

The Corporation of the City of Richmond Hill

By-law Number XXX-25

A By-law to regulate the use of lands and the location and use of
buildings and structures within the City of Richmond Hill

Comprehensive Zoning Zoning By-law

Jan 30/25

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SECTION 1.0 ADMINISTRATION

1.1 Title

This By-law shall be known as the “Comprehensive Zoning By-law of the City of Richmond Hill”.

1.2 Application

This By-law shall apply within the municipal boundaries of the Corporation of the City of Richmond Hill as shown on Schedule A to this By-law.

1.3 Purpose and Intent of this By-law.

This By-law regulates the use of land, the bulk, the height, location, and erection and use of **buildings** and **structures**, the provision of **parking spaces**, **bicycle parking spaces**, **loading spaces** and other associated matters in the City of Richmond Hill.

1.4 Compliance with this By-law and Other Applicable Law

- (1) No land, **building** or **structure** shall be used, and no **building** or **structure** shall be erected, altered or enlarged after the passage of this By-law except in compliance with the regulations of this By-law.
- (2) This By-law does not relieve from complying with the requirements of any other by-law of the City of Richmond Hill, as amended, or from the obligation to obtain a permit, license or approval required under any other applicable by-law, as amended or any other applicable regulation of the Regional Municipality of York, Province of Ontario, or Government of Canada authorities that may otherwise affect the use of any land, **building** or **structure**.

1.5 Calculating Required Minimum Yards

In calculating **minimum required yards**, the minimum horizontal distance from the respective **lot** lines shall be used. Except as may be established elsewhere in this by-law, the **minimum required yard** from the hypotenuse of the **daylighting triangle** shall be the lesser of the **minimum required yards** along the **flankage lot** lines of the **lot**.

1.6 Building Permits, Certificates of Occupancy and Municipal Licences

No permit for the use of land or for the erection or use of any **building** or **structure** and no Certificate of Occupancy or approval of application for municipal licence within the jurisdiction of **Council** shall be issued or given, where the proposed **building**, **structure** or use is in violation of any provision contained in this By-law.

1.7 Defined Terms

- (1) If words, terms, or phrases are highlighted in bold type in this By-law, they have the meaning provided in Section 11.0 Definitions of this By-law.
- (2) Words and Phrases
 - (a) Unless otherwise defined by this By-law, the words and phrases used in this By-law shall have the normal and ordinary meaning.
 - (b) The word “must” and “shall” are mandatory.
 - (c) Words used in the singular include the plural and words used in the plural include the singular.
 - (d) Words used in the present tense include the future tense and words used in the future tense include the present tense.

- (e) In this By-law, unless the contrary intention appears, words used in the singular include the plural; words used in the plural include the singular; "used" includes "intended to be used"; and a grammatical variation of a word or expression defined or used has the same meaning.
- (f) In this By-law, unless the contrary intention appears, words used in the singular include the plural; words used in the plural include the singular; "used" includes "intended to be used"; and a grammatical variation of a word or expression defined or used has the same meaning.
- (g) In this By-law, unless the context indicates otherwise, "and" indicates that all connected items or regulations apply; and "or" indicates that the connected items or regulations may apply singularly, alternatively or in combination.
- (h) In this By-law, a reference made to a zone category includes all zones within that zone category.
- (i) In this By-law, a reference to a zone includes its zone name, or zone label.
- (j) In this By-law, a use is permitted in a zone if it is indicated by the symbol "X" in the zone category permitted use table for that zone, or it is indicated by a special provision number symbol in the zone category permitted use table for that zone. If a use is not indicated by a "X" symbol or a special provision number symbol in the zone category permitted use table, the use is not permitted. A listed or defined permitted use may not be interpreted as including any other use.

(3) Abbreviations

For purpose of this By-law, the following abbreviations and terms shall be interpreted as follows:

- (a) "m" means metres.
- (b) "ha" means hectares.
- (c) "m²" means square metres.
- (d) "max." means maximum.
- (e) "%" means percentage.
- (f) "GFA" means gross floor area.
- (g) "FSI" means floor space index.
- (h) "GFLA" means gross floor leasable area.

(4) Technical Revisions to the Comprehensive Zoning By-law

Provided that the purpose, effect, intent, meaning and permissions of this By-law are in no way changed or altered, the following editorial revisions to this By-law are permitted without amendment:

- (a) Corrections to typographic or punctuation errors.
- (b) Additions to and revisions to technical information on schedules, including but not limited to: topographic information, labels, notes, legends, colours, shading, zone boundaries abutting new or deleted roads.
- (c) Changes, additions or deletions to illustrations, notations and other convenience features which do not form an operative part of this By-law.
- (d) Changes to any reference to legislation or regulations or sections thereof by public authority shall include any amendments or successor legislation.
- (e) Changes to the Table of Content which is not an operative part of this By-law may be made to reflect references to operative parts of this By-law.

1.8 Overlays, Illustrations, Notations and Other Convenience Features

- (1) Overlays, Illustrations and other convenience features included in this By-law are for convenience purposes only and do not form part of this By-law.
- (2) Margin notes that give information, clarify intention, provide examples or information, or refer to legislation or other by-laws or to other parts of this By-law are included for convenience and references purposes.

1.9 Administrator

This By-law shall be administered under the authority of the Chief Building Official of the City of Richmond Hill or such employee of the City of Richmond Hill as designated by the Chief Building Official.

1.10 Enforcement

Any person or corporation that contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the fine(s) as provided in the *Planning Act* and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention is guilty of an offence.

1.11 Severability

A decision of a Court of competent jurisdiction that one or more of the provisions of this By-law or any portion of Schedules are invalid in whole or in part does not affect the validity, applicability, effectiveness, or enforceability of all other provisions or parts of the provisions of this By-law.

1.12 Transition

1.12.1 Previous Approvals

The provisions of Section 1.12 are repealed three (3) years after the date that this By-law comes into force and effect. This provision shall not require an amendment to this By-law to take effect.

1.12.2 Minor Variances to Former By-laws

- a) Where the Committee of Adjustment of the **City**, the Ontario Municipal Board or the Ontario Land Tribunal has, between January 1, 2015 and the day before the day that this By-law is passed by the Council of the City, authorized a minor variance from any zoning by-law in force and effect prior to the date that this By-law was passed by the Council of the City, the provisions of this By-law (as they apply to such land, **building** or **structure**) are modified to the extent necessary to only and solely give effect to the provisions of that previous minor variance that would otherwise not be in compliance with this By-law.
- b) Sub-section a) does not authorize any relief from this By-law unless the relief was specifically granted in the previous minor variance.

1.12.3 Previous Decisions for Permission Under Section 45(2) of the Planning Act or to Extend Legal Non-Conforming Uses

Where the Committee of Adjustment of the **City**, the Ontario Municipal Board or the Ontario Land Tribunal has, between January 1, 2015 and the day before the day that this By-law is passed by the Council of the City, made a decision in accordance with Sections 45(2)(a) or (b) of the **Planning Act**, permitting a **use** that was a legal **non-conforming use** under any zoning by-law in force and effect prior to the date that this By-law was passed by the Council of the City, the provisions of this By-law (as they apply to such use, **building** or **structure**) are modified to the extent necessary to implement the previous decision made before the effective date of this By-law.

1.12.4 Site Plan and Heritage Approvals

Where site plan approval in accordance with the **Planning Act** or, a heritage permit in accordance with the *Heritage Act*, has been granted by the **City**, the Ontario Municipal Board or the Ontario Land Tribunal, between January 1, 2015 and the day before the day that this By-law is passed by the Council of the City, and a building permit for the project has not been issued, the provisions of this By-law (as they apply to such land,

building or structure), are modified to the extent necessary to implement the previous site plan approval or heritage permit.

1.12.5 Consents

- a) Where the Committee of Adjustment of the City, the Ontario Municipal Board or the Ontario Land Tribunal has, between January 1, 2015 and the day before the day that this By-law is passed by the **Council** of the **City**, authorized a provisional consent, the provisions of this By-law (as they apply to such land, **building or structure**) are modified to the extent necessary to only and solely give effect to the provisions of that provisional consent.
- b) Section 1.12.5 a) does not authorize any relief from this By-law unless the relief was specifically granted in the consent.

1.12.6 Applications in Process

1.12.6.1 Building Permit Applications

Nothing in this By-law shall prevent the erection or **use** of a **building or structure** for which a complete application for a building permit has been filed, and the required fees have been paid in full, the day before the day that this By-law comes into force and effect, if the project in question complies with the provisions of the applicable zoning by-law(s) as it read on the day before the effective date of this By-law or **Planning Act** approvals have been obtained granting relief from such zoning by-law provisions under Sections 1.12 to 1.12.5 of this By-law or **Planning Act** applications seeking relief from such zoning by-law provisions under Section 1.12.6 to 1.12.6.3 have been made and deemed complete by the City.

1.12.6.2 Site Plan Approval and Heritage Approval Applications

The requirements of this By-law do not apply to prevent the erection or **use** of a **building or structure** for which an application for site plan approval under Section 41 of the **Planning Act** or a heritage permit in accordance with the Heritage Act, was filed and deemed complete by the **City** on or prior to the effective date of this By-law provided the application conforms to all zoning by-laws in force and effect prior to the date that this By-law was passed by the Council of the City

1.12.6.3 Other Planning Act Applications

The requirements of this By-law do not apply to prevent the approval of the following applications where the application was filed and deemed complete in accordance with City's Official Plan, 2010, as amended, prior to the day that the Council of the City passed this By-law:

- a) An approval of a draft plan of subdivision;
- b) A plan of condominium approval; or
- c) A part-lot control exemption approval pursuant to Section 50 of the Planning Act.

1.13 Planning Act

A reference to The Planning Act in this By-law, refers to The Planning Act, R.S.O. 1990, c. P. 13, as amended.

1.14 Repeal and Replacement of Former Zoning By-laws

From the date of coming into full force and effect of this By-law, Zoning By-laws 1275, 1703, 2523, 2325-68, 39-71, 66-71, 181-81, 108-85, 232-85, 88-86, 107-86, 184-87, 190-87, 57-88, 256-88, 76-91, 38-95, 278-96, 312-96, 313-96, 40-02 and 111-17, all as amended, are repealed.

1.15 Effective Date

This By-law shall come into force upon March XX, 2025.

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Section 2 Establishment of Zones

For the purposes of this By-law, the following **zones** are established and they may be referred to by the name or by the symbol set opposite the name of the **zone** label below:

2.1 Zones and Zone Categories

(1) Centres and Corridor Uses, the zones in the Community Uses Zone category are:

<u>Zone Name</u>	<u>Zone Label</u>
Richmond Hill Centre	<i>(intentionally left blank)</i>
Yonge and Bernard KDA	KDA-YB
Yonge/ Carrville/ 16 th KDA	KDA-YC
Regional Mixed Use Corridor	RMU-COR1
Regional Mixed Use Corridor	RMU-COR2
Local Centre Village Zone	LC-V
Local Centre Oak Ridges Zone	LC-OR
Local Centre Newkirk Zone	LC-N1
Local Centre Newkirk Zone	LC-N2
Local Development Area	LDA1
Local Development Area	LDA1
Local Mixed Use Corridor	LMU-COR
Multiple Residential One Zone	RM1
Multiple Residential One Zone	RM2
Single Detached Four Zone	R4
Semi-detached One Zone	RD1

(2) Neighbourhoods, the zones in the Neighbourhoods Zone category are:

<u>Zone Name</u>	<u>Zone Label</u>
<i>(intentionally left blank)</i>	

(3) Employment Lands, the zones in the Employment Lands Zone category are:

<u>Zone Name</u>	<u>Zone Label</u>
<i>(intentionally left blank)</i>	

(4) Greenway System, the zones in the Greenway System Zone category are:

<u>Zone Name</u>	<u>Zone Label</u>
<i>(intentionally left blank)</i>	

(5) Leslie Street institutional Area, the zones in the Leslie Street Institutional Area Zone category are:

<u>Zone Name</u>	<u>Zone Label</u>
<i>(intentionally left blank)</i>	

(6) Utility Corridor, Trans Canada Pipeline, and Railway Zone category are:

<u>Zone Name</u>	<u>Zone Label</u>
<i>(intentionally left blank)</i>	

2.2 Location of Zones

The **zones** and **zone** boundaries are shown on the schedules which are attached to and form part of this By-law.

2.3 Determining Zone Boundaries

Where the boundary of any **zone** is shown on the schedules forming part of this By-law, the following provisions shall apply:

- a) Where a **zone** boundary is indicated as following the limits of the City of Richmond Hill, the limits of the City of Richmond Hill shall be the boundary
- b) Where a **zone** boundary is indicated as approximately following **lot lines** shown on a registered **Plan of Subdivision** or **lots** registered in a registry office or land titles office, the boundary shall follow such **lot lines**.
- c) Where a **street, lane** or railway right-of-way, electrical transmission line right-of-way, or watercourse is included on the schedules to this By-law and serves as a boundary between two or more different **zones**, a line midway on such **street, lane**, right-of-way or watercourse shall be considered the boundary between **zones** unless specifically indicated otherwise.
- d) If the **zone** boundary separates a **lot** into portions, each portion of the **lot** shall be used in accordance with the provisions and standards of this By-law for the applicable **zone**.
- e) If a **lot** is subject to the Greenway System Overlay as shown on Schedule F, the **zone** boundary may be redefined through an Environmental Impact Statement or equivalent comprehensive evaluation approved by the City through a development application pursuant to the applicable sections of the *Planning Act, R.S.O.* Where the Greenway System Overlay boundary is reduced or removed, the portion of the land formerly subject to the Greenway System Overlay shall be deemed to be in accordance with the underlying **zone** as shown on Schedule F. Where the Greenway System Overlay boundary is increased, the portion of the land formerly within the underlying **zone** as shown on Schedule F, shall be deemed to be in accordance with the Natural Areas and Hazards **Zones**.
- f) An Overlay Schedule of this By-law may alter, add or remove some of the regulations affecting the use of land within an area depicted on the respective Overlay.
- g) If a **lot** is subject to the High Aquifer Vulnerability & Wellhead Protection Area Overlay of this By-law and is identified as being wholly or partially within an area potentially identified as a high aquifer vulnerability and/or wellhead protection area, uses and **development** may be limited in accordance with the regulations contained in this By-law.
- h) Where none of the above provisions apply, the **zone** boundary shall be scaled from the attached schedules.

2.4 Exception Zones

Where a **zone** symbol on the attached schedule(s) is followed by one or more bracketed numbers, e.g. LC-V(1) or LC-V(1)(8), the bracketed numbers refer to Section 19 Exceptions of this by-law.

2.5 The Zoning Schedules and Overlay

- (1) The Zoning Schedules of this By-law show the area of all lands regulated by this By-law.
- (2) The Maximum Density Schedules of this By-law show the minimum and maximum density of certain lands covered by this By-law.
- (3) The Height in Storeys Schedules of this By-law show the minimum and maximum range or maximum number of storeys of certain lands covered by this By-law.
- (4) The Parking Strategy Areas Schedule shows the parking strategy areas for certain lands covered by this By-law.
- (5) The Greenway System Overlays Schedule E and Schedule F shows the Natural Areas and Hazards for certain lands covered by this By-law.

SECTION 3.0 REGULATIONS APPLICABLE TO ALL ZONES

3.1 General Regulations for All Zones

3.1.1 Holding Provision

Where a **zone** label on a Schedule of this By-law is followed by the bracketed letter (H), the bracketed letter indicates that the lands to which it applies have been placed in a Holding (H) provision pursuant to Section 36 of the Planning Act and the City of Richmond Hill Official Plan, as amended. Lands as shown on a Schedule with the Holding (H) provision, may be subject to the following:

- a) Legally existing uses, **buildings** or **structures** may continue to be permitted.
- b) Non-residential uses permitted in the applicable permitted use table in this By-law may be permitted to locate within legally existing **buildings** or **structures**;
- c) Additions to existing **buildings** referred to in (a) in this section, pursuant to Section 3.1.11 Interim Development shall be permitted.
- d) A sales trailer pursuant to Section 3.1.2 of this By-law may be permitted.
- e) No **buildings** or **structures**, save and except for (a), (b), (c) and (d) in this section, may be permitted on a **lot** until the Holding (H) provision has been removed from that **lot**, in whole or in part, pursuant to an application to amend this By-law and may be subject to the following requirements:
 - i. **Lots** identified on Schedules to this By-law may provide and maintain the total non-residential **gross floor area** prescribed as the minimum requirement for each **lot**. The non-residential **gross floor area** may be located within one or more existing **buildings**, additions to existing **buildings** or new **buildings**, and may be provided within one or more phases of development.
 - ii. Where successive phases of development are proposed, the submission of a concept plan which demonstrates the proposed phasing of development to the satisfaction of the **City**;
 - iii. a Transportation Planning Study and a Transportation Demand Management Strategy which demonstrates to the satisfaction of **Council** or other approval authority that the proposed use of the lands, **buildings** or **structures** complies with the requirements prescribed in the applicable sections of the Official Plan dealing with Holding By-law; and,
 - iv. a Functional Servicing Report subject to the satisfaction of the **City**.

3.1.2 Temporary Construction and Sales Uses

- (1) Nothing in this By-law may prevent, in any zone other than a Natural Areas and Hazards **Zones**, **uses** incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other **building** or **structure** incidental to the construction on a **lot** only for so long as the same are necessary for work in progress which has neither been finished nor abandoned.
- (2) Nothing in this By-law may prevent, in any **zone** other than a Natural Areas and Hazards **Zones**, the use of land for a sales office for the sale of residential or commercial **suites** or **dwelling units** provided that the following criteria are met:
 - a) The **suites** or **dwelling units** to be sold are within the limits of the designated area of this By-law; and
 - b) Any sales office or **building** is removed within sixty (60) days after completion of the last **suite** or **dwelling unit** as the case may be.

3.1.3 Non-Complying Lots

- (1) Vacant Non-Complying

A **building** or **structure** may be **erected** and used on a vacant **non-complying lot** that is a **lot** of record that legally existed prior to the passing of this By-law, provided that it complies to all other provisions of this By-law.

(2) Non-Compliance as a Result of Expropriation

Notwithstanding any other provision of this By-law, where, as a result of the acquisition of part of a **lot** by the **Corporation** or other body having a power of expropriation and the **lot**, after the acquisition, is a **non-complying lot**, such **non-complying lot** may be used for any purpose permitted by this By-law within the **zone** in which it is located provided that the use is permitted by this By-law.

3.1.4 Non-Complying Buildings and Structures and Lot Conditions

Enlargement, Repair or Renovation

- (1) A **non-complying building** or **structure** shall be deemed to comply with the development standards of this By-law as of the effective date of this By-law.
- (2) No **non-complying building** or **structure** may be enlarged, repair or renovated unless subject to any applicable interim development regulations in this By-law. No **non-complying building** or **structure** may be enlarged, repair or renovated unless subject to Section 3.1.11.

3.1.5 Non-Complying as a Result of Expropriation

- (1) Notwithstanding any other provision of this By-law, where, as a result of an acquisition of property by the **Corporation** or other body having a power of expropriation, such acquisition results in a contravention of this By-law relating to minimum **yards**, **lot coverage**, maximum **gross floor area** or minimum usable open space then the lands so acquired shall be deemed to continue to form part of the **lot** upon which the **building** or **buildings** are located in determining compliance with this By-law.

3.1.6 Non-Conforming Uses

- (1) No lands shall be used and no **building** or **structure** shall be used except in conformity with the provisions of this By-law unless such use existed before the date of passing of this By-law and provided that it has continued and continues to be used for such purpose, and that such use, when established, was not contrary to any existing By-law in force at that time.
- (2) Any **non-conforming use** of land, **building** or **structure** which is discontinued or unused for an interval of more than sixty (60) days shall not be resumed nor shall any **non-conforming use** be changed to any other **non-conforming use**.
- (3) Any **building** or **structure** containing a **non-conforming use** which is damaged or destroyed to the extent of more than fifty percent (50%) of the exterior walls are damaged or destroyed, shall not be restored, reconstructed, or used except in conformity with the requirements of this By-law for the **zone** in which it is located.

3.1.7 Further Division of Lots or Blocks on a Registered Plan for Street Townhouses and Dwelling Units

- a) Where **dwelling units** in a **street townhouse** or multiple dwellings are constructed on separate **lots**, no **side yard** shall be required where a **dwelling unit** has a common wall with an adjacent **dwelling unit**.
- b) Where **dwelling units** in a **street townhouse dwelling** are first constructed on a **lot** or **block on a registered plan** in conformity with this By-law, the provisions of this By-law for minimum **lot frontage** and minimum **lot area** shall not be deemed to be contravened by reason of a division of the **dwelling units** in the **street townhouse dwellings** onto separate **lots** in accordance with the *Planning Act*, R.S.O. 1990, provided that all other requirements of this By-law are met, including Section 3.1.10.

3.1.8 Common Element Condominiums

Where any form of **dwelling units** or **premises** is **erected** in conformity with a **Site Plan Agreement**,

- a) part of the lands affected by the **Site Plan Agreement** are **parcels of tied land** with respect to that **common element condominium**; and

- b) the balance of the lands affected by the **Site Plan Agreement** are **parcels of tied land** with respect to that **common element condominium**.

No provision of this By-law shall be deemed to be contravened by reason of the conveyance of a **parcel of tied land** upon which a **dwelling unit** or **premises** is **erected**, provided that all of the standards of this By-law are met for the lands as a whole, as set out in the **Site Plan Agreement** and provided the **common element condominium** and the **parcels of tied lands** are contiguous.

3.1.9 Application for Approval for a Condominium Description

The following provision shall apply to **buildings, dwelling units** or **premises** designated in an application for approval of a condominium description pursuant to the *Condominium Act*, 1998, as amended or a successor thereto:

Where any form of **buildings, dwelling units** or **premises** is erected in conformity with a **site plan agreement** and where the **buildings, dwelling units** or **premises** is proposed for approval pursuant to the *Condominium Act*, no provisions of this By-law shall be deemed to be contravened by reason of either a consent for mortgage purposes or the registration of a condominium description provided that all of the standards of this By-law are met for the lands as a whole as set out in the **site plan agreement**.

3.1.10 Municipal Services

- (1) The following provisions shall apply to prohibit the use of land or the erection of **buildings** or **structures** unless such municipal services as set out below are available to service the land, **buildings** or **structures**:
- a) For the purposes of this section, all municipal services provided for in this regulation are deemed to include all required service connections to the **street line** of the land on which the **building** or **structure** is to be located.
 - b) Notwithstanding the provisions of this or any other by-law hereinbefore or hereinafter enacted pursuant to Section 34 of the Planning Act or any predecessor thereof, by Council, or any predecessor thereof, no land shall be used and no **building** or **structure** shall be erected or used for any purpose unless:
 - i. water and sanitary sewer capacity are both available and Council has allocated water and sanitary sewer capacity to service the said lands and **building** or **structure**, or Council has exempted the development or the class of development from the requirement for allocation capacity;
 - ii. the Commissioner has confirmed that municipal services are available in accordance with regulation (c) hereof or regulation (d) hereof as the case may be.
 - c) For the purposes of this regulation, municipal services are deemed to be available to the lands, **building** or **structure** within a plan of subdivision registered after the enactment of this By-law, when the **street**, water, storm sewer, sanitary sewer and stormwater management facilities required to service such lands, **building** or **structure** satisfy the following requirements:
 - i. the public highways and **lanes** in the plan of subdivision or external to the plan of subdivision necessary to service the lands, **building** or **structure** have been constructed to base course asphalt;
 - ii. the watermain, sanitary sewers, storm sewers, and stormwater management facilities necessary to service the lands, **building** or **structure** have been constructed and are operational;
 - iii. with respect to any required sanitary, storm and watermain trunks and stormwater management facilities external to the plans of subdivision:
 1. all property required for the service have been conveyed to the **City** or other government having jurisdiction;
 2. all easements required for the service have been conveyed to the **City** or other government having jurisdiction;

- iv. the watermain and required service connections have been disinfected in accordance with any applicable Province of Ontario standards and/or requirements and the City of Richmond Hill Standards and Specifications Manual, and the water being provided to the lands, **building** or **structure** meets any applicable Province of Ontario standards and/or requirements and the quality standards set out in the City of Richmond Hill Standards and Specifications Manual;
 - v. the watermain and any required service connections have been hydrostatically tested in accordance with any applicable Province of Ontario standards and/or requirements and the City of Richmond Hill Standards and Specifications Manual;
 - vi. a water flow test has met any applicable Province of Ontario standards and/or requirements and the City of Richmond Hill Standards and Specifications Manual; and
 - vii. two separate vehicular accesses into any plan of subdivision have been provided and kept open for the purposes of ingress and egress, to the satisfaction of the **Commissioner**.
- d) For the purposes of this By-law, municipal services are deemed to be available to the lands, **building** or **structure** that is not within a plan of subdivision referred to in regulation (c), or that is within a plan of subdivision referred to in regulation (c) but that is to be located on a parcel of land that is not the whole of a **lot** within that plan of subdivision, but which is created pursuant to the enactment of a by-law under subsection 50(5) of the Planning Act or pursuant to a consent under section 53 of the Planning Act, when the roads, water, storm sewer and sanitary sewer and stormwater management facilities required to service the lands, **building** or **structure** satisfy the following requirements:
- i. where the lands do not front on an assumed public highway or highway established by the **City** or Region of York, an access route for fire department use, in accordance with the provisions of the Building Code, O.Reg. 350/06, as amended, or any successor legislation or regulation, has been provided;
 - ii. where any of a watermain, sanitary sewer and storm drainage system are available within a public highway adjacent to the land on which the **building** or **structure** is to be located, those services are constructed and operational;
 - iii. where a new watermain extension is required to provide water service, the watermain and any required service connections have been disinfected in accordance with any applicable Province of Ontario standards and/or requirements and the City of Richmond Hill Standards and Specifications Manual, and the water being provided to the lands, building or structure meets any applicable Province of Ontario standards and/or requirements and the quality standards set out in the City of Richmond Hill Standards and Specifications Manual;
 - iv. where a new watermain extension is required to provide water service, the watermain and any required municipal service have been hydrostatically tested in accordance with any applicable Province of Ontario standards and/or requirements and the City of Richmond Hill Standards and Specifications Manual; and
 - v. where a new watermain extension is required to provide water service, a water flow test has been conducted in accordance with any applicable Province of Ontario standards and/or requirements and the City of Richmond Hill Standards and Specifications Manual.
- e) Notwithstanding the requirements of regulation (c) or regulation (d), for the purposes of this regulation, water and sanitary sewer capacity and municipal services otherwise required by this By-law may be deemed by the **Commissioner**, in his or her absolute discretion, to be available to service a building containing three (3) or more dwelling units and having four (4) or more

stories, up to nine (9) months prior to the time that such municipal services are actually completed and operational.

- f) Notwithstanding the requirements of regulation (c) or regulation (d), for the purposes of this regulation, municipal services otherwise required by this By-law may be deemed by the **Commissioner**, in his or her absolute discretion, to be available to service a **non-residential building** up to two (2) months prior to the time that such municipal services are actually completed and operational.
- g) Nothing in this regulation shall prevent the erection of model home and sales offices, subject to such terms and conditions as established by the City and provided that an access route for fire department use in accordance with the Building Code, O. Reg. 350/06, as amended, or any successor legislation or regulation, has been provided.

3.1.11 Interim Development

- (1) Notwithstanding any other provision of this By-law to the contrary, expansions of existing **building(s)** or **structure(s)** shall be permitted provided:
 - a) the expansion of **building(s)** or **structure(s)** is for non-residential uses prescribed in Table A1 only;
 - b) the expansion of **building(s)** or **structure(s)** is no greater than 15% of the total **gross floor area** of the existing **building(s)** or **structure(s)** as of the effective date of this By-law;
 - c) that the expansion of **building(s)** or **structure(s)** have a maximum **building height** of 2 **storeys** and shall not include below **grade structures**; and,
 - d) the expansion of **building(s)** or **structure(s)** shall comply with all other provisions of this By-law, save and except for minimum **building height**, minimum density and maximum **parking spaces**.
 - e) this section shall not apply to any expansions of **building(s)** or **structure(s)** greater than 15% as prescribed in (b) or greater than 2 **storeys** as prescribed in (c). Such expansion of **building** or **structure** shall be subject to the provisions of this by-law.
- (2) Within the KDA-YC new stand-alone **building(s)** or **structures** are also permitted in addition to Section 3.1.11(1) provisions.

3.1.12 Public Authority

- (1) A **Public Authority** is permitted to use and develop any **lot, building, structure or infrastructure** in all **zones**.
- (2) Utilities including **buildings, structures** and **accessory** facilities used for the distribution of gas, steam, electricity or other forms of energy, and telecommunication provided by entities other than a **Public Authority** shall be permitted.

3.1.13 Multiple Use on One Lot

Where any **building, structure** or land is used for more than one purpose as provided in the permitted use sections of this By-law, the said **building, structure** or land shall comply with the provisions and standards of this By-law relating to each use. In the case of a conflict, the more stringent regulation shall apply.

3.1.14 Frontage on a Public Street

No **building** or **structure** shall be **erected** and no **building, structure, lot**, or parcel shall be used or occupied unless the **lot** or parcel to be used, or upon which the **building** is situated or **erected** or proposed to be **erected**, abuts or fronts onto a **street** which is assumed by the **Corporation** for maintenance purposes or is being constructed pursuant to a subdivision agreement with the **Corporation**.

3.2 Mechanical Equipment and Penthouses

- a) Parapets, **mechanical penthouses**, and other decorative roof **structures** including screening of mechanical equipment up to a maximum height of 6 metres shall be deemed not to be a **storey** and shall be excluded from the calculation of maximum **building height**.
- b) Rooftop mechanical equipment that is less than a height of 2 metres shall be fully screened by an architectural feature of equivalent height.
- c) Rooftop mechanical equipment that exceeds a maximum height of 2 metres shall be fully enclosed within a **mechanical penthouse** or screened by an architectural feature of equivalent height.
- d) Rooftop mechanical equipment shall be stepped back a minimum of 3 metres from all edges of a roof.

3.3 Amenity Space

A **high-rise, mid-rise or low-rise building** with 20 or more **dwelling units** must provide **amenity space** for each **dwelling unit** at a rate of 2 square metres per **dwelling unit**.

3.4 Projections

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

Table 3.4 Permitted Encroachments

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
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	1. Front yard, flankage 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; or 2. any yard for other building types.	2.0 metres
Roof overhangs	any yard	90 centimetres
A canopy or portico 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

- b) No balcony projecting into a **minimum required yard** as permitted by this Subsection shall be enclosed to a height of more than 1.07 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.
- c) In no case shall the roof overhang of any **detached accessory structure** encroach any closer than 0.45 metres to any **lot line**.
- d) No balconies, terraces, pillars, structural supports or projections greater than 0.6 metres shall be permitted within the first 10.5 metres of **building height** of a **main wall** of a **podium** of a **mid-rise or high-rise building** abutting a **front yard, flankage yard**, or any other **yard** abutting a **street, lane or public park**.

- e) Any flagpoles, lights, signage, **mechanical penthouses**, unenclosed balconies and terraces, parapets, **fences** and **at-grade landscaping** shall be permitted to project into the **angular plane**.

3.5 Separation

The following provisions shall apply to the **podium** of a **high-rise building**, or a **mid-rise building** on a **lot**:

- a) Where a **main wall** of the **building** has windows and a line projected at a right angle from a **main wall** intercepts another **main wall** of a **building** or the same **building** with windows on the same **lot**, the minimum required above **grade** distance between the **main walls** shall be 15.0 meters.
- b) Where a **main wall** of the **building** has windows abuts another **main wall** of a **building** or the same **building** on the same **lot** which does not have windows and a line projected at a right angle from a **main wall** intercepts the other **main wall** of a **building** or the same **building**, the required minimum above-**grade** distance between the **main walls** is 7.5 metres.

3.6 Landscaping

- a) The following provisions shall apply to a **high rise, mid-rise or low rise building** on a **lot**:
 - i. A minimum of 20% of the **lot area** must be **landscaping**, which may be located at **grade** or on top of a **building** or **structure**; and,
 - ii. Where a **high-rise, mid-rise or low-rise building** abuts a **street townhouse dwelling, block townhouse dwelling** except as otherwise permitted under **stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **quadruplex dwelling**, a strip of land not less than 3.0 metres in depth shall be used for **landscaping**.
- b) The following provisions shall apply to a **street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **quadruplex dwelling**:
 - i. A minimum 45% of the area of a **front yard** or a **flankage yard** shall be used for no other purpose than **landscaping**. Notwithstanding the foregoing, where a by-law permits **detached accessory structures** or **porches** to project into a **front yard** or **flankage yard**, the area of the **lot** covered by the **detached accessory structures** or **porches** shall be included in the calculation of the minimum **landscaping**; and,
 - ii. The parking of motor **vehicles** in **landscaping** is prohibited.

3.7 Building Unit Mix

For a **high rise, mid-rise or building** with 20 or more **dwelling units**, a minimum 5% of the total number of **dwelling units** shall contain 3 or more bedrooms per **dwelling unit**.

3.8 Accessory Buildings, Structure and Use Regulations for All Zones

Where this By-law provides that land may be used or a **building** or **structure** may be **erected** or used for a purpose, that purpose may include any **accessory building** or **accessory structure**.

3.8.1 Uses Prohibited in Accessory Buildings and Structures

- (1) Unless specifically permitted by this By-law, no **accessory building** or **accessory structure** shall be used for an occupation for gain or profit or for human habitation.

- (2) An **accessory** use to a **major retail** use shall be permitted for outdoor display and sales of seasonal items, provided that all other provisions of this By-law are met.

3.9.1 Regulations for Accessory Home Occupations

3.9.1 Use Regulations

- (1) **Home occupation** is permitted in a **dwelling unit** occupied as a **principal residence** of the operator of the **home occupation**, and provided the home occupation use:
- 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 vapours, heat, glare, noise or radiation, or recurrently generated ground vibrations;
 - f. Shall not consist of activities that involves the salvage, repair, maintenance or sales of motor vehicles or motor vehicles' engines or parts;
 - g. Shall not be an animal shelter, veterinary services, or kennel;
 - h. Shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except that telephone, mail order, and internet sales of goods may be permitted provided that customers do not enter the premises to inspect, purchase or take possession of the goods;
 - i. Shall not require receipt or delivery of merchandise, goods or equipment by other than a passenger motor vehicle or by parcel or letter carrier mail service using motor vehicles typically employed in residential deliveries;
 - j. **Home occupation** shall not include an individual engaged with the **home occupation** that does not reside within the **principal residence**.
 - k. If involving instructional activity or personal service establishment use, shall not be occupied by more than four students or patrons at any one time;
- (2) **Private home daycare** uses are permitted as a **home occupation** use in a **dwelling unit** occupied as a **principal residence** of the operator of the **home occupation**.

3.10 Short Term Accommodations

A **short-term accommodation** is permitted in a **dwelling unit** or **accessory residential unit**, if the **dwelling unit** or **accessory residential unit** is on a **lot** exclusively occupied as a **principal residence** of the operator of the **short-term accommodation**.

3.11 Regulations for Detached Accessory Buildings and Structures

A **detached accessory building** or **structure**, shall be permitted in the **rear yard** and/or **side yard** only, provided that:

- a) it is **setback** from any **rear lot line** and **side lot line** by a minimum of 0.6 metres;
- b) it is not located closer to a **flankage lot line** than the minimum distance between the nearest point of the **main wall** of the **main building** on the **lot** and the **flankage lot line**; and,
- c) the height of a **detached accessory structure** with a peaked roof (having a slope equal to or greater than 1 :6 ratio) shall not exceed 3.6 metres to the peak of the roof with a maximum wall height of 2.44 metres, or the height of a **detached accessory structure** with a flat roof (having a slope of less than 1:6 ratio) shall not exceed 2.75 metres.

3.12 Regulations for Attached Garages if the Garage is Located in the Rear Yard

An **attached garage** to a **street townhouse dwelling**, **block townhouse dwelling**, **stacked townhouse dwelling**, **rear lane townhouse dwelling**, **back to back dwelling** or a **multiplex dwelling** is permitted in a required **rear yard** provided that:

- a) no more than 50 percent of the area of the required **rear yard** is covered by the **attached garage**;
- b) the **attached garage** is not located closer to the **flankage lot line** and **side lot line** than the **main building** on the **lot**; and,
- c) the **attached garage** shall be **setback** a minimum of 0.6 metres from the **rear lot line**.
- d) Notwithstanding the above, there is no minimum **setback** from the **side lot line** for an **attached garage** if the **attached garage** is to be **attached** to another **attached** or **detached garage** on an **abutting lot**.

3.13 Regulations for Detached Garages

A **detached garage** to a **street townhouse dwelling**, **block townhouse dwelling** or **rear lane townhouse dwelling** is permitted on a **lot** provided that:

- a) if the wall of the **detached garage** closest to and adjacent to the **side lot line** has no openings, the **detached garage** shall be **setback** from the **side lot line** by 0.6 metres;
- b) if the wall of the **detached garage** closest to and adjacent to the **side lot line** has openings, the **detached garage** shall be **setback** from the **side lot line** by the required **side yard setback**;
- c) if the **detached garage** is to be **attached** to another **detached garage** on an **abutting lot**, no minimum **setback** shall be required for the **detached garage** from the **side** and/or **rear lot line**;
- d) if a **detached garage** is accessed from a **lane** at the rear of a **lot**, the **detached garage** shall be **setback** a minimum of 0.5 metres from the **rear lot line**;
- e) if a **detached garage** is not accessed from a **lane** at the **rear of a lot**, the **detached garage** shall be **setback** a minimum of 0.6 metres from the **rear lot line**;
- f) the maximum **floor area** of any **detached garage** shall be 40 square metres;
- g) the maximum height of any **detached garage** shall be 4.2 metres to the peak of the roof. In the case of a **detached garage** having an **accessory dwelling unit**, the maximum height shall be 7.5 metres to the peak of the roof;
- h) in no case shall a **detached garage** extend closer to the **front lot line** or **flankage lot line** than the **main building** on the **lot**;
- i) the **detached garage** is **setback** from the **rear lot line** a minimum of 0.6 metres; and,
- j) the minimum interior width for a single car **detached garage** shall be 3.0 metres and the minimum interior width of a double car **detached garage** shall be 5.6 metres.

3.14 Interior Garage Width

An **attached garage** to a **street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **multiplex dwelling** shall have a minimum interior width for a single-car **attached garage** shall be 3.0 metres and the minimum interior width of a double-car **attached garage** shall be 5.5 metres.

3.15 Regulations for Decks and Porches

Decks and **porches** are permitted on any **lot** comprised of **street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **quadruplex dwelling** in accordance with the following regulations:

- a) **Porches** not exceeding 4.5 metres in height, with the height being measured from the **established grade** to the underside of the rafters or ceiling of the **porch** and with or without **basements**, may encroach into:
 - i. a **minimum required front yard** to a distance of 2.0 metres, provided the **porch** is not closer to a **side lot line** than the **main building** on the **lot**,
 - ii. a **minimum required flankage yard** a distance of 1.5 metres: and,
 - iii. a **minimum required rear yard** a distance of 2.5 metres, provided the **porch** is not closer to a **side lot line** than the **main building** on the **lot**.
- b) **Decks** which are 0.6 metres in height or greater are permitted to encroach into the **minimum required rear yard** to a distance of 2.5 metres, 0.6 metres from the **side lot line**, but in no case shall the **deck** extend beyond a side **main wall** of the **dwelling** and, 2.40 metres from the **flankage lot line**; and,
- c) **Decks** less than 0.6 metres in height are permitted to encroach into the **minimum required rear yard** provided the **deck** is located a minimum of 2.0 metres from the **rear lot line**, 0.6 metres from the **side lot line**, but in no case shall the **deck** extend beyond a **side main wall** of the **dwelling** and, 3.0 metres from the **flankage lot line**.
- d) No **deck** or **porch** shall be enclosed to a height of more than 1.07 metres above floor level, exclusive of roof supports, but this shall not prohibit the enclosure of a **deck** or **porch** by latticing or screening or any other form of enclosure to the extent that 50% of the vertical plane of the wall is open to the movement of air.
- e) Notwithstanding the above provisions, stairs used to access a **deck** or a **porch** or an **entry element** shall be **setback** at least 0.45 metres from any **lot line**.

3.16 Outdoor Patio

3.16.1 Use Regulations

- (1) Notwithstanding any provisions to the contrary in any other Section of this By-law, an **outdoor patio** is hereby permitted as an **accessory** use to a **restaurant** or any other similar **premises** where food or refreshments are consumed by the public in all **zones** where such uses are permitted, subject to the provisions of this By-law.

- (2) An **outdoor patio** shall not constitute more than twenty percent (20%) of the **Gross Floor Area (G.F.A.)** of the **restaurant** or similar establishment it serves, but in no case shall constitute more than one hundred and fifteen (115) square metres in total **outdoor patio** area.
- (3) The **outdoor patio** area may be permitted to displace existing **parking spaces** only if the total remaining **parking spaces** satisfy the minimum parking requirements for the main **building**.
- (4) **Outdoor patios** shall be prohibited in any **yard** which abuts any Neighbourhood Residential zone except where such zones are separated by an arterial road as designated in the City of Richmond Hill Official Plan. **Outdoor patios** located on a **deck**, terrace or rooftop shall not be permitted on any site which abuts any Neighbourhood Residential zone except where such zones are separated by an **Active At Grade Frontage**.
- (5) The **outdoor patio** ground surface shall consist of appropriate hard surface materials and may also include perimeter **landscaping** and plantings.
- (6) The **outdoor patio** area shall be delineated and enclosed with an appropriate barrier with a minimum of one emergency access available to outside of the **outdoor patio**.
- (7) The **outdoor patio** area shall not interfere with any on-site **parking space**, pedestrian, vehicular circulation or **loading space**. The barrier for the **outdoor patio** area shall be **setback** a minimum of 1.5 metres from any adjacent **driveway**, internal circulation area, parking aisle, or **loading space**.
- (8) The use of musical instruments, live performances or other mechanical or electrical music equipment, including outdoor speakers and amplifiers is prohibited unless the outdoor patio, whether at grade or on a deck or terrace or a rooftop, is located at least one hundred (100) metres (328 ft.) from a residential property located in any adjacent Neighbourhood Residential Zone.
- (9) All illumination from lighting sources for outdoor patios shall be directed towards the outdoor patio only and shall be diverted away from adjacent properties, streets and lanes and shall be in accordance with the Town of Richmond Hill Light Pollution By-law.

3.17 Reserve

For the purpose of this By-law, a 0.3 metre reserve shall be considered part of the abutting public road and not the lot.

3.18 Additional Residential Units

The following shall apply to Additional Residential Units:

- (1) Additional Residential Units shall not be permitted unless the primary dwelling unit is contained within a dwelling type listed in subsection 3(1) of this amending by-law that is located:
 1. on a lot that has lot frontage on a street and has direct vehicular access to a street;
 2. on a parcel of tied land; or,
 3. on a parcel of land within a common element condominium, and which lot or parcel is separately serviced by municipal sewage works and drinking water system.
- (2) Up to three (3) Additional Residential Units may be permitted per lot, provided:

1. the total number of dwelling units per lot does not exceed four (4); and,
 2. the number of Additional Residential Units in an Accessory Residential Building does not exceed two (2).
- (3) No Additional Residential Units shall be located in Natural Areas or Hazard Land Zone.
- (4) No Additional Residential Unit shall be permitted unless it adheres to the following development standards:
- (1) For a lot where access to an Additional Residential Unit is from a side yard, flankage yard, or rear yard, the following shall apply:
 1. a minimum 1.0-metre-wide (3.28 feet) clear access path must be provided from a street or lane to the Additional Residential Unit entrance;
 2. the clear access path must have hard landscaping along its entirety;
 3. a minimum vertical clearance of 2.1 metres (6.89 feet) must be provided for the entire length of the clear access path;
 4. no encroachments are permitted into the clear access path; and,
 5. where an Additional Residential Unit has more than one access, at least one access must not contravene Section 3.18(4)(1) through 3.19(4)(4) of this By-law.
 - (5) For an Additional Residential Unit located in the principal dwelling, the following shall apply:
 1. a maximum of two (2) entrances to dwelling units, including the primary dwelling unit, are permitted to be located above grade on the front building elevation of the principal dwelling and oriented parallel to the street.
 2. notwithstanding Section 3.18(5)(1), entrances to dwelling units in excess of two (2) are permitted to be located on the front building elevation of the principal dwelling if they are located below grade and/or oriented perpendicular to the street.
 3. notwithstanding any provisions to the contrary, entrances to dwelling units shall be permitted on the side building elevation of the principal dwelling if the setback from that side lot line to the dwelling unit entrance is no less than 1.0 metre (3.28 feet) and the clear access path described in Section 3.18(4)(1)(1) of this By-law is provided.
 - (6) No Accessory Residential Building shall be permitted unless it adheres to the following development standards:
 1. only one (1) Accessory Residential Building is permitted per lot;
 2. an Accessory Residential Building shall only be located in the rear yard of a dwelling type listed in subsection 3(1) of this amending bylaw;
 3. an Accessory Residential Building shall not be permitted to be located in a side yard, flankage yard or front yard;
 4. an Accessory Residential Building may contain an integral garage provided it adheres to the development standards for the zone for both Accessory Residential Buildings and detached garages;
 5. the minimum side yard setback of an Accessory Residential Building shall be 1.2 metres (3.94 feet);
 6. the minimum rear yard setback of an Accessory Residential Building shall be 1.2 metres (3.94 feet);
 7. the minimum flankage yard setback of an Accessory Residential Building shall be the setback of the principal dwelling;

8. a main wall of an Accessory Residential Building shall be no less than 4.0 metres (13.12 feet) from a main wall of the principal dwelling on the same lot;
 9. an Accessory Residential Building may not exceed two (2) storeys;
 10. the height of the main walls of an Accessory Residential Building shall not exceed an elevation equal to 6.0 metres (19.68 feet) above average grade;
 11. the height of an Accessory Residential Building shall not exceed 7.5 metres (24.61 feet) measured from average grade to the highest point of the roof;
 12. the building coverage of an Accessory Residential Building shall not exceed 80.0 square metres (861.11 square feet), inclusive of any area covered by an integral garage;
 13. no rooftop outdoor amenity areas shall be permitted on an Accessory Residential Building;
 14. no balconies or platforms higher than 1.0 metre (3.28 feet) above grade shall be permitted on the side building elevation or rear building elevation of an Accessory Residential Building if that side lot line or rear lot line, respectively, directly abuts a lot in a residential zone;
 15. a minimum of 50% of the rear yard area shall be soft landscaping.
- (7) For a lot containing, on the day of the adoption of this amending by-law, a lawfully existing detached garage or a lawfully existing detached accessory structure with setbacks and/or separation less than required by Sections 3.18(6)(10) through 3.18(7)(13) of this By-law, the minimum setbacks and/or separation for an Accessory Residential Building shall be:
1. the minimum side yard setback for that lawfully existing detached garage or lawfully existing detached accessory structure; and,
 2. the minimum rear yard setback for that lawfully existing detached garage or lawfully existing detached accessory structure; and
 3. the minimum separation from the principal dwelling for that lawfully existing detached garage or lawfully existing detached accessory structure.
- (8) For a lot containing, on the day of the adoption of this amending by-law, a lawfully existing Additional Residential Unit located above a detached garage with heights in excess of the maximums permitted by Sections 3.19(6)(14) and Section 3.18(6)(15) of this By-law, the maximum heights for an Accessory Residential Building shall be:
1. the maximum main wall height for that lawfully existing Additional Residential Unit located above a detached garage; and,
 2. the maximum height measured from average grade to the highest point of the roof for that lawfully existing Additional Residential Unit located above a detached garage.
- (9) An Additional Residential Unit shall not be solely accessed from within a garage, whether attached to or detached from a principal dwelling.
- (10) Accessory Residential Buildings shall not be included in the calculation of lot coverage for detached accessory structures, nor the calculation of lot coverage for the principal dwelling, as may be required by the Zoning By-laws;
- (11) On a lot containing an Accessory Residential Building, no other detached accessory structures shall be permitted except bicycle parking.
- (12) Provisions related to rear yard amenity space, or any similar provisions, of the Zoning By-laws shall not apply to a lot containing an Accessory Residential Building;

- (13) Home occupations uses shall not be permitted within Additional Residential Units.
- (14) Notwithstanding any minimum parking provisions for the primary dwelling unit within the Zoning By-laws, for a lot containing one (1) or more Additional Residential Units, the following parking standards apply:

1. The minimum total number of parking spaces required for a lot containing one (1) or more Additional Residential Units is shown in Table 3.19 with respect to lands shown on Schedule D PSA1, PSA2, PSA3 and PSA4 to this By-law. For greater clarity, the number of parking spaces required for a lot shown in Table 3.19 includes any parking spaces required for the primary dwelling unit.

Table 3.18A Minimum Total Number of Parking Spaces

Parking Strategy Area	PSA1	PSA2	PSA3	PSA4
Lot containing one (1) or two (2) Additional Residential Units	0	1(1)	1(1)	2(1)(3)
Lot containing three (3) Additional Units	0	1(1)	2(1)(3)	3(1)(2)(3)

Table 3.18B Special Provisions

1	Notwithstanding Section 3.18(14)(1) of this By-law, where the Zoning By-laws do not require parking spaces for the primary dwelling unit, then no parking spaces shall be required for a lot containing one (1) or more Additional Residential Units.
2	Notwithstanding Section 3.18(14)(1) of this By-law, where a lot has a frontage of less than 9.0 metres (29.53 feet), no more than two (2) parking spaces shall be required.
3	Notwithstanding Section 3.18(14)(1) and Special Provision (2) of this Bylaw, where the Zoning By-laws require a minimum of one (1) parking space for the primary dwelling unit, then a minimum of one (1) parking space shall be required for a lot containing one (1) or more Additional Residential Units.

2. On a lot or parcel referred to in Section 3.18(1)(1) and Section 3.18(1)(2) of this amending by-law, all parking spaces required for the primary dwelling unit and each Additional Residential Unit shall be located on a dedicated driveway and/or within a garage, whether attached or detached, on the same lot or parcel of tied land on which the primary dwelling unit is located.
3. On a parcel referred to in Section 3.18(1)(3), the required parking spaces shall serve exclusively the primary dwelling unit.
4. Parking spaces provided by way of a shared parking area within a common element condominium, other than as described in Sections 3.18(14)(2) and Section 3.18(14)(3) of this By-law, shall not count towards the minimum parking spaces required for lots containing Additional Residential Units.
5. Parking spaces may be arranged in tandem.
6. With respect to lands shown on Schedule D to this By-law, a minimum of one (1) long-term, weather-protected bicycle parking space shall be provided for each Additional Residential Unit on a lot.

3.19 Regulations for Accessory Swimming pools

Swimming pools, erected accessory to a dwelling, are permitted in the following yards:

1. in the side yard or the flankage yard, provided that no part of such swimming pool is located closer to any lot line or street line than the required minimum yards and/or setbacks required for the main building on the lot, or 1.5 metres, whichever is greater; and,

2. in the **rear yard**, provided that no part of such **swimming pool** is located closer to any **lot line** than 1.5 metres.

In addition, the maximum **height** of a **swimming pool**, exclusive of **fences** shall be 1.5 metres above **established grade**.

3.20 **COMMERCIAL VEHICLE PARKING**

The following provisions apply to the parking and storage of **commercial motor vehicles**:

- a) No **commercial motor vehicles**, farm machinery, farm tractor, road **building** machine, **school bus**, **semi-trailer** or **trailer** shall be parked on any **lot** in a Residential **zone** unless parked entirely within a wholly enclosed **building** or carport.
- b) No person shall use any **lot** for the parking or storage, temporary or otherwise, of any **commercial machinery or equipment** with the exception of any **commercial machinery or equipment** which is parked or stored for the purpose of **landscaping**, construction or excavation on that **lot** and so long as the machinery or equipment is not parked or stored on the **lot** for longer than ninety-six (96) hours prior to commencement and ninety-six (96) hours after the completion of said construction, **landscaping** or excavation on that **lot**.
- c) Notwithstanding the provisions of Section 3.21(a) and 3.2(b), parking on a **lot** for not more than twenty-four (24) hours of a maintenance, service or delivery **vehicle** in the course of its normal maintenance, service or delivery duty is permitted.

Section 4.0 **CENTRES AND CORRIDOR ZONE CATEGORY REGULATIONS**

4.1 **Zones**

- a) Uses which are permitted in the **zones** are identified in Tables 4.1A and 4.1B.

Zone	Table
Centres and Corridor Zone Permitted Uses	Table 4.1A
Centres and Corridor Zone Special Provisions	Table 4.1B
Centres and Corridors Zone Standards	Table 4.1C
Centres and Corridor Zone Special Provisions	Table 4.1D
Centres and Corridor Zone Residential Zone Permitted Uses	Table 4.1E
Centres and Corridor Zone Residential Zone Special Provisions	Table 4.1F
Neighbourhoods Zone Permitted Uses	Table <i>(intentionally left blank)</i>
Neighbourhoods High-Rise Zone Special Provisions	Table <i>(intentionally left blank)</i>
Employment Lands Zone Permitted Uses	Table <i>(intentionally left blank)</i>
Employment Lands Zone Special Provisions	Table <i>(intentionally left blank)</i>

Zone	Table
Greenway System Zone Permitted Uses	Table <i>(intentionally left blank)</i>
Greenway System Zone Special Provisions	
Leslie Street Institutional Area Zone Permitted Uses	Table <i>(intentionally left blank)</i>
Leslie Street Institutional Area Zone Special Provisions Regulations	Table <i>(intentionally left blank)</i>
Utility Corridor and Railway Zone Permitted Uses	Table <i>(intentionally left blank)</i>
Utility Corridor and Railway Zone Special Provisions	

- b) Permitted uses in a **zone** are noted by the letter 'X' in the column for that **zone** corresponding with the row for a specific permitted use. A number or numbers following the symbol 'X', or following the **zone** heading, or following the name of a permitted use, indicates that one or more special provisions apply to the noted use or **zone** and subject to the following:
- i. the special provisions shall specially apply where referred to in the Permitted Uses Table; and,
 - ii. the special provisions in Table B2 shall specially apply where referred to in Table B1.
- c) One or more residential uses and non-residential uses prescribed in Table A1 may be permitted on one **lot**.

Table 4.1A Centres and Corridors Permitted Uses

[illegible]

Residential Uses (17)	RHC <i>intentionally blank</i>	KDA-YB (3)(5)(19)	KDA-YC (3)(5)	RMU- COR1	RMU- COR2	LC-V (4)(5)	LC-OR (4)(5)	LC-N1 (4)(6) (7)	LC-N2 (4)	LDA1 (4)	LDA2 (4) – for specific portion of the Bayview LDA	LMU- COR
Commercial		X	X	X	X	X	X	X	X	X	X	X
Major Office		X	X	X	X			X				
Major Retail		X(11)	X(11)	X	X			X			X	
Day Nursery		X	X	X	X	X	X	X(8)	X	X	X	X
Gas Bar (12)				X	X		X	X	X	X	X	
Gas Bar Convenience Retail Store (12)				X	X		X	X	X	X	X	
Hospitals and healthcare centres and ancillary commercial uses		X	X	X	X	X	X	X(8)	X	X	X	X
Public Authority		X	X	X	X	X	X	X	X	X	X	X
Place of Worship (9)		X	X	X	X	X	X	X	X	X	X	X
Private Utility		X	X	X	X	X	X	X	X	X	X	X
Post Secondary School		X	X	X	X	X	X	X(8)	X	X	X	X
Secondary School (10)		X	X	X	X	X	X	X(8)	X	X	X	X
Primary School		X	X	X	X	X	X	X(8)	X	X	X	X
Private School		X	X	X	X	X	X	X(8)	X	X	X	X
Social Services		X	X	X	X	X	X	X(8)	X	X	X	X

Table 4.1.B Centre and Corridors Special Provisions

Special Provision Number	Description of Special Provisions for Centre and Corridor Zones – Residential and Non-Residential Uses
1	Shall not be permitted to abut Yonge Street, Carrville Road, 16th Avenue, Bernard Avenue, Highway 7, Major Mackenzie Drive or Newkirk Road. An Assisted Living Residence shall only be permitted to abut Yonge Street, Carrville Road, 16th Avenue, Bernard Avenue, Highway 7, Major Mackenzie Drive or Newkirk Road if the use is within a building that is a high-rise or mid-rise , as permitted by this By-law.
2	Shall not be permitted on lands that have frontage on Yonge Street or Major Mackenzie Drive.
3	Commercial or community uses shall be provided within the at-grade portion of a building abutting a street . Dwelling units shall be prohibited abutting a street . Applicable to the KDA-YB Zone, live-work units may be permitted to locate within the at-grade portion of a building fronting onto a local street.
4	Commercial or community uses shall be integrated within the at-grade portions of a building abutting Yonge Street, Major Mackenzie Drive and Newkirk Road. Dwelling units shall be prohibited abutting Yonge Street, Major Mackenzie Drive and Newkirk Road.
5	Development on lands with existing commercial uses shall retain or exceed the amount of gross leasable floor area devoted to non-residential uses, subject to the following: <ul style="list-style-type: none"> a. This provision will not be deemed to be contravened if one or more existing buildings are demolished to facilitate new development approved pursuant to one or more Site Plan Agreements; b. Notwithstanding the further division of any lot, the minimum non-residential gross leasable floor area requirement for a lot as required in this provision shall continue to apply to that lot as a whole as it existed on the date of the passing of this By-law; and, c. where there is a Site Plan Agreement resulting from Section (Holding Provisions) which allocates the minimum non-residential gross leasable floor area requirement under this By-law to a portion of the lot, the minimum non-residential gross leasable floor area for that portion of the lot shall be provided and maintained in accordance with the Site Plan Agreement. d. Hillcrest Mall shall maintain 90% gross leasable floor area.
6	Commercial uses shall be provided within at least one storey above the first storey of a building . In addition, a minimum of 0.5 FSI of the permitted density shall comprise of commercial uses.
7	Parking Spaces associated with transit service shall be provided below-grade or within structured parking. An above grade parking structure shall be prohibited to locate in the first storey of a building within the first 10 metres of depth of the building measured from the main wall of the building.
8	Use prohibited to abut Centre Street East.
9	Shall be located on an arterial road.
10	Shall be located on an arterial or a collector street only.
11	Shall be permitted only within the podium of mixed-use building. Parking for major retail uses shall be located below grade or within integrated structured parking. An above grade parking structure shall be prohibited to locate in the first storey of a building within the first 10 metres of depth of the building measured from the main wall of the building.
12	Use permitted as shown on Schedule(s) A.
13	The outdoor storage of goods, materials, machinery or equipment shall be prohibited.

Special Provision Number	Description of Special Provisions for Centre and Corridor Zones – Residential and Non-Residential Uses
14	A short-term accommodation must comply with the specific use regulations in Section 3.10.
15	A home occupation must comply with the specific use regulations in Section 3.9.1(1).
16	<p>A live-work unit shall be subject to the following:</p> <ul style="list-style-type: none"> a) shall not be permitted to abut the Yonge Street and Bernard Avenue Active At Grade Frontages; b) must be the primary dwelling unit of the occupant; and c) a live-work unit with a retail use shall only be permitted on the first storey and shall have direct access to a street; and, d) outdoor storage and outdoor display shall be prohibited.
17	A private home daycare shall be permitted.
18	Outdoor patios must comply with the specific use regulations in Section 3.16.
19	60% of the length of the main wall of the first storey shall contain non-residential uses and have direct access onto a street. Applies to KDA-YB along Yonge Street, Bernard Avenue and any street south of Bernard Avenue which connects Yonge Street to Bernard Avenue.
20	Additional Residential Units subject to Section 3.18.
21	Refer to Table 4.1E for Zone Standards.

Table 4.1C Centres and Corridors Zone Standards

	Special Provisions applicable to all building types in all zones (9)(10)(11)(12)(13)	Minimum Lot Frontage (M)	Minimum Front Yard Setback (M)	Minimum Rear Yard Setback (M)	Minimum Side Yard Setback (M)	Minimum Flankage Yard Setback (M)	Minimum Daylight Triangle Setback (M)	Minimum Front Yard Setback – Tower (M)	Minimum Rear Yard Setback – Tower (M)	Minimum Side Yard Setback – Tower (M)	Minimum Flankage Yard Setback – Tower (M)	Minimum Daylight Triangle Setback – Tower (M)	Minimum Setback to CNR (M)	Minimum Setback to TCPL (M)	Maximum First Storey Height (M)	Minimum Maximum Building Height	Maximum Floor Space Index (FSI)
(RHC) (KDA-YC1) (KDA-YC2) (KDA-YB) (LC-N1) (LC-N2)	HRB (1)(2)(3)(4)(5)(7) (9)(10)(11)(12)(13)	30	3	0	0	3	0	6	12.5	12.5	6	3	15	7.5	6	Schedule “B”	Schedule “C”
(RHC) (KDA-YC1) (KDA-YC2) (KDA-YB) (LC-N1) (LC-N2)	MRB (1)(2)(3)(4)(5)(7) (9)(10)(11)(12)(13)	30	3	0	0	3	0						15	7.5	6	Schedule “B”	Schedule “C”
(RHC) (KDA-YC1) (KDA-YC2) (KDA-YB) (LC-N1) (LC-N2)	LRB (2)(3)(4)(9)(10) (11)(12)(13)	30	3	0	0	3	0						15	7.5	6	Schedule “B”	Schedule “C”
(RMU-COR1)	HRB (1)(2)(3)(4)(5)(9)(10)(11)(12)(13)	30	3	0	0	3	0	6	12.5	12.5	6	3	15	7.5	4.5	Schedule “B”	Schedule “C”
(RMU-COR1)	MRB (1)(2)(3)(4)(5)(9)(10)(11)(12)(13)(14)	30	3	0	0	3	0						15	7.5	4.5	Schedule “B”	Schedule “C”
(RMU-COR1)	LRB (2)(3)(4)(9)(10)(11)(12)(13)	30	3	0	0	3	0						15	7.5	4.5	Schedule “B”	Schedule “C”
(RMU-COR2) (LC-OR) (LDA-1) (LDA-2)	MRB (1)(2)(3)(5)(6)(9)(10)(11)(12)(13)(14)	30	3	0	0	3	0						15	7.5	4.5	Schedule “B”	Schedule “C”
(RMU-COR2) (LC-OR) (LDA-1) (LDA-2)	LRB (2)(3)(4)(9)(10)(11)(12)(13)	30	3	0	0	3	0						15	7.5	4.5	Schedule “B”	Schedule “C”
(LC-V)	HRB (1)(2)(3)(4)(5)(8)	30	1	0	0	1	0	6	12.5	12.5	6	3	15	7.5	4.5	Schedule “B”	Schedule “C”

	(9)(10)(11)(12)(13)																
(LC-V)	MRB (1)(2)(3)(4)(5)(8) (9)(10)(11)(12)(13)	30	1	0	0	1	0						15	7.5	4.5	Schedule "B"	Schedule "C"
(LC-V)	LRB (2)(3)(4)(8) (9)(10)(11)(12)(13)	30	1	0	0	1	0						15	7.5	4.5	Schedule "B"	Schedule "C"
(LMU-COR)	LRB (2)(3)(4)(9)(10) (11)(12)(13)	30											15	7.5		Schedule "B"	Schedule "C"

Table 4.1D Centers and Corridors Special Provisions

Special Provision Number	Description of Special Provision
1	A mid-rise or high-rise building shall be subject to the following angular plane requirements: a) for lands located within the LC-V Zone and fronting Yonge Street, a maximum 45 degree angular plane projected from the adjacent property line on the opposite side of Yonge Street is required; b) for lands located within the LC-V Zone and fronting Church Street, a maximum 30 degree angular plane projected from the adjacent property line on the opposite side of Church Street is required; c) for lands located within the Yonge and Bernard KDA Zone abutting lands located within a Residential Zone , such as a side-lot or back-lot condition, a maximum 45 degree angular plane measured from 10 metres above grade from the abutting property line within the Residential Zone ; and, d) except for as set out in a), b) and c) above, for lands in any Zone adjacent to lands located within a Residential Zone , a maximum 45 degree angular plane projected from the adjacent property line within the Residential Zone , including where separated by a street, is required. Notwithstanding, a building or structure up to 15 metres in height may protrude into this 45 degree angular plane.
2	Notwithstanding the minimum required front yard and flankage yard setbacks , the front yard and flankage yard setbacks may be reduced to 0 metres above the first 10.5 metres of building height .
3	Notwithstanding the minimum required side yard and rear yard setbacks , where a side yard or rear yard abuts a street, lane , or public park , the minimum side yard or rear yard setback shall be a minimum of 3 metres for the first 10.5 metres of building height .
4	Where the main wall of any portion of a low-rise, mid-rise or high-rise building facing a side yard or rear yard that does not abut a street, lane or public park contains windows or openings, a minimum side yard or rear yard setback of 7.5 metres from the main wall of the building with windows or openings to the side lot line or rear lot line shall be required.
5	For a mid-rise or high-rise building , the main wall of any storey above the podium abutting a front yard, flankage yard , or any other yard abutting a street, lane or public park shall have a minimum setback of 6 metres and shall be stepped back a minimum of 3 metres from the first storey of the podium .

Special Provision Number	Description of Special Provision
6	Special Provision Number 5 does not apply to lands located within the RMU-COR2 Zone ; LDA1 Zone ; or LDA2 Zone .
7	For the lands fronting the Market Promenade as identified on Schedule A1 for KDA-YC, where a podium height is greater than 4 storeys , all storeys of the podium located above the 4 th storey shall be stepped back a minimum of 3 metres.
8	For lands located north of Wright Street and Dunlop Street where a podium height is greater than 3 storeys , all storeys of the podium located above the 3 rd storey shall be stepped back a minimum of 3 metres.
9	For the purposes of calculating Floor Space Index , the lot area shall be deemed to be the total lot area prior to any conveyance of land to a public authority .
10	The required minimum and permitted maximum building heights including podium heights are identified in storeys and metres as set out on Schedule B.
11	The permitted maximum density is the numerical value on Schedule C. For LC-N1, LC-N2 and LC-V Community uses, parks and opens spaces and infrastructure are excluded from minimum density calculation. For KDA-YC Community uses, parks and opens spaces and infrastructure and interim development are excluded from minimum density calculation.
12	The minimum required yards shall not apply to any portion of a building or structure below grade .
13	For the purposes of this By-law, where a new development is situated on lands which are subject to more than one maximum FSI, the overall maximum FSI for the development shall be calculated by applying the maximum FSI for each area on a pro-rata basis in accordance with its proportion of the overall land area associated with the development parcel.

Table 4.1E – Centers and Corridors Zone Residential Permitted Uses

	ZONE	USE	Minimum Lot Frontage		Minimum Lot Area		Maximum Lot Coverage	Maximum Front Yard (m)	Minimum Side Yard (m)	Minimum Required Flankage (m)	Minimum Required Rear Yard (m)	Maximum Height (storeys)	Maximum Floor Space Index (FSI)
			INTERIOR LOT (m)	CORNER LOT (m)	INTERIOR LOT (sq. m)	CORNER LOT (sq. m)							
LC-V	R4 (5)	S	12.0	13.8	360.0	390.0	50%	3.5 (2)(7)	1.2 (1)(11)(15)	2.4 (2)(3)	7.5 (8)(14)	3.5	Shown on Schedule C
	RD1	SD	14.6	16.4	430.0	460.0	50%	3.5 (2)(7)	1.2	2.4 (2)	7.5 (8)(14)	3.5	Shown on Schedule C
KDA-YB KDA-YC	RM1 (5)(17)	BTH (18)	30	30			60%	3.5 (2)(7)	1.2 (4)	3 (3)(2)	7.5 (2)(3)(8)(14)	4	Shown on Schedule C

SPECIAL PROVISION NUMBER	DESCRIPTION OF SPECIAL PROVISION
1	<p>Minimum side yard shall be 1.2 metres provided there are no doors in any wall adjacent to the side lot line. A door may be permitted in a wall adjacent to a side lot line if the door is recessed into the wall and no stairs project beyond the main side wall into the minimum required side yard.</p> <p>If a detached private-garage is located in a rear yard and accessed by a driveway crossing the front lot line, the minimum required side yard shall be 3.0 metres on one side and 0.6 metres on the other. Where detached private-garages on two adjoining lots are located in their respective rear yards and accessed by a mutual driveway crossing the front lot line, the minimum required side yard shall be 1.2 metres on the side where the mutual driveway is located and 0.6 metres on the other.</p>
2	<p>An attached private-garage shall have a minimum setback of 5.8 metres from the front lot line and, if the attached private garage is accessed by a driveway crossing the flankage lot line, the attached private-garage shall have a minimum setback of 5.8 metres from the flankage lot line.</p>
3	<p>The minimum required flankage yard for a dwelling unit is 6.2 metres if the flankage yard abuts an arterial road. The minimum required rear yard for a dwelling unit is 15.0 metres if the rear yard abuts an arterial road. The setbacks shall include all 0.3 metre reserves and buffers abutting the arterial road.</p>
4	<p>This provision only applies to the end units of street-townhouse dwellings.</p>
5	<p>Notwithstanding any other requirements of this by-law to the contrary, the minimum setback from the hypotenuse of a daylight triangle taken by the Town of Richmond Hill to the main building shall be 0.6 metres</p>
6	<p>The minimum required front yard shall be 3.0 metres where the lot has a private-garage, either attached to the main building or detached from it, and has access from a rear lane of at least 6.0 metres in width.</p>
7	<p>The minimum required front yard applies to each portion of a through lot abutting a street.</p>
8	<p>Where a dwelling unit is accessed by a driveway crossing a rear lot line to the rear of a dwelling unit, an attached private-garage may extend into the required rear yard no closer than 0.5 metres to the rear lot line provided that no more than 50% of the area of the required rear yard is used for an attached private-garage.</p>
9	<p>If a detached private-garage of a street townhouse dwelling is located in the rear yard and is accessed by a driveway that does not cross the front or flankage lot line, the minimum required rear yard for the main building on the lot is 12.5 metres.</p>
10	<p>If a street townhouse dwelling is accessed by a driveway from a rear lane of at least 6.0 metres in width and which crosses the rear lot line, the minimum lot area shall be 160 square metres for interior lot and shall be 225 square metres for a corner lot.</p>

SPECIAL PROVISION NUMBER	DESCRIPTION OF SPECIAL PROVISION
11	<p>Where the Town has entered into a subdivision agreement pursuant to the <i>Planning Act</i>, which provides for the location of municipal services in a manner which would permit the reduction of the minimum side yard beyond that set out in Table 4.1D and in Special Provision 1 thereto, and which also provides for the construction and maintenance of grading and drainage services to facilitate such side yard reduction, the following minimum required side yard shall apply:</p> <p>i) The minimum required side yard shall be 1.2 metres on one side and 0.6 metres on the other provided that for interior lots, the larger side yard shall be adjacent to the larger side yard or a rear yard on the adjoining lot.</p> <p>ii) The minimum required side yard of 1.2 metres allowed in (i) provided that:</p> <p>a) there are no doors in any wall adjacent to the side lot line; or,</p> <p>b) any door in any wall adjacent to the side lot line is recessed into the wall and no stairs project beyond the main wall into the minimum required side yard.</p>
12	The maximum front yard, side yard or flankage yard shall be 7.5 metres.
13	No more than 50% of the basement of an apartment dwelling may be used for dwelling units.
14	The minimum required rear yard shall be 0.6 metres if an attached garage is accessed by a driveway crossing the flankage lot line.
15	Where an uneven number of lots in a row abut a flankage lot, a block or a rear yard condition, the interior side yard may be reduced to 0.6 metres provided that the adjacent yard is a minimum of 1.2 metres.
16	Where a dwelling unit is accessed by a driveway crossing a rear lot line to the rear of a dwelling unit , an attached garage , with or without rooms above, may be located no closer than 0.5 metres from the rear lot line .
17	Where a building permitted under a Block Townhouse Dwelling Zone , the minimum rear yard shall be 7.5 metres abutting a Residential Zone .
18	A setback to a garage shall be a minimum of 5.7 metres.

Section 5.0	Neighbourhoods <i>(intentionally left blank)</i>
Section 6.0	Leslie Street Institutional Area <i>(intentionally left blank)</i>
Section 7.0	Employment Areas <i>(intentionally left blank)</i>
Section 8.0	Greenway System <i>(intentionally left blank)</i>
Section 9.0	Utility Corridor and Canadian National Railway (CNR) <i>(intentionally left blank)</i>

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SECTION 10.0 AUTOMOBILE PARKING, BICYCLE PARKING, TRANSPORTATION DEMAND MANAGEMENT, AND LOADING REGULATIONS

10.1 Location

- (1) Parking space, loading space, bicycle parking space and stacking lane requirements of this By-law shall be provided for and located on the same lot as the use for which the parking is required.

10.2 Deficiencies

- (1) Where an existing use is deficient of the minimum or exceeds that maximum required parking spaces of this By-law, it shall be interpreted that the minimum and maximum number of required parking spaces in accordance with this By-law shall be legally existing number of parking spaces, provided that the existing use continues and there is no enlargement or expansion that results in a net increase that results in an increase to the gross floor area of the existing use, building or structure.
- (2) Where an enlargement or expansion of the existing use, building or structure is made that results in an increase to gross floor area, the parking space, visitor parking space, loading space and stacking lane requirements of this By-law shall be satisfied only with respect to the enlargement or expansion made to the existing use, building or structure.
- (3) Where an existing use changes to a new use subsequent to this By-law coming into full force and effect, and the new use is deficient in parking space requirements of this By-law, it shall be deemed that the parking space, visitor parking space, loading space and stacking space requirements of this By-law shall apply to the new use.

10.3 Access

- (1) A parking space or loading space shall have direct access to a driveway, aisle, road or lane. Where access to a parking space or loading space is provided by driveway or aisle the driveway or aisle shall have direct access to a road or lane.
- (2) A parking space, loading space, bicycle parking space, or driveway or aisle shall be used and maintained for such purposes.
- (3) A parking space, loading space, bicycle parking space, or driveway or aisle shall be unobstructed and free of any structure or encroachment, unless otherwise permitted by this By-law.
- (4) Nothing in this By-law shall prohibit a driveway or aisle providing mutual access between two lots provided that the total width of the mutual driveway or aisle complies with the requirements of this By-law. This provision does not apply to Residential Zones.

10.4 Reductions

- (1) Any reduction to the parking space requirements of this By-law shall not apply to a required loading space, bicycle parking space or staking lane.

10.5 Daylighting Triangles

- (1) A daylighting triangle shall be free of any encroachment or obstruction.

10.6 Calculation of Parking Spaces

- (1) If calculation of required parking space, bicycle parking space, loading space or stacking lane results in a fraction, the applicable requirement shall be rounded up to the next whole number.

10.7 Automobile Parking Space Regulations

10.7.1 Regulations Applying to All Automobile Parking Spaces

- (1) The regulations in Section 11.7 apply to all required automobile **parking spaces** and driveways to **lots** that are regulated by this By-law.

- (2) Required automobile **parking spaces** must be provided collectively for each use on a **lot** in an amount that complies with the regulations in Section 10.7 of this By-law.

Table 10.7.1 – Minimum Dimension of Various Types of Automobile Parking Spaces

Automobile Parking Space Type	Length (metres)	Width (metres)	Vertical Clearance (metres)
Perpendicular Parking Space	5.7	2.7	2.0
Perpendicular Compact Parking Space (Type A) (1)	5.2	2.6	2.0
Perpendicular Compact Parking Space (Type B) (2)	5.0	2.5	2.0
Parallel Parking Space	6.7	2.5	2.0
Tandem Parking Space	5.7	2.7	2.0
Stacked Parking Space	5.7	2.7	2.0
Stacking Lane Spaces (3)(4)(5)	6.0	2.7	2.0

Table 10.7.1.1 Special Regulations

1	Type A compact parking space shall be limited to a maximum of 40% of the parking supply for residential uses.
2	Type B compact parking space shall be limited to a maximum of 10% of the parking supply for residential uses.
3	Stacking Lane shall be setback 15 metres from a Residential Zone and shall not be located in a front yard.
4	Stacking Lane shall not be included in the calculation of required parking spaces.
5	Minimum stacking lane spaces required in accordance with Table 10.7.1.2.

Table 10.7.1.2 Minimum Stacking Lane Regulations

Use	Minimum Stacking Lane Space Requirement
Car wash (automated)	8
Drive-through associated with a restaurant	8
Drive-through associated with a financial institution	4

- (4) A parking space that is not perpendicular or parallel to a **driveway** shall have an area comprised of a rectangle with a minimum width of 2.75 metres and a minimum length of 5.8 metres.
- (5) The width of an aisle shall comply with the following:
- a) Aisles perpendicular to the automobile parking space shall have a minimum width of 6.0 metres.
 - b) Automobile parking spaces at sixty (60) degrees to the aisle shall have a minimum width of 5.5 metres.
 - c) Automobile parking spaces at forty-five (45) degrees to the aisle shall have a minimum width of 3.7 metres.
- (6) A **parking structure** shall only be located below grade.
- (7) Notwithstanding (6), structured parking may be permitted above grade within the KDA-YB, KDA-YC and the LC-N1 and LC-N2 and located within a high water table area as shown on Schedule G High Aquifer Vulnerability and Wellhead Protection Area, and subject to the requirements of regulation 10.7.1(11).
- (7) For a **street townhouse, block townhouse, back-to-back dwelling, stacked townhouse or rear lane townhouse dwelling**, or a **quadruplex dwelling**, where a 0.3 metre reserve abutting a **street** exists, no part of any **attached garage or detached garage**, other than one completely below the **established grade**, shall be permitted closer than 5.8 metres to such reserve.
- (8) Tandem **parking spaces** shall not be permitted for non-residential uses in a **parking structure or parking area. For residential mid-rise and high-rise developments, tandem parking spaces shall not contribute to the parking space requirements.**
- (9) For a **high-rise building, mid-rise building or low-rise building**, the following regulations shall apply:

- a) All **parking areas** shall be located in the **rear yard** or **side yards** of a **lot**.
- b) **Parking areas** shall not be permitted to locate in any yard abutting an **active at grade frontage**.

10.7.2 Automobile Parking Structure

- (1) For any **high-rise building**, **mid-rise building** or **low-rise building**, the following regulations shall apply:
 - a) Any portion of an **attached parking structure** that is above **grade**, shall comply with the provisions for the main **building** on the **lot** in accordance with this By-law.
 - b) An above **grade attached parking structure** is prohibited to locate in the **first storey** of a **building** within the first 10.0 metres of the depth of the **building** measured in from the **building main wall** along a **street line** abutting any **active at grade frontages**.

10.7.3 Parking and Storage of Commercial Automobiles

- (1) The following provisions shall apply to the parking and storage of **commercial motor vehicles**, **commercial machinery or equipment**, **school buses**, **semi-trailers** or **trailers** on a **lot** for a **street townhouse**, **block townhouse**, **rear lane townhouse**, **stacked townhouse**, **back-to-back dwelling**, or **multiplex dwelling**:
 - a) No **commercial motor vehicles**, **commercial machinery or equipment**, **school bus**, **semi-trailer** or **trailer** shall be parked on any **lot** unless parked entirely within a wholly enclosed **building**.
 - b) Notwithstanding regulation a) above, any **commercial machinery or equipment** which is parked or stored on any **lot** for the purpose of landscaping, construction or excavation on that **lot** shall be permitted for no longer than ninety-six (96) hours prior to commencement and ninety-six (96) hours after the completion of said construction, landscaping or excavation on that **lot**.
 - c) Notwithstanding regulation a) above, the parking of a **commercial motor vehicle** on a **lot** for not more than twenty-four (24) hours for the purposes of maintenance or service of, or delivery for the principal **building** on that **lot**, is permitted.

10.7.4 Barrier Free Access Ramp on any Lot

- (1) The following provisions shall apply to a **barrier free access ramp** on any **lot**:
 - a) A **barrier free access ramp** is permitted within any **yard**.
 - b) A **barrier free access ramp** shall be:
 - (i) **setback** a minimum of 0.45 metres from the **front lot line** and **rear lot line**;
 - (ii) **setback** a minimum of 0.90 metres from the **flankage lot line**; and
 - (iii) **setback** in accordance with the minimum required **side yard setbacks** for the main **building** or a minimum of 0.9 metres from the **side lot line**, whichever is the lesser.

10.7.5 Driveways

- (1) **Driveways** used for the parking of **motor vehicles** and/or used to access a **building** or **structure** shall:
 - a) not be located within a daylighting triangle; and
 - b) have a minimum setback of 0.3 metres from the side lot line.

- (1) A **driveway** may have a setback of 0.0 metres from the **side lot line** if the **driveway** is to be shared with a **driveway** on an abutting **lot** or if the **driveway** is located along the **side lot line** of an end unit of a **street townhouse, block townhouse, back-to-back townhouse, rear lane townhouse, stacked townhouse** or **Multiplex dwelling**.
- (3) Driveways leading to a **parking area** for **high rise building, mid rise building** or **low rise building**, and **dwelling units** with frontage onto a **lane**, shall have a minimum width of 4.0 metres for one-way traffic and 6.0 metres for two-way traffic.
- (4) Circular Driveways
(intentionally left blank)

10.8 Automobile Parking Rates

- (1) Section 10.8 applies to the Parking Strategy Area as shown on Schedule D to this By-law and are located:

PSA1	PSA2	PSA3	PSA4
Within boundaries of Major Transit Areas	Within 400 metres of Center line of Yonge Street south of Tower Hill Road, Highway 7, Major Mackenzie Drive East	Within 400 metres of Center line of Yonge Street north of Tower Hill Road, Major Mackenzie Drive East and Leslie Street	Within boundaries of City excluding PSA1, PSA2 and PSA3

- (2) Required automobile parking spaces must be provided for every building or structure erected or enlarged, in accordance with Table 10.8.2.
- (3) Rates in Table 10.8.2 are based on the number of **parking spaces** per dwelling unit for residential uses and on the number of **parking spaces** for every 100 square metres of **gross floor area** for non-residential uses, unless otherwise noted in a row(s) below the land use in the table.

Table 10.8.2 Automobile Parking Space Minimum and Maximum Regulations

Parking Strategy Area	PSA 1 (1)	PSA 2	PSA 3	PSA 4
Rate Range	Min/Max	Min/Max	Min/Max	Min/Max
Residential Uses (2) (parking spaces per dwelling unit)				
Apartment Dwelling				
Bachelor	0.00/0.80		0.80/1.00	
One Bedroom	0.00/0.95		0.90/1.15	
Two Bedroom +	0.00/1.05		1.00/1.25	
Block Townhouse Dwelling	0.00/2.00		1.00/2.00	
Back-to-back Dwelling	0.00/2.00		1.00/2.00	
Rear Lane Townhouse Dwelling	0.00/2.00		1.00/2.00	
Stacked Townhouse Dwelling	0.00/2.00		1.00/2.00	
Live-Work Unit	0.00/2.00		1.00/2.00	
Street Townhouse Dwelling	0.00/0.00		1.00/0.00	
Multiplex Dwelling	0.00/0.00		1.00/0.00	
Detached Dwelling	0.00/0.00		1.00/0.00	
Semi-detached Dwelling	0.00/0.00		1.00/0.00	
Duplex Dwelling	0.00/0.00		1.00/0.00	
Independent Seniors Living Residence	0.00/0.40		0.33/0.40	
Seniors Citizen Dwelling	0.00/0.40		0.33/0.40	
Long Term Care Facility	0.00/0.40		0.25/0.40	
Assisted Living Residence	0.00/0.40		0.25/0.40	
Non-Residential Uses (parking spaces per 100 square metres unless otherwise noted)				
Arts and Cultural Facilities	0.00/5.30		4.70/5.90	
Auto Body Repair Shop	0.00/3.75		3.00/3.75	
Repair Shops for Internal Combustion Engines	0.00/3.75		3.00/3.75	
Automobile Service Station	0.00/3.50		3.00/3.75	
Vehicle Washing Establishment per bay	0.00/1.25		1.00/1.25	
Gas Bar – Ancillary Commercial	0.00/3.75		3.00/3.75	

Gas Bar - Restaurant	0.00/3.50		3.10/3.90	
Commercial School	0.00/3.40		3.00/3.75	
Commercial Uses	0.00/3.15		3.00/3.75	
Day Nursery	0.00/2.20		2.25/2.80	
Hospital	0.00/3.15		2.50/3.15	
Hotel				
-per 100 square metres	0.00/5.30		4.45/5.30	
-in addition, per room	0.00/0.80		0.70/0.80	
Motel				
-per 100 square metres	0.00/5.30		4.45/5.30	
-in addition, per room	0.00/0.80		0.70/0.80	
Major Office	0.00/2.50		2.20/2.75	
Place of Worship	0.00/5.30		4.70/5.90	
Post Secondary School				
- per classroom	0.00/2.00		1.80/2.25	
Primary School				
- per classroom	0.00/1.70		1.40/1.70	
Private School				
- per classroom	0.00/3/40		3.00/3.75	
Secondary School				
- per classroom	0.00/3.40		2.80/3.50	
Social Services	0.00/5.30		4.70/5.90	

Table 10.8.2 Special Provisions

1	Provisions of 11.7 does not apply to PSA1 save and except for 11.8. Where a parking space, stacking lane, loading space, tandem parking, stacked parking space, driveway or aisle is provided such shall be in accordance with provisions of 11.7.
2	Minimum of 2 lay-by parking spaces.

Table 10.8.3 Visitor Automobile Parking Space Regulations

Parking Strategy Area	PSA 1	PSA 2	PSA 3	PSA 4
	Min/Max	Min/Max	Min/Max	Min/Max
Apartment Dwelling	0.00/0.20		0.15/0.20	
Block Townhouse Dwelling	0.00/0.20		0.15/0.20	
Stacked Townhouse Dwelling	0.00/0.20		0.15/0.20	

10.9 Automobile Parking Space Exemptions

10.9.1 Shared Parking Rates

- (1) Where a **live-work unit** is permitted, no additional **parking space** is required provided that the primary **dwelling unit** provides for a minimum of two **parking spaces**.
- (2) Where there is one or more use on a **lot**, the minimum required **parking spaces** and the portion thereof shall be applied to each of the uses in Table 10.8.2.

10.10 Bicycle Parking Space Regulations

10.10.1 Regulations Applying to All Bicycle Parking Spaces

- (1) No person shall use any **land, 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 Section 10.8.
- (2) The regulations in Section 10.10 apply to all required **bicycle parking spaces** to **lots** that are regulated by this By-law.
- (3) Required **bicycle parking spaces** must be provided collectively for each use on a **lot** in an amount that complies with the regulations in Section 10.10 of this By-law.
- (4) Minimum dimensions of various types of **bicycle parking spaces** are set out in Table 10.10.1.
- (5) Required **bicycle parking spaces** must be provided for every **building** or **structure**, in accordance with Table 11.10.2.

Table 10.10.1 Minimum Dimension of Various Types of Bicycle Parking Spaces Regulations

Bicycle Parking Space Type	Length (metres)	Width (metres)	Vertical Clearance (metres)
Bicycle Parking Space (Horizontal)	1.8	0.6	1.9
Bicycle Parking Space (Vertical)	1.9	0.6	1.2
Bicycle Parking Space (Stacked)	1.8	0.6	1.2

Table 10.10.2 Minimum Required Bicycle Parking Spaces Regulations

	PSA1 Min. Bicycle Parking Spaces (2)(3)(4)	PSA1 Min. Visitor Bicycle Parking Spaces (1)	PSA2 Min. Bicycle Parking Spaces	PSA2 Min. Visitor Bicycle Parking Spaces (1)	PSA3 Min. Bicycle Parking Spaces	PSA3 Min. Visitor Bicycle Parking Spaces (1)	PSA4 Min. Bicycle Parking Spaces	PSA4 Min. Visitor Bicycle Parking Spaces (1)
Apartment Dwelling	0.72 bicycle parking space per dwelling unit	0.045 bicycle parking space per dwelling unit	0.6 bicycle parking space per dwelling unit	0.03 bicycle parking space per dwelling unit	0.6 bicycle parking space per dwelling unit	0.03 bicycle parking space per dwelling unit	0.6 bicycle parking space per dwelling unit	0.03 bicycle parking space per dwelling unit
Block Townhouse Dwelling (5)				0.03 bicycle parking space per dwelling unit		0.03 bicycle parking space per dwelling unit		0.03 bicycle parking space per dwelling unit
Non-residential use			0.13 bicycle parking space per 100 square metres of gross floor area	0.15 bicycle parking space per 100 square metres	0.13 bicycle parking space per 100 square metres of gross floor area	0.15 bicycle parking space per 100 square metres	0.13 bicycle parking space per 100 square metres of gross floor area	0.15 bicycle parking space per 100 square metres

Table 10.10.3 Special Provisions

<u>1</u>	Visitor bicycle parking spaces shall be located at grade .
<u>2</u>	Min. 50% of required Visitor parking spaces are in a covered area.
<u>3</u>	Minimum of 6 public bicycle parking space.
<u>4</u>	Stacked Townhouse Dwelling shall provide 0.6 bicycle parking space per dwelling unit .
<u>5</u>	All required bicycle parking spaces be located at-grade or one level below grade or one level above grade or in combination thereof.

10.11 Loading Space Regulations

11.9.1 Regulations Applying to All Loading Spaces

- (1) The regulations in Section 10.11 apply to all required **loading spaces** to **lots** that are regulated by this By-law.
- (2) **Loading spaces** must be provided collectively for each use on a **lot** in an amount that complies with the regulations in Section 10.11.2 of this By-law.
- (4) A **loading space** shall be paved, free of any encroachments and have a width of not less than 4.0 metres and a length of not less than 13.0 metres with a minimum of 6.5 metres overhead clearance.
- (5) 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.
- (6) Notwithstanding 10.11.1 (5), a **loading space** shall not be permitted in a yard abutting an **Active At Grade Frontage**.

- (6) Aisles and **driveways** leading to a **loading space** shall not be used for the temporary parking or storage of 1 or more **motor vehicles**.

10.11.2 Loading Space Rate by Land Use

- (1) Required **loading spaces** must be provided for every **building** or **structure**, in accordance with Table 10.11.2.
- (2) Rates in Table 10.11.2 are based on **dwelling unit** ranges for residential uses and on **gross floor area** ranges of non-residential uses, unless otherwise noted in the table.

Table 10.11.2 – Minimum Required Loading Spaces Regulations

	Minimum Required Loading Spaces
Buildings containing dwelling units	
0 to 30 dwelling units	0
31 to 399 dwelling units	1
400 dwelling units or more ¹	2
Buildings containing non-residential uses	
Gross floor area less than 465 square metres	0
Gross floor area of between 465 to 2322 square metres	1
Gross floor area of between 2323 to 9290 square metres	2
For every additional 9290 square metres above 9290 square metres	1 additional

10.12 Regulations for Loading spaces for Automobile Service Stations

The following regulations apply to **Automobile Service Station** uses:

- a) 1 **loading space** for a **gas bar convenience retail store**, having a width of 3.5 metres and located adjacent to the **gas bar convenience retail store** is required.

SECTION 11.0 DEFINITIONS

The following are defined words, terms, or phrases in this By-law which are bolded and listed as they are shown in this By-law.

Accessory

Means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or **building** and located on the same **lot**.

Accessory Residential Building

Means a detached building containing one (1) or more Additional Residential Units located on the same lot as and accessory to a primary dwelling unit. For greater clarity, an Accessory Residential Building is not a detached accessory structure.

Active At Grade Frontage

Means a **street line** that abuts an arterial road or collector road.

Additional Residential Unit

Means a self-contained dwelling unit permitted in addition to a primary dwelling unit. The addition of an additional residential unit does not change a dwelling into any other type of residential building.

Adult Day Care

Mean a facility licensed to provide daily living needs to adults by professional caregiving staff.

Alter

Means any alteration to the structural component of a **building** which could result in a change of use, or any increase in the volume of a **building** or **structure**.

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.

Apartment Dwelling

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**.

Arts and Cultural Facilities

Means premises, or **structure**, or any part of any land, **building** or **structure**, used for the programing, production, presentation, and/or exhibition of art, performing art, including but not limited to music, dance, theatre, painting, sculpture, photography, media art, and museums.

Assisted Living Residence

Means a **building** or **structure** that provides living accommodations, hospitality services and personal assistance to persons who can live independently but require assistance with daily activities. Units may contain kitchenettes with cooktop stoves, as well as common facilities for the preparation and consumption of food. Common lounges, recreation facilities and medical care facilities may also be provided. It shall be considered an **apartment dwelling**.

Attached

Means a **building**, otherwise complete in itself, which depends for structural support or complete enclosure upon a division wall or walls which are above grade, shared in common with an adjacent **building** or **buildings**.

Attached Garage

Means an enclosed **structure** which is attached and is designed or used for the storage of one or more **motor vehicles**, and excludes a carport, other open shelter or any detached **accessory structure**.

Automobile Service Station

Means a **building** or **structure** or parts thereof, used for the sale of refueling products and automobile accessories and for the maintenance essential to the actual operation of motor vehicles. The use may include **gas bar convenience retail store**, gas bar, **motor vehicle/lubrication establishment** and **motor vehicle washing establishment** associated uses. A **motor vehicle sales establishment**, an **auto body repair shop** or **public garage** are not an **automobile service station**.

Back to Back Dwelling

Means a **building** or part thereof containing three (3) or more **dwelling units** that are attached to each other, but not attached to any other **dwelling unit** or **structure**, but shall exclude an **apartment dwelling** or a **townhouse dwelling**.

Barrier Free Access Ramp

Means an unenclosed and inclined ramp providing access to the main floor and/or entry level of a building that provides a continuous unobstructed access route intended for use by people with physical disabilities.

Basement

Means a storey or storeys of a **building** located below the first storey.

Block on a Registered Plan

Means a parcel of land that is indicated by the word and letter 'A', 'B', 'C', or as the case may be.

Block Residential Dwelling

Means a **dwelling** that may include a townhouse dwelling, **stacked townhouse dwelling**, **rear lane townhouse**, **back-to-back dwelling**, **half-back dwelling**, **multiplex dwelling**, **duplex dwelling**, **semi-detached**, and **single detached dwelling** and each dwelling unit.

Building

Means a **structure** occupying an area greater than 10 square metres 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.

Building Frontage

Means the length of the **main wall** of a **building** measured as a percentage of the length of the **front lot line** parallel to the **main wall** of a **building**.

Building Height

Means the metered height and number of **storeys** measured from, and including the **first storey** of each **building**. For the purposes of this definition, the minimum and maximum **building heights** in each **zone** shall apply only to that portion of such **lot** which is located within said **zone** prescribed in Schedule B.

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**.

Building Separation

Means the facing distance between buildings, measured from the nearest **main wall**.

Chord of the Front Lot Line

Means is a straight line joining the two points where the **side lot lines** intersect the **front lot line**. In the case of a **corner lot** with a **daylighting triangle**, the **flankage lot lines** shall be deemed to extend to their hypothetical point of intersection with the extension of a **front lot line** for the purposes of calculating **lot frontage**.

City

Means The Corporation of the City of Richmond Hill.

Commercial

Means the use of land, buildings or structures for the purpose of buying or selling commodities and supplying of services.

Commercial Machinery or Equipment

Means machinery or equipment used for business, employment or commercial purposes, including, without limiting the generality of the foregoing, bulldozers, road building machines, backhoes, cranes, ploughs, graders, forklifts and earthmoving equipment, farm tractors, and other similar machinery or equipment.

Commercial Motor Vehicle

Means any motor vehicle having permanently attached thereto a truck or delivery body, and/or including, without limiting the generality of the foregoing, tow trucks, ambulances, hearses, fire apparatus, motor buses used primarily for business, employment or commercial purposes, and similar converted commercial motor vehicles, and/or including all motor vehicles with commercial motor vehicle licenses exceeding 508 kilograms in capacity.

Commissioner

Means the Commissioner of Planning and Building Services for the City or such successor office, as the case may be.

Common Element Condominium

Means a common element condominium corporation as described in the Condominium Act, 1998, as amended or a successor thereto.

Community Use

Means any tract of land, or **structure**, or any part of any land, **building** or **structure**, used for community activities, including a use by a **public authority, primary school, secondary school, post-secondary school, private school, hospital, place of worship, arts and cultural facilities, day nursery, private home daycare, long term care facilities and social services.**

Condominium

Means a group of **dwelling units** or premises, each under individual ownership in a multiple unit **structure** with common elements in which:

- a) the **dwelling units** or premises comprise not only the space enclosed by the boundaries of the **dwelling unit** or premises, but all material parts of the land within the space;
- b) the common element means all the property except the **dwelling unit** or premises; and,
- c) the common elements are owned by all of the owners as tenants in common.

Corner Lot

Means a **lot** abutting two or more **streets** at their intersection or upon two parts of the same **street** provided that the interior angle of the intersection of such **streets** or parts of one **street** is not more than 135 degrees measured at the centre line of the **street**.

Corporation

Means the Corporation of the City of Richmond Hill, when capitalized in this By-law.

Council

Means the Council for the City of Richmond Hill.

Daylighting Triangle

Means a triangular area of land on or abutting a corner lot, formed by measuring from the point of intersection of street lines the distance required by this By-law for a daylighting triangle along each street line and joining such points with a straight line. The hypotenuse of a daylighting triangle shall be that property line directly opposite the angle formed by the point of intersection of the street lines.

Day Nursery

Means a facility licensed under the Child Care and Early Years Act.

Deck

Means a **structure** without a roof having a foundation to hold it erect and attached to or abutting one or more walls of a **building** or constructed separate from a **building** with or without direct access to the ground, the floor of which is above **finished grade**, and which is designed and intended for use as a sun **deck** but shall not include a landing or a stair.

Detached Accessory Structure

Means a **building** or **structure** that is not used for human habitation, the use of which is customarily incidental, subordinate and exclusively devoted to a principal use or **building** located on the same **lot** and shall not include a **detached garage** and outdoor **swimming pool**.

Detached Garage

Means a building or structure which is not attached and is designed or used for the storage of one or more motor vehicles, and excludes a carport, other open shelter or any detached accessory structure.

Drive Through Facility

Means a use to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in a vehicle that are in a stacking aisle. An **automotive service station** or **motor vehicle washing establishment** is not a **drive through facility**.

Dwelling Unit

Means a unit that:

- a) consists of one self-contained set of rooms located in a **building** or a **structure**;
- b) is used or has the capability of being used as a domicile by one or more persons as a single housekeeping unit;
- c) contains cooking, eating, living, sleeping and sanitary facilities designated for the exclusive use of its occupants; and

Entry Element

Means an open sided platform, with or without foundation, and with an upper **structure** covered by a roof, a balcony or enclosed second floor habitable space.

Established Grade

Means with reference to a **building** or **structure**, the average elevation of the finished **structure** off 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.

Expropriating Authority

Means the same definition that is in the Expropriations Act, R.S.O. 1990, c. E. 26.

Fence

Means a structure constructed of posts, boards, tailings, rails, wire, masonry or similar methods or any combination thereof used to define a property boundary or to enclose any outdoor area. Fencing shall have a corresponding meaning.

First Storey

Means the **storey** with its floor closest to **grade** and having its ceiling more than 1.8 metres above established **grade**.

Flankage Lot Line

Means a **lot line** of a **corner lot** which abuts a **street** and is not a **front lot line**.

Flankage Yard

Means the **side yard** of a **corner lot** which **side yard** extends from the **front yard** to the **rear yard** between the **flankage lot line** and the closest point of the **main wall** of any **building** or **structure**.

Floor Area

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

Floor Space Index

Means the **gross floor area** of all **buildings** on a **lot** expressed as a ratio or multiple of the **lot area**. The term is also referred to in this by-law as the acronym FSI.

Front Lot Line

Means the line which divides the **lot** from the **street**. In the case of a **corner lot** or a **through lot**, the shortest of the lines which divide the **lot** from the **streets** shall be deemed to be the **front lot line**. On a **corner lot** or a **through lot** where such **lot lines** are of equal length, the **front lot line** shall be deemed to be that line which abuts a regional or provincial road or highway.

Front Yard

Means a **yard** extending across the full width of the **lot** between the **front lot line** and the closest point of the main wall of any **building** or **structure** on the **lot**.

Garage

Means an enclosed **structure** designed and used for the storage of one or more **motor vehicles**.

Gas Bar

Means a **building** or **structure** including lands appurtenant thereto, used for the sale of refueling products and automobile accessories, but shall not include the performance of minor running repairs essential to the actual operation of **motor vehicles**, a **motor vehicle sales establishment**, an **auto body repair shop**, or **automobile service station**.

Gas Bar Convenience Retail Store

Means a retail store established or existing only in conjunction with a gas bar, having a variety of convenience goods to serve the traveling public such as milk and dairy products, pre-packaged groceries, patent medicines, carbonated beverages, beer, wine, sundries, tobacco, stationary, magazines and newspapers, but not include fresh meats and produce. An automatic banking machine may also be included.

Grade

Means the level of the ground adjacent to the outside wall of a **building** or **structure**.

Gross Floor Area

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 **basement**, **mechanical penthouses**, loading areas, any portion of 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.

Ground Floor

Means the **storey** with its floor closest to **grade**.

Ground Floor Height

Means the floor-to-floor height of the **ground floor**.

Hard Landscaping

Means an area used for decorative stonework, permeable stone pavers, retaining walls, walkways, synthetic turf, or other landscape or architectural feature. Driveways and areas for loading, parking or storing of **motor vehicles** are not **hard landscaping**.

High-Rise

Means **buildings** or **structures** with a height of nine (9) **storeys** or greater.

Home Occupation

Means an economic enterprise operated within a **dwelling unit**, incidental and secondary to the **residential** use by operators of the primary residence an individual or individuals residing in the **dwelling unit**.

Hospital

Means any tract of land , or **structure**, or any part of any land, **building** or **structure** used as a private or public hospital under the Province of Ontario Public Hospitals Act for the care or treatment of:

- a) persons afflicted with or suffering from sickness, disease or injury;
- b) convalescent or chronically ill persons;
- c) persons suffering from substance addictions; or
- d) persons suffering from emotional, psychological or mental disorders.

Hotel

Means a **building** or part of a **building** or two (2) or more connected **buildings** used mainly for the purpose of catering to the needs of the travelling public by the furnishing of sleeping accommodations. A **hotel** does not include separate kitchen or housekeeping facilities but may include a **restaurant**, dining room, lounge, meeting rooms, **retail stores**, and other ancillary uses.

Independent Seniors Living Residence

Means a **building** or **structure** that provides living accommodation primarily to retired persons or couples where each living unit has a separate entrance from a common hall and contains sanitary facilities, but does not contain a kitchen for the preparation of meals, and where common kitchen and dining facilities are separately located within each of the **buildings**. Common lounges and recreation facilities and medical care and/or assisted living services/facilities may also be provided. It shall be considered an **apartment dwelling**.

Interior Floor Area

Means the floor area of any part of a **building** measured to the interior side of a **main wall**, the centre line of an interior wall, or a line delineating the part being measured.

Interior Lot

Means a **lot** situated between adjacent **lots** and having access to one **street**.

Lane

Means a public or private means of vehicular access to a lot or an abutting property. This may also include a parcel of land which is a common element condominium for means of vehicular access.

Live-Work Unit

Means a single unit (e.g. studio, loft, or apartment) consisting of a residential dwelling and may include a **commercial use**. A **live-work unit** may be used as both a dwelling unit and a business operated by one or more people who live in the dwelling unit.

Loading Space

Means an unobstructed area of land which is provided and maintained upon the same **lot** or **lots** upon which the principal use is located and which:

- a) is provided for the temporary parking of one or more **commercial motor vehicles** while merchandise or materials are being loaded or unloaded from such vehicles;
- b) is suitable for the temporary parking of one **commercial motor vehicle**; and
- c) shall not be used for the purpose of sale or display.

Long Term Bicycle Parking Space

Means a bicycle parking space located within a building or structure designed for storage of bicycles equip[ed] with a rack or stand designed to lock the wheel and frame of a bicycle, or within a locked room for exclusive use of bicycle parking.

Long Term Care Facility

Means a facility that is licensed under the Long Term Care Homes Act or its successor.

Lot

Means a parcel or tract of land:

- a) which is a whole **lot** as shown on a Registered Plan of Subdivision, but a registered Plan of Subdivision for the purpose of this definition does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to Section 50 of the Planning Act, R.S.O. 1990, as amended, or a predecessor thereof; or
- b) which fronts on a **street** and is a separate parcel of land without any adjoining lands being owned by the same owner or owners as of the date of passing of this By-law; or
- c) the description of which is the same as in a deed which has been given consent pursuant to Section 50 of the Planning Act, R.S.O. 1990 as amended, or a predecessor thereof; or
- d) a parcel of tied land.

For the purpose of this definition no parcel or tract of land ceases to be a **lot** by reason only of the fact that part or parts of it has or have been conveyed to or acquired by the Corporation, His Majesty in the Right of Canada, or the Regional Municipality of York.

For the purposes of this By-law, a **lot** separated from a **street** by a reserve, as defined in this By-law, shall be deemed to abut such **street**.

Lot Area

Means the total horizontal area within the **lot lines** of a **lot**.

Lot Coverage

Means the percentage of the **lot** covered by all **buildings**. Lot coverage in each zone shall be deemed to apply only to that portion of such **lot** which is located within said **zone**. The calculation of **lot coverage** shall not include that portion of such **lot** which is occupied by a **building** or portion

thereof completely below **grade**, a covered entry element, a porch, with or without a **basement** and stairs with foundations, and **barrier free access ramps**. Within a residential zone, **lot coverage** for a principal **building** and **lot coverage** for **detached accessory structures** shall be separately calculated, and the habitable space on the second floor directly above an entry element or porch, **detached garages**, and **barrier free access ramps** shall be excluded from the calculation of **lot coverage**.

Lot Frontage

Means the horizontal distance between the **side lot lines** measured at right angles, where the **front lot lines** are not parallel, the **lot frontage** shall be measured by a line six (6) metres back from and parallel to the **chord of the front lot line**.

Lot Line

Means a line delineating any boundary of a **lot**.

Low-Rise

Means **buildings** or **structures** with a height of four (4) storeys or less and shall exclude a **detached dwelling**, **semi-detached dwelling**, **street townhouse dwelling**, **block townhouse dwelling**, **stacked townhouse dwelling**, **rear lane townhouse dwelling**, **back to back dwelling** or a **quadruplex dwelling**.

Main Building

Means a **building** in which is carried on the principal purpose for which the **lot** is used.

Main Wall

Means the exterior front, side or rear wall of a **building** and all structural members essential to the support of a fully enclosed space or roof.

Major Office

Means an **office building** that has a **gross floor area** of 10,000 square metres or greater used primarily for the practice of a profession or the carrying on of a business such as the management or direction of an agency, organization, public administration, or administration of an industry including research and development.

Major Retail

Means a large format use(s), such as retail big box stores, retail warehouses and shopping centres which has a gross floor area of 10,000 square metres and not more than 30,000 gross leasable square metres.

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.

Medical Office

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

Mid-Rise

Means **buildings** or **structures** with heights ranging between five (5) storeys and eight (8) storeys.

Motor Vehicle

Means an automobile, motorcycle and motor assisted bicycle unless otherwise indicated in the Highway Traffic Act, R.S.O. 1990, as amended, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motorized vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, or road building machine within the meaning of the Highway Traffic Act, R.S.O. 1990, as amended.

Motor Vehicle Lubrication Establishment

Means a building or part thereof used to provide ongoing regular maintenance essential to the actual operation of **motor vehicles** but shall not include a **motor vehicle sales establishment**, an **auto body repair shop**, **public garage** or **automobile service station**.

Motor Vehicle Washing Establishment

Means a **building** or part thereof used for the automatic and/or coin operated washing of **motor vehicles**.

Multiplex Dwelling

Means a **triplex dwelling**, **link villa dwelling**, **maisonette dwelling**, **fourplex dwelling** or **quadruplex dwelling**.

Non-Complying

Means that which does not comply with the regulation(s) of this By-law as of the date of the applicable portion of the final passing thereof.

Non-Complying Building or Structure

Means a **building** or **structure** that legally existed on the date of passing of the applicable portion of this By-law and no longer complies with one or more standards of this By-law.

Non-Complying Lot

Means a **lot** that legally existed on the date of the passage of the applicable portion of this By-law that has less than the minimum required lot frontage or lot area required by this By-law.

Non-Conforming Use

Means a legally existing use on the date of the final passing of the applicable portion of this By-law, which is not a permitted use in the **zone** in which the said use is situated at the date of final passing of the applicable portion of this By-law.

Non-Residential Building

Means a **building** that does not contain any **dwelling units**.

Obnoxious Use

Means an offensive use of trade within the meaning of the Public Health Act, R.S.O. 1990, as amended or its successor, or a use which is a nuisance by reason of the emission or creation of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot or waste or the depositing or leaving of unsightly objects or chattels on land.

Outdoor Patio

Means an outdoor area used in conjunction with any **restaurant**, tavern, banquet hall or any other premises where food or refreshments are consumed by the public and where seating accommodation is provided and where meals or refreshments are served to for consumption on the premises and includes all such facilities whether or not licensed under the Liquor License Act.

Outdoor Storage

Means any accessory storage outside of a principal or main or **structure** on a **lot**.

Parcel of Tied Land

Means a parcel of land to which the common interest of an owner in a common element condominium attaches as provided for in Subsection 139(2)(a) of the Condominium Act, R.S.O. 1998, or a successor thereto and “parcels of tied land” has the corresponding plural meaning.

Parking Area

Means an open area of land other than a **street**, **driveway** or **lane** used for the communal parking of vehicles with or without a fee being charged or the storage of delivery vehicles.

Parking Structure

Means a **building** or part thereof used for the storage or parking of **motor vehicles**.

Parking Space

Means a space for the parking of a **motor vehicle** that is free and clear of any encroachments.

Place of Worship

Means lands or buildings used by a religious organization for religious worship, services, ceremonies or rites. Lands or buildings may also include accessory uses by a Place of Worship for the advancement of its charitable character, which may include but is not limited to temporary emergency shelter, community outreach activities and community events.

Plan of Subdivision

Means a **plan of subdivision** registered in accordance with Section 51 of the Planning Act.

Podium

Means the base portion of a **mid-rise** or **high-rise building** identified in metered height and number of storeys in Schedule B.

Porch

Means a **structure** abutting a **dwelling unit** having a roof, but with walls that are open and unenclosed to the extent that fifty percent (50%) of the vertical plane of the wall is open to the movement of air and which is used as an outdoor living area.

Portable School

Means an **accessory building** of a temporary or removable nature which is a teaching classroom used in conjunction with a **primary school**, **secondary school**, **public school** or **private school** located on the same **lot** whether attached to or detached from the **main building**.

Post Secondary School

Means a **premises** used for educational purposes by a degree granting college or university under Province of Ontario legislation.

Premises

Means the area of a **building** or part thereof occupied or used by a business enterprise.

Primary School

Means a school established by the Ministry of Education providing education for children up to the level of grade 8.

Private Home Day Care

Means a facility operated in a **dwelling unit** that is licensed under the Day Nurseries Act.

Private School

Means a school meeting the standards set out for schools by the Ministry of Education which secures the major part of its funding from sources other than government agencies.

Private Utility

Any telephone or communications utility company operating within the City may for the purposes of the public service, use any land or erect or use any **building** or **structure** in the **zone(s)** permitted subject to the use of land or **building** or **structure** being in compliance with the regulations prescribed for such **zone** or use.

Public Authority

Means any Federal or Provincial government authority, agency, body or department, the Regional Municipality of York, or the Corporation of the City of Richmond Hill, or any agency, body or department of either of these municipalities.

Quadruplex Dwelling

Means a **building** divided vertically and/or horizontally into four (4) **dwelling units**, each one of which has two (2) walls or parts thereof in common with adjoining units and an independent entrance to either the ground or common corridor.

Rear Lane Townhouse Dwelling

Means a **townhouse dwelling**, **street townhouse dwelling** or **block townhouse dwelling**, that is not a **stacked townhouse dwelling** and where vehicular access to an **attached garage** is provided via a **driveway** crossing the **rear lot line** that is accessed from either a private or public **lane**.

Rear Lot Line

Means the lot line opposite and most distant from the **front lot line** or, in the case of a triangular or otherwise irregularly shaped **lot**, a line of minimum three (3) metres in length entirely within the **lot**, parallel to and at a maximum distance from the **front lot line**.

Rear Yard

Means the open space extending across the full width of the **lot** between the **rear lot line** and the closest point of the main wall of any **building** or **structure** on the **lot**.

Region

Means The Regional Municipality of York.

Reserve

Means a strip of land 0.5 metres in width or less abutting a **street** and owned by the **public authority** having jurisdiction over such a **street**. For the purposes of the CZBL, a **lot** separated from a street by a **reserve** shall be deemed to abut such a **street**.

Residential Use

Means the use of land, **buildings** or **structures** for human habitation.

School Bus

Means a **motor vehicle** for the purposes of the transportation of school children.

Secondary School

Means a school established by the Ministry of Education providing education for persons between the level of grade 9 and grade 12.

Semi-Trailer

Means a mechanical device that is towed by a **motor vehicle** and is so designed that a substantial part of its weight rests on or is carried by the **motor vehicle** or a trailer converter dolly through a fifth wheel assembly.

Setback

Means the horizontal distance from the **lot line** measured at right angles to such **lot line** to the nearest part of any **building**, **structure**, **parking space**, **parking area** or **loading space** for which a **setback** is required by this By-law.

Setbacks are expressed as both minimums and maximums. Portions of buildings located behind privately-owned public spaces are exempted from the maximum setback requirement.

Short Term Accommodation

Means all or part of a **dwelling unit** that is used to provide sleeping accommodation for any rental period that is less than 28 consecutive days and the principal residence of the short term rental operator.

Short Term Bicycle Parking Space

Means a bicycle parking space that is equipped with a rack, corral, or stand designed to lock the wheel and frame of a bicycle, that is available for use by visitors to the building.

Side Lot Line

Means a **lot line**, other than a **rear lot line** that does not abut a **street**.

Side Yard

Means a **yard** other than a **flankage yard** which extends from the **front yard** to the **rear yard** between the **side lot line** and the closest point of the main wall of the **building** or **structure** on the **lot**.

Site Plan Agreement

Means an agreement entered into pursuant to Section 41 of the Planning Act.

Social Services

Means a non-government, not-for-profit, non-commercial organization which carries on social, cultural, welfare, athletic or recreational programs for the benefit of the community.

Soft Landscaping

Means an outdoor area on a lot that is suitable for the growth and maintenance of vegetation and permits the infiltration of water into the ground but shall not include hard surfaced areas such as driveways, parking spaces, patios, and walkways. For greater clarity, interlocking stone and permeable pavement is not Soft Landscape.

Stacked Parking Space

Means a **parking space** that is positioned above or below another **parking space** and is accessed only by means of an elevating device.

Stacked Townhouse Dwelling

Means a **building** containing at least three (3) dwelling units, each **dwelling unit** being separated from the other vertically and horizontally and having an independent external access.

Stepback

Means the horizontal distance measured from the **main wall** of a **building** at right angles for a determined distance in metres towards the centre of the **building**.

Street

Means a public highway as defined by the Municipal Act, 2001 S.O. 2001, c.25, as amended and shall exclude an unopened road allowance of any **street** which is shown on a Registered **Plan of Subdivision** which has been deemed not to be a Registered **Plan of Subdivision** under Section 50 of the Planning Act, R.S.O. 1990, or a predecessor thereof.

Street Line

Means the boundary between a **street** and a **lot**.

Street Townhouse Dwelling

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

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 **grade**, and provided that any portion of a **storey** above the ground floor exceeding 4.5 metres in **height** shall be deemed an additional **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**.

Structured Parking Inset

Means the portion of a **building** measured inward from the **main wall** facing a public **street** or park in which parking is prohibited. Applied to the first three **storeys** of the **building**.

Suite

Means a single room or series of rooms of complementary use, operated under a single tenancy and includes **dwelling units**, individual guest rooms in **motels**, **hotels**, boarding houses, rooming

houses and dormitories as well as individual or complementary rooms for businesses and personal services occupancies.

Swimming Pool

Means any body of water located outdoors on privately owned property contained by artificial means in which the depth of the water at any point can exceed 0.6 metres and shall include any accessory **deck** or support **structure**.

Through Lot

Means a **lot** bounded on two opposite sides by **streets**, provided however that if any **lot** qualifies as being both a **corner lot** and a **through lot** as herein before defined, such **lot** shall be deemed to be a **corner lot** for the purpose of this By- law.

Tower

Means all storeys above the storeys that constitute the height of a **podium** in a **high-rise building**.

Tower Stepback

Means the horizontal distance a that a tower’s main wall is stepped back from a street or park-facing main wall of the base building below.

Townhouse Dwelling

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** to a **front yard** and rear yard immediately abutting the **front wall** and **rear wall**.

Trailer

Means a mechanical device that is towed by a **motor vehicle**, a mobile home or any mechanical device on wheels that is designed not to transport persons.

Triplex Dwelling

Means a **building** divided horizontally into three (3) **dwelling units**.

Veterinary Clinic

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

Yard

Means an open, uncovered space on a **lot** appurtenant to a **building** and unoccupied by **buildings** or **structures** except as specifically permitted in the CZBL.

Zone

Means a designated area of land use.

Section 12.0 Zoning Schedules

- 12.1 Richmond Hill Centre Zone (*intentionally left blank*)
- 12.2 Yonge and Bernard Key Development Area Zone (Schedule “A1”)

- 12.3 Yonge/Carville/16th Avenue Key Development Area Zone (Schedule “A1”)
- 12.4 Regional Mixed Use Corridor Zone (Schedule “A1”)
- 12.5 Local Centre Village Zone (Schedule “A1”)
- 12.6 Local Centre Oak Ridges Zone (Schedule “A1”)
- 12.7 Local Centre Newkirk Zone (Schedule “A1”)
- 12.8 Local Development Area (Schedule “A1”)
- 12.9 Local Mixed Use Corridor (Schedule (“A1”)

Section 13.0 Maximum Density Schedule

- 13.1 Richmond Hill Centre Zone (*intentionally left blank*)
- 13.2 Yonge and Bernard Key Development Area Zone (Schedule “B1”)
- 13.3 Yonge/Carville/16th Avenue Key Development Area Zone (Schedule “B1”)
- 13.4 Regional Mixed Use Corridor Zone (Schedule “B1”)
- 13.5 Local Centre Village Zone (Schedule “B1”)
- 13.6 Local Centre Oak Ridges Zone (Schedule “B1”)
- 13.7 Local Centre Newkirk Zone (Schedule “B1”)
- 13.8 Local Development Area (Schedule “B1”)
- 13.9 Local Mixed Use Corridor (Schedule (“B1”)
- 13.10 Yonge and Bernard Key Development Area Zone
Existing Non-residential Gross Floor Area (GFA) (Schedule “H1”)

Section 14.0 Height Schedule

- 14.1 Richmond Hill Centre Zone (*intentionally left blank*)
- 14.2 Yonge and Bernard Key Development Area Zone (Schedule “C1”)
- 14.3 Yonge/Carville/16th Avenue Key Development Area Zone (Schedule “C1”)
- 14.4 Regional Mixed Use Corridor Zone (Schedule “C1”)
- 14.5 Local Centre Village Zone (Schedule “C1”)
- 14.6 Local Centre Oak Ridges Zone (Schedule “C1”)
- 14.7 Local Centre Newkirk Zone (Schedule “C1”)
- 14.8 Local Development Area (Schedule “C1”)
- 14.9 Local Mixed Use Corridor (Schedule (“C1”)

Section 15.0 Parking Strategy Areas

- 15.1 Parking Strategy Areas (Schedule “D1”)

Section 16.0 TRCA Regulation Area and Flood Vulnerable Area

- 16.1 TRCA Regulation Area and Flood Vulnerable Area (Schedule “E1”)

Section 17.0 Natural Features Overlay

- 17.1 Natural Features (Schedule “F1”)

Section 18.0 High Aquifer Vulnerability & Wellhead Protection Area Overlay

- 18.1 High Aquifer Vulnerability & Wellhead Protection Area (Schedule “G1”)

Section 19.0 Exceptions

The following subsections of this " **Site Specific Zoning Exceptions**" are exceptions to the provisions of this By-law. In accordance with Section 2.4 of this By-law, where a **zone** symbol on the **attached** schedule(s) is followed by one or more bracketed numbers, e.g. R2(1) or R2(1)(8), the bracketed numbers refer to subsections in Section 36 this By-law.

- 7.1 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following special provisions shall apply to the lands located at 10909 Yonge Street zoned "**KDA-YB Zone**" and more particularly shown as "KDA(H)" on Schedule "A" and denoted by a bracketed number (1):
- i) For the purposes of applying Schedule D, Table 4.1B Special Provision 5, the minimum required non-residential gross floor area required shall be 13,953 square metres.
 - ii) For the purposes of Table 4.1C, Special Provision 13, where a new development is situated on lands which are subject to more than one maximum FSI, the overall maximum FSI for the development shall be calculated by applying the maximum FSI for each area on a pro-rata basis, and the resulting FSI can be applied anywhere on the property from the lower density area to the higher density area, unless otherwise permitted by the bylaw, recognizing that a portion of the property may have a resulting FSI less than and/or greater than the FSI applicable to that portion.
 - iii) For the purposes of Table 4.1B Special Provision (1), all of the lands located at 10909 shall be deemed one lot for the purposes of defining frontage on a public street.
 - iv) For the purposes of Table 4.1 B Special Provision (1), dwelling units may be permitted in the first storey street wall abutting Bernard Avenue, but units shall only be accessed internally and not be permitted any direct access along Bernard Avenue.
 - v) For the purpose of Table 4.1B Special Provision (19) indoor amenity space for an **apartment dwelling** is prohibited to locate in the **first storey** of a **building** within the first 10.0 metres of the depth of the **building** measured in from the **building main wall** along a **street line** abutting 60% of the **Active At Grade Frontages**.
 - vi) For the purposes of Section 3.5, the following provisions shall apply to the portion of a **high rise building** excluding a **tower**, or a **mid rise building** on a **lot**:
 - a. Where a **main wall** of the **building** has habitable windows and a line projected at a right angle from a **main wall** intercepts another **main wall** of a **building** or the same **building** with habitable windows on the same **lot**, the minimum required above **grade** distance between the **main walls** shall be 15.0 meters.
 - b. Where a **main wall** of the **building** has habitable windows abuts another **main wall** of a **building** or the same **building** on the same **lot** which does not have habitable windows and a line projected at a right angle from a **main wall** intercepts the other **main wall** of a **building** or the same **building**, the required minimum above-**grade** distance between the **main walls** is 7.5 metres.
 - vii) The definition of amenity space in Section 11 shall mean outdoor space on a **lot** or part of a **building** that is accessible, communal and available for use by the occupants of a **building** on the **lot** for recreational or social activities.
 - viii) The definition of street in Section 11 shall be amended to include a private street for the purpose of applying zoning provisions related to setbacks.
 - ix) On the southerly 1.15 ha of land located at 10909 Yonge Street:
 - a. For the purposes of Table 4.1D Special Provision (5), for the northern building no more than 50% of the podium shall be permitted with 0 m setbacks and 3 metre setback to the Tower.
 - b. For the purposes of Table 4.1B Special Provision (19), a street wall shall be a minimum of 40% of the length of a **lot line** abutting a **street** or a **lane**.
 - c. For the purposes of Table 4.1D Special Provision (13), the maximum **FSI** shall be 3.66.

7.2 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following special provisions shall apply to the lands located at 16 Naughton Drive zoned “**KDA-YB Zone**” and more particularly shown as “KDA-YB(H)” on Schedule “A1” and denoted by a bracketed number (2):

- i) For the purposes of Table 4.1D Special Provision (4), a building main wall with windows or openings shall be setback a minimum of 3.0 m to the westerly lot line. All other requirements of Special Provision 6 shall continue to apply.
- ii) Notwithstanding the definition of **amenity space** in Section 11, **amenity space** shall mean outdoor space on a lot or part of a building that is accessible, communal and available for use by the occupants of a building on the lot for recreational or social activities.
- iii) Notwithstanding Section 3.2, a mechanical penthouse located on the rooftop of a building within the portion of the lands identified on Schedule B as being subject to the minimum height of 4 storeys, may include a connected, enclosed area which contains indoor amenity space that is accessible, communal and available for use by the occupants of a building on the lot for recreational or social activities. The mechanical **penthouse** inclusive of the indoor amenity space shall be deemed not to be a **storey** and shall be excluded from the calculation of maximum **building height** provided that it complies with all provisions in Section 3.2 and with the **angular plane** requirements of the By-law.