

# The Corporation of the City of Richmond Hill

## By-Law 84-24

A By-law to Amend By-law 2523, as amended, of  
The Corporation of the former Township of Vaughan and  
By-law 66-71, as amended, of  
The Corporation of the City of Richmond Hill

Whereas the Council of The Corporation of the City of Richmond Hill (the “Corporation”) at its Meeting of April 24, 2024, 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 former Corporation of the Township of Vaughan (“By-law 2523”), be and hereby is further amended by removing those lands shown on Schedule “A” to this By-law 84-24 (the “Lands”) and any provisions of By-law 2523, as amended, that previously applied to the Lands shall no longer apply to the Lands.
2. That By-law 66-71, as amended, of The Corporation of the City of Richmond Hill (“By-law 66-71”), be and hereby is further amended as follows:
  - a) by expanding the area of By-law 66-71 to include the Lands;
  - b) by rezoning the Lands to “Multiple Residential Ten (RM10) Zone” and “Open Space (O) Zone” under By-law 66-71 as shown on Schedule “A” to this By-law 84-24;
  - c) by adding the following to **Section 11 – SPECIAL PROVISIONS**

#### “11.165

Notwithstanding any inconsistent or conflicting provision of By-law 66-71, 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 this By-law 84-24 and denoted by a bracketed number (11.165):

#### **DEFINITIONS**

For the purposes of this By-law, the following definitions shall apply to the Lands as shown on Schedule “A” to this By-law 84-24:

#### **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.

#### **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.

#### **COMMERCIAL USE**

Means the use of land, **buildings**, or **structures** for the purpose of buying or selling commodities and supplying of services, including **personal service** and **retail** uses provided to the public, or where entertainment is offered for gain or profit. However, **Commercial Uses** shall exclude **automobile service station**, gas bar, gas bar convenience retail store,

motor vehicle/lubrication establishment, **automobile washing establishment**, auto body repair shop, repair shop for internal combustion engines, motorized vehicles or similar uses, or public garage.

**DWELLING, MULTIPLE**

Means a **building** designed, intended and used for occupancy by three or more families living independently of each other but shall exclude an **apartment dwelling, row-house dwelling, townhouse dwelling, maisonette dwelling, triplex, double-duplex.**

**DWELLING, STREET TOWNHOUSE**

Means a **townhouse dwelling** composed of **dwelling units** each of which has frontage on a **street**.

**DWELLING, TOWNHOUSE**

Means a **building** divided vertically into three (3) or more **dwelling units**, each sharing a wall above the **established grade** and each of which has independent entrances at **grade**.

**FLOOR AREA**

Means the total horizontal area of all floors in a **building**.

**FLOOR AREA, GROSS (GFA)**

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);
- 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, 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.

**FLOOR SPACE INDEX (FSI)**

Means the maximum **gross floor area** of all **buildings** on the **lot** expressed as a ratio or multiple of the **lot area**.

**GRADE, ESTABLISHED**

Means 226.20 metres A.S.L.

**HEIGHT, BUILDING**

Means with reference to a **building** or **structure**, the vertical distance measured from the **established grade** of such **building** or **structure** to:

- (i) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- (ii) the decline of a mansard roof;
- (iii) the mean level between eaves and ridge of a gabled hip or gambrel roof or other type of pitched roof;
- (iv) in case of a **structure** with no roof, the highest point of the said structure.

Flagpoles, **mechanical penthouses** and rooftop constructions which are less than 6.0 metres (19.69 feet) in height and do not occupy more than 45% of the area of the roof upon which they are located shall not be included in the calculation of maximum **building height**.

#### **HOME OCCUPATION**

Means an economic enterprise operated within a **dwelling unit**, incidental and secondary to the residential use.

#### **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.

#### **PERSONAL SERVICES**

Means a **building** or part of a **building** in which services involving care of persons or their apparel are performed. Without limiting the generality of the foregoing, **personal services** include a barber shop, a hair dressing shop, a manicure shop, a shoe repair, a dry cleaning depot and similar service establishments.

#### **RETAIL**

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

#### **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 (5.91 feet) above **grade**, and provided that the floor to ceiling height of a **storey** shall not exceed 4.5 metres (14.76 feet). Any **storey** with a floor to ceiling height beyond 4.5 metres (14.76 feet) shall be deemed an additional **storey**, with the exception of loading areas which shall have a minimum 6.5 metre (21.33 feet) interior vertical clearance. **Mechanical penthouses** and rooftop constructions that are exempt from the **building height** calculation shall not be considered a **storey**.

#### **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**.

#### **(i) PERMITTED USES**

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

- (a) **Apartment Dwelling**
- (b) **Street Townhouse Dwelling**
- (c) **Multiple Dwelling**
- (d) **Home Occupation (1)**
- (e) **Commercial Uses (2)(3)**

#### **NOTES:**

- (1) A **home occupation** shall be subject to the following provisions:
  - a. shall be conducted entirely within an enclosed **building**;

- b. shall not detract from the residential character of the **dwelling unit** or the **lot** on which the **home occupation** is located;
  - c. shall not involve the outdoor storage or an outdoor display and sales area for materials or finished products associated with the **home occupation** use;
  - d. shall not occupy more than 25 percent of the **gross floor area** of the **dwelling unit**;
  - e. shall not result in the discharge or emission of odorous, noxious or toxic matter or vapors, heat, glare, noise or radiation, or recurrently generated ground vibrations;
  - f. shall not consist of an occupation that involves the salvage, repair, maintenance or sales of motor vehicles or motor vehicles; engines or parts; and,
  - g. shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except that telephone or mail order sales of goods may be permitted provided that customers do not enter the premises to inspect, purchase or take possession of the goods.
- (2) **Commercial Uses** are only permitted if integrated into a **building** that has frontage on Major Mackenzie Drive.
- (3) Outdoor storage of goods, materials, garbage and recycling, machinery or equipment is prohibited.

**(ii) DEVELOPMENT STANDARDS**

The following development standards shall apply (1):

Minimum <b>Commercial Gross Floor Area</b>	339.0 square metres (3,649.09 square feet)
Maximum <b>Gross Floor Area</b>	44,200.0 square metres (475,780.40 square feet)
Maximum <b>Floor Space Index</b> (2)	1.65
Maximum <b>Lot Coverage</b> (2)	35%
Minimum Required <b>Front Yard</b> (3)	7.0 metres (22.97 feet)
Minimum Required <b>Interior Side Yard</b> (4)	20.0 metres (65.62 feet)
Minimum Required <b>Flankage Yard</b> (5)	4.0 metres (13.12 feet)
Minimum Required <b>Rear Yard</b> (6)	30.0 metres (98.43 feet)
Minimum Required <b>Setback</b> to Daylight Triangle	2.0 metres (6.56 feet)
Maximum <b>Building Height</b> (7): <ul style="list-style-type: none"> <li>• <b>Street Townhouse Dwelling</b></li> <li>• <b>Multiple Dwelling</b></li> <li>• <b>Apartment Dwelling</b> (8)</li> <li>• <b>Apartment Dwelling</b> (fronting Major Mackenzie Drive) (8)</li> </ul>	3 <b>storeys</b> /11.5 metres (37.73 feet) 4 <b>storeys</b> /14.0 metres (45.93 feet) 6 <b>storeys</b> /21.0 metres (68.90 feet) 8 <b>storeys</b> or 31.0 metres (101.71 feet), whichever is less
Minimum Required <b>Amenity Space</b>	2.0 square metres (21.53 square feet) per <b>dwelling unit</b>
Maximum Number of <b>Dwelling Units</b>	518
Minimum Percentage of <b>Dwelling Units</b> to be 3-Bedrooms	5%

NOTES:

- (1) The Lands shown on Schedule "A" shall be deemed to be a **lot**.

- (2) For the purposes of calculating the maximum **floor space index** and the maximum **lot coverage**, the **lot area** shall be deemed to be 26,850 square metres (289,020.45 square feet) regardless of any conveyances for road widening purposes, dedications or severances.
- (3) The southerly **lot line** that abuts Major Mackenzie Drive shall be the **front lot line**.
- (4) Notwithstanding the minimum **interior side yard setback, multiple dwellings** shall be a minimum of 12.0 metres (39.37 feet).
- (5) Notwithstanding the minimum **flankage yard setback, street townhouse dwellings** shall be a minimum of 3.0 metres (9.84 feet) to the **flankage lot line**.
- (6) Notwithstanding the minimum **rear yard setback, street townhouse dwellings** and an **accessory structure** used to access an underground **parking garage** shall be a minimum of 14.0 metres (45.93 feet) to the **rear lot line**.
- (7) Notwithstanding any other provisions to the contrary, the maximum **building height** for an **accessory structure** used to access an underground **parking garage** shall be 3.2 metres (10.50 feet).
- (8) Notwithstanding the maximum **building height**, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features on the amenity terraces of the **apartment dwelling buildings**, are permitted to a maximum height of 3.0 metres (9.84 feet).

**(iii) ENCROACHMENT PROVISIONS**

Notwithstanding any other provisions to the contrary, the following encroachments are permitted:

- a) Bay windows and sills, railings, cornices, wall-mounted lighting fixtures, awnings, canopies, columns, eaves, guardrails, balustrades, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features, mechanical equipment, mechanical screens and flag poles, balconies and columns, to a maximum height and projection of 2.5 metres (8.20 feet).
- b) Porches and stairs to a maximum encroachment of 3.0 metres (9.84 feet) into any required **yard**.
- c) 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.

**(iv) PARKING STANDARDS**

The number of required **parking spaces** shall be calculated in accordance with the standards set out below (1)(2):

Use	Minimum <b>Parking Space</b> Standard
<b>Dwelling Unit</b>	
1-Bedroom	0.9 <b>parking spaces/dwelling unit</b>
2-Bedroom	1.0 <b>parking spaces/dwelling unit</b>
3-Bedroom	1.1 <b>parking spaces/dwelling unit</b>

Visitor Parking (3)	0.15 <b>parking spaces/dwelling unit</b>
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NOTES:

- (1) Above grade parking shall not be permitted between the **building** and Major Mackenzie Drive West or Arnold Crescent.
- (2) Notwithstanding the provisions of By-law 66-71, as amended, the minimum dimension for a drive aisle or **driveway** shall be 6.0 metres (19.69 feet).
- (3) Visitor parking can be used for **commercial uses**. No additional commercial **parking spaces** shall be required for commercial space that is 339.0 square metres (3,649.09 square feet) or less.

**(v) BICYCLE PARKING STANDARDS**

The number of required bicycle **parking spaces** shall be calculated in accordance with the standards set out below (1)(2):

Use	Minimum Rate – Bicycle Spaces	Minimum Rate – Visitor Bicycle Spaces (3)
Residential Use	0.6 bicycle parking spaces/ <b>dwelling unit</b>	5% of the minimum required bicycle parking spaces for residential use

NOTES:

- (1) Where bicycles are to be parked on a horizontal surface, a bicycle parking space shall have a width of not less than 0.6 metres (1.97 feet), a length of not less than 1.8 metres (5.91 feet) and a height of not less than 1.9 metres (6.23 feet).
- (2) Where bicycles are to be parked in a vertical position, a bicycle parking space shall have a width of not less than 0.6 metres (1.97 feet), a length of not less than 1.2 metres (3.94 feet) and a height of not less than 1.9 metres (6.23 feet).
- (3) 5% of the total required bicycle parking spaces on-site shall be located at grade.

**(vi) LOADING SPACE STANDARDS**

The number of required loading spaces shall be provided in accordance with the standards set out below (1):

<b>Phase 1</b>	<b>1 loading space</b> with minimum dimensions of 4.0 metre (13.12 feet) width, 13.0 metre (42.65 feet) length and 6.5 metre (21.33 feet) vertical clearance.
<b>Phase 2</b>	<b>2 loading spaces</b> with minimum dimensions of 4.0 metre (13.12 feet) width, 13.0 metre (42.65 feet) length and 6.5 metre (21.33 feet) vertical clearance.

NOTES:

- (1) No loading or service areas shall be permitted along Major Mackenzie Drive West or Arnold Crescent.

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3. All other provisions of By-law 66-71, 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 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 84-24 is declared to form part of this by-law.

Passed this 19<sup>th</sup> day of June, 2024.

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David West  
Mayor

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Stephen M.A. Huycke  
City Clerk

D02-20028 (LP)

## **The Corporation of The City of Richmond Hill**

### **Explanatory Note to By-law 84-24**

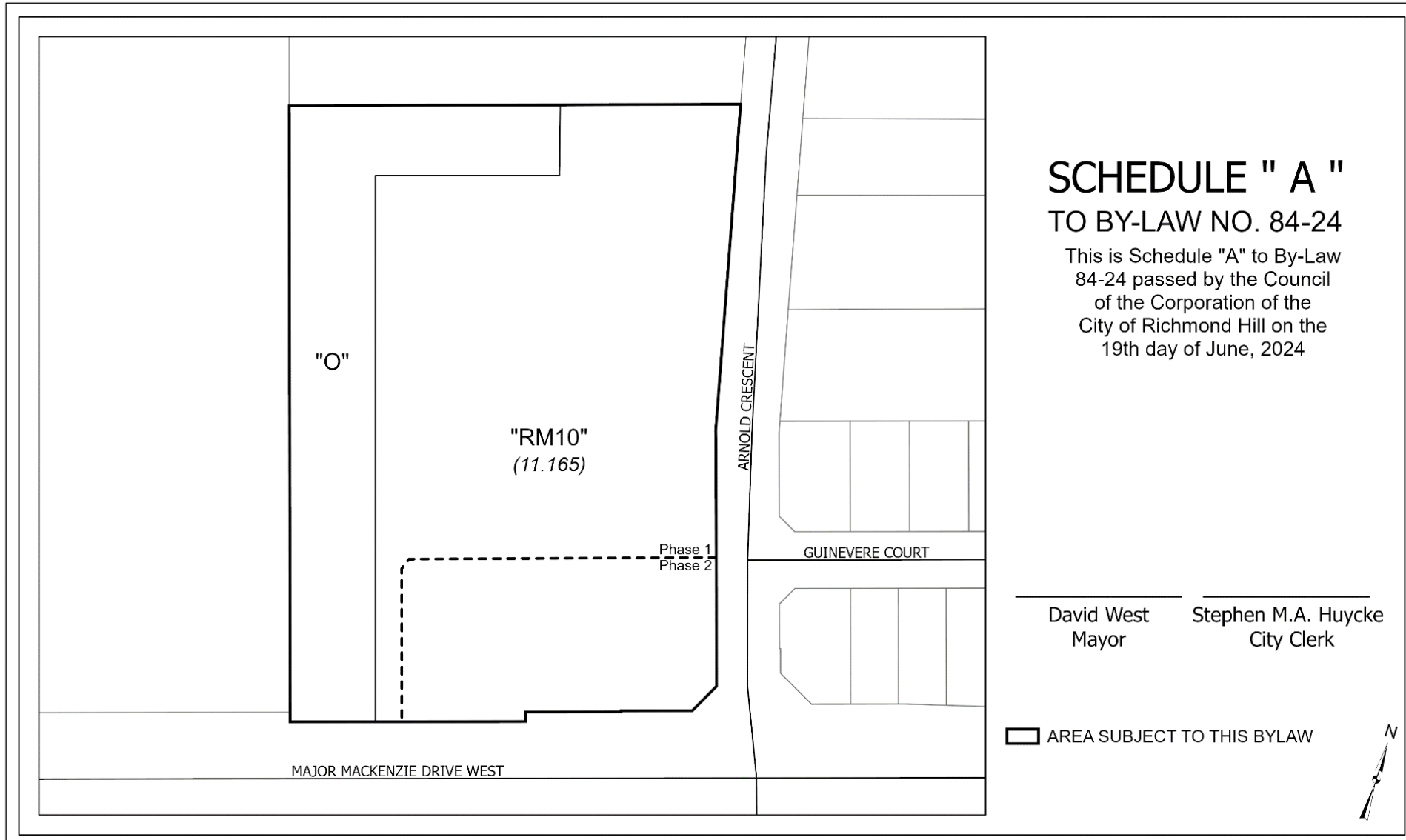
By-law 84-24 affects the lands described as Part of Lot 46 Concession 1, W.Y.S. in the City of Richmond Hill, Regional Municipality of York, municipally known as 190, 210 and 230 Major Mackenzie Drive West and 129, 133, 137, 141, 143 and 147 Arnold Crescent.

By-law 66-71, as amended, zones a portion of the lands “Residential First Density (R1) Zone”.

By-law 2523, as amended, zones a portion of the lands “First Density Residential (R1) Zone”.

By-law 84-24 will have the effect of removing the lands from By-law 2523, as amended, and rezoning the subject lands to “Multiple Residential Ten (RM10) Zone” and “Open Space (O) Zone”, with site specific provisions to permit a residential development on a portion of the lands to be comprised of one building of 8 storeys, 3 mid-rise buildings of 6 storeys each, 2 multiple dwelling blocks of 4 storeys each and 17 street townhouses of 3 storeys on the subject lands shown on Schedule “A”.





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