

Draft Zoning By-law

THE CORPORATION OF THE CITY OF RICHMOND HILL

BY-LAW NO. XX-XX

A By-law to Amend By-law No. 66-71, as amended,
of The Corporation of the City of Richmond Hill

Now Therefore the Ontario Land Tribunal hereby approves as follows:

1. That By-law No. 66-71 of The Corporation of the Town of Richmond Hill be and is hereby further amended as follows:
 - (a) by rezoning the Lands shown on Schedule "A" to this By-law No. XX-XX from "Residential Multiple Third Density (RM3) Zone" to "RM6 (158)".
 - (b) by adding the following to Section 11 - Special Provisions:

"11.158

Notwithstanding any inconsistent or conflicting provisions of By-Law 6671, as amended, the following special provisions shall apply to the lands zoned "Residential Multiple Size Density (RM6) Zone" and more particularly shown as "RM6" on Schedule "A" to By-law 109-21 and denoted by a bracketed number (11.158):

i) **DEFINITIONS**

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

- (a) **FLOOR SPACE INDEX (FSI)** means the maximum **GROSS FLOOR AREA** of all **BUILDINGS** on a **LOT** expressed as a ratio or multiple of the **LOT AREA**.
- (b) **APARTMENT DWELLING** means a **BUILDING** or **STRUCTURE** containing five or more dwelling units all of which have a common external access to the **BUILDING** by means of a common corridor system and/or direct exterior access for residential units.
- (c) **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.
- (d) **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.
- (e) **FLOOR AREA** means the total horizontal area of all floors in a **BUILDING**.
- (f) **PARKING STRUCTURE** means a **BUILDING** or part thereof used for the storage or parking of motor vehicles, which can be above or below **GRADE**.
- (g) **GROSS FLOOR AREA** 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.

- (h) **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, TAKEOUT RESTAURANT** or **FAST FOOD RESTAURANT**.
- (i) **RESTAURANT, FAST FOOD** means a **BUILDING** or **STRUCTURE** or part thereof whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready to consume state for consumption either within or outside the **BUILDING**.
- (j) **RESTAURANT, TAKEOUT** 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 his car, within the **BUILDING** or elsewhere on the site.

ii) **Uses Permitted**

The following uses shall be permitted.

- (a) DWELLING, APARTMENT(1)
- (b) STORE, RETAIL
- (c) OFFICES
- (d) RESTAURANT(2)
- (e) RESTAURANT, FAST FOOD (2)
- (f) RESTAURANT, TAKEOUT (2)

Notes:

- (1) No DWELLING UNIT shall be permitted to front on or face Yonge Street on the ground floor of a BUILDING.
- (2) The uses described in (b) to (f) inclusive shall only be permitted along Yonge Street.

iii) **Development Standards**

The following development standards shall apply:

- (a) the lands shown on Schedule "A" shall be deemed to be a LOT.
- (b) Yonge Street shall be deemed to be the FRONT LOT LINE.
- (c) Minimum LOT FRONTAGE: 20 metres
- (d) Minimum LOT AREA: 2,700 sq. metres
- (e) Minimum FRONT YARD: 1.0 metres
- (f) Minimum SIDE YARD (North): 1.3 metres
- (g) Any portion of the BUILDING that is located within 7.5 metres of the north LOT LINE shall have a maximum HEIGHT of 6 STOREYS.
- (h) Minimum SIDE YARD (South): 1.5 metres
- (i) A setback of 0 metres may be permitted to the south LOT LINE for the 2nd STOREY of the BUILDING and above.
- (j) Minimum REAR YARD: 4.0 metres
- (k) Minimum below grade SETBACK (north): 1.3 metres
- (l) The maximum FLOOR SPACE INDEX shall be 6.71.
For the purpose of calculating FLOOR SPACE INDEX, the LOT AREA shall be deemed to be 2,876.97 square metres (30,967.45 square feet), exclusive of any conveyance(s) for road allowance, road widening or daylighting triangle purposes.
- (m) Maximum GROSS FLOOR AREA: 19,304.40 square metres
- (n) Maximum HEIGHT: 21 STOREYS or 66.15 metres
- (o) A MECHANICAL PENTHOUSE shall not exceed 5.0 metres in height and

shall not occupy more than 40% of the area of the roof upon which it is located.

- (p) DWELLING UNITS along Church Street South shall have a maximum HEIGHT of 3 STOREYS.
- (q) No BUILDING or STRUCTURE or part thereof shall be located above a 45 degree angular plane measured perpendicular from the westerly LOT LINES of the residential properties on the east side of Church Street South, starting at a height equal to the finished GRADE of the LOT LINE.
- (r) Notwithstanding Section 4.51 of By-law 66-71, any portion of the first STOREY up to a maximum of 5.0 metres in height shall not be considered an additional STOREY.
- (s) Minimum commercial FLOOR SPACE: 200 square metres
- (t) Minimum driveway width: 6.0 metres
- (u) A strip of land not less than 0.7 metres in depth immediately abutting the north LOT LINE shall be used for no other purpose than landscaping. Notwithstanding the foregoing, mechanical equipment and ventilation shafts shall be permitted to encroach into the required landscaping.
- (v) AMENITY SPACE must be provided for each DWELLING UNIT at a minimum rate of 2.0 square metres per DWELLING UNIT.
- (w) The provisions of Subsection 6.9.2.1 shall not apply.

iv) PARKING AND LOADING STANDARDS

Parking and loading spaces shall be provided in accordance with the following:

- (a) Minimum number of Loading Spaces (1): 1
- (b) The minimum number of PARKING SPACES shall be calculated in accordance with the following standards:
 - Residential Uses:
 - i. Apartment Dwelling Unit: 0.43 spaces per DWELLING UNIT
 - ii. Row-house Dwelling Unit: 2.0 spaces per DWELLING UNIT
 - Non-Residential Uses:
 - v. Commercial: 4.0 spaces per 100 square metres
- (c) Minimum number of bicycle parking spaces (2): 0.6 spaces per DWELLING UNIT

NOTES:

- (1) Each loading space shall have a width of not less than 4.0 metres, a length of not less than 13.0 metres, and an overhead clearance of not less than 6.5 metres.
- (2) A minimum of 5% of the required bicycle parking spaces shall be provided at-grade.

THE CORPORATION OF THE TOWN OF RICHMOND HILL

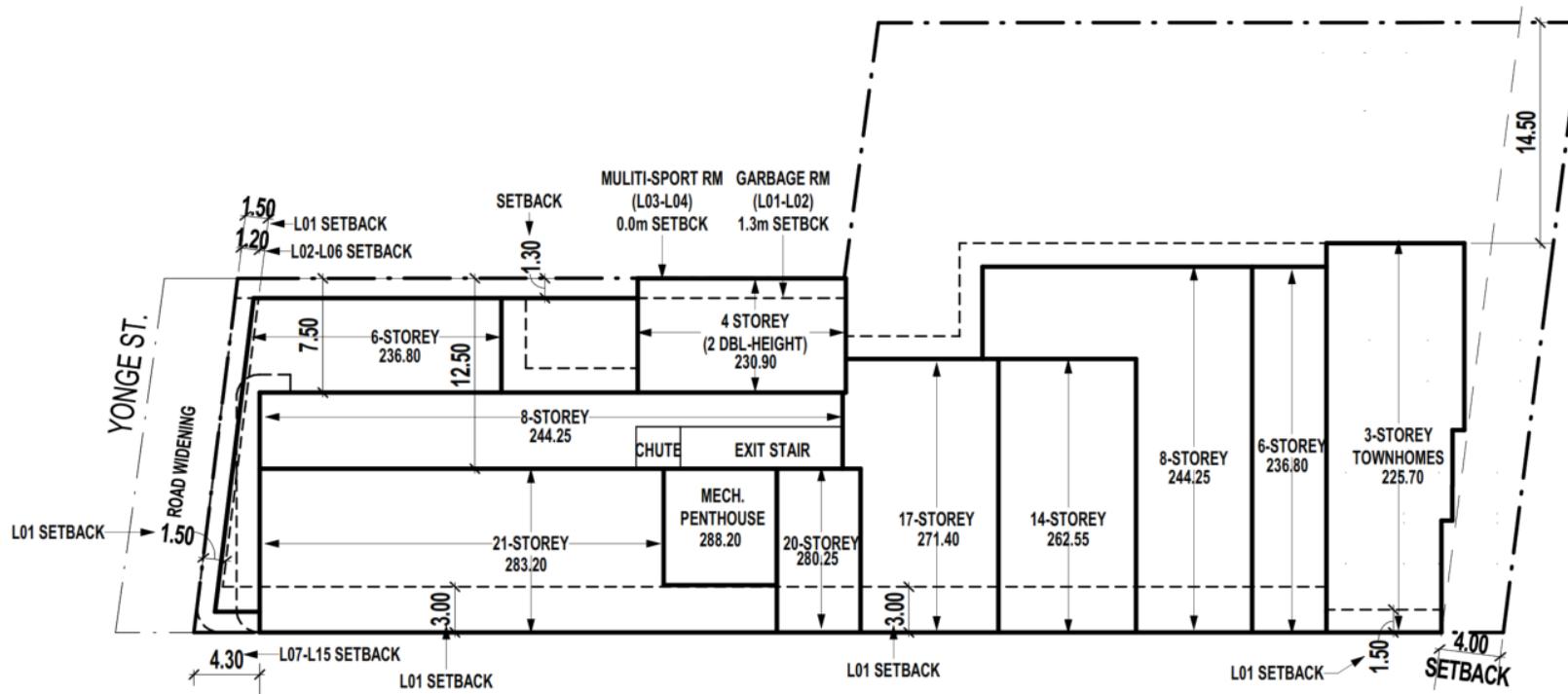
EXPLANATORY NOTE TO BY-LAW NO. XX-XX

By-law XX-XX affects the lands described as Part of Lots 22, 23, and 26 and Lots 24 and 25, Plan 2383, municipally known as 9861 Yonge Street and 236 and 240 Church Street South.

By-law 66-71, as amended, zones the subject lands “Residential Multiple Third Density (RM3) Zone” and “Residential Second Density (R2) Zone”, which does not permit the proposed development.

By-law XX-XX will have the effect of rezoning the subject lands to “Residential Multiple Six Density (RM6) Zone” under By-law 66-71, as amended, to permit a 21storey mixed use residential/commercial building on the subject lands.

DRAFT



Schedule "A" to By-Law No. "XX-XX"

This is Schedule "A" to By-law No. "XX-XX" passed by Council of The Corporation of the City of Richmond Hill on the ____ Day of _____, 202X

Mayor

Clerk

