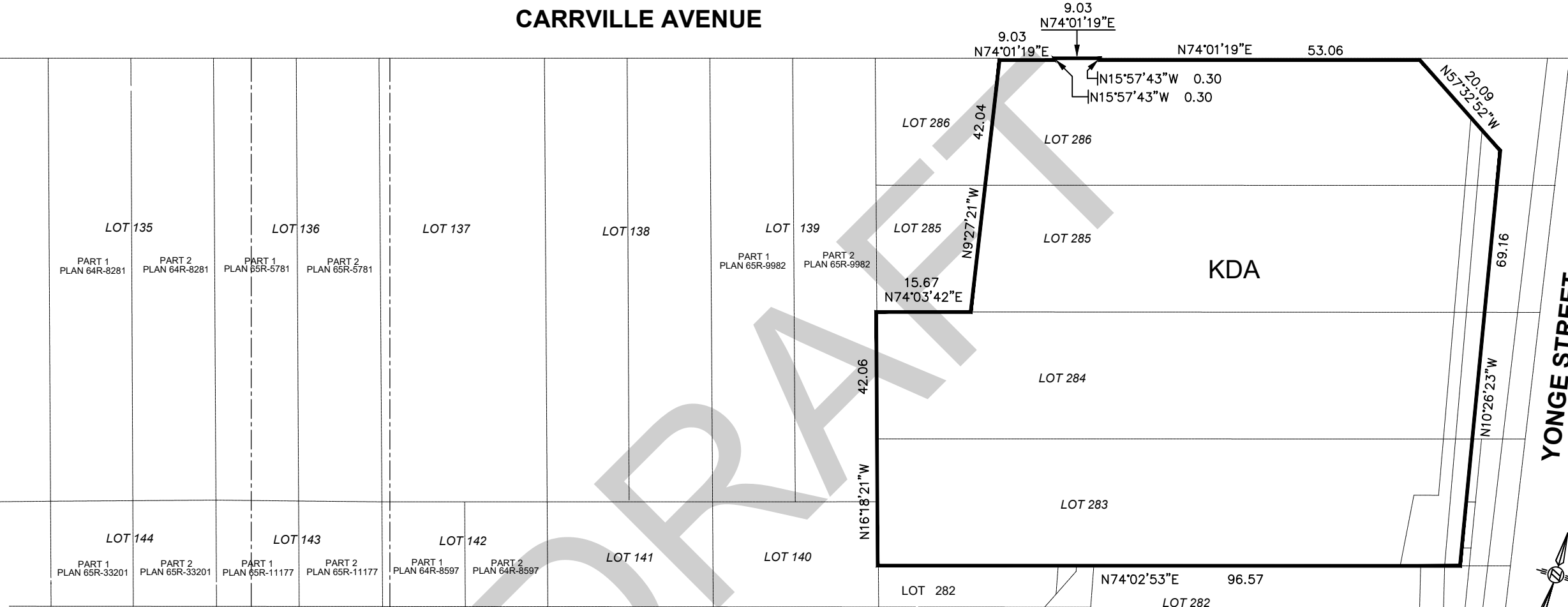
By-law No. _____ affects lands described as Part of Lots 283, 284, 285 and 286, Plan 3805 (Municipal Address: 9218 Yonge Street).

By-law No. 2523, as amended of The Corporation of the Town of Richmond Hill zones the lands "Key Development Area 1 (KDA1) Zone". By-law No. _____ will have the effect of rezoning the subject lands with site specific regulations within the existing zone category "Key Development Area 1 (KDA1) Zone" to permit a mixed-use, high density residential/commercial development comprised of two towers connected by a podium with commercial uses at grade on the lands shown on Schedule "A".

DRAFT

SCHEDULE "A"
TO BY-LAW NO. _____

CARRVILLE AVENUE



YONGE STREET



SPRUCE AVENUE

THIS IS SCHEDULE "A" TO BY-LAW NO. _____

— AREA SUBJECT TO THIS BY-LAW

SCHEDULE B

