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June 19, 2025

The Corporation of the City of Richmond Hill  
225 East Beaver Creek Road  
Richmond Hill, Ontario  
L4B 3P4

Attn: Mr. Salvatore Aiello, Manager, Development Zoning

Dear Mr. Aiello:

**Re: Response to Draft Comprehensive Zoning By-law 30-25 Amendment  
12600 Bayview Avenue  
2706379 Ontario Limited**

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Goldberg Group acts on behalf of 2706379 Ontario Limited, the 'Owner' of the property legally described as 'Block 226, Registered Plan 65M-3802', and municipally known as 12600 Bayview Avenue (the "**subject property**").

The Ontario Land Tribunal has previously approved Official Plan and Zoning By-law Amendments to permit the redevelopment of the subject property with 19 townhouse dwelling units of common element condominium tenure (City Files: D01-19004, D02-19021, and D06-20041). The implementing Zoning By-law Amendment (the "**ZBLA**") was brought into effect by order of the Ontario Land Tribunal dated June 3, 2024 through By-law 68-24 (refer to Appendix 'A' to this Letter). The ZBLA implemented a series of site specific development standards for the subject property.

On the basis of the ZBLA, a Site Plan Agreement has been executed, dated October 3, 2024. Our Client is presently working to obtain building and servicing permits in order to begin construction in summer 2025.

At present, the only remaining Planning Act processes necessary to implement the proposed development are to achieve approval of the pending draft plan of condominium application (City File: CON-22-0003), and to seek an exemption from the provisions of Part Lot Control. It is understood that a Recommendation Report related to the plan of condominium is scheduled to be heard in September 2025. The application for Part Lot Control exemption is to be provided once foundations have been constructed, as is standard practice.

We have reviewed the draft amendments to the Comprehensive Zoning By-law appended to Staff Report SRPBS.25.070 (the "**CZBL**"), and note that the site specific provisions of the ZBLA have not been included in Section 19.0 Exceptions. Rather, the subject property is proposed to be classified within the *Neighbourhood Mixed Use (NMU) Zone*.

While we appreciate that the Transition Regulations of Section 1.12 would apply, we note that **Regulation 1.12.8** would not transition the provisions of the ZBLA beyond building permit issuance, and that the Transition Regulations as a whole cease to be in force and effect 3 years after the CZBL is passed by the City.

This potentially creates a situation wherein future Owners of the units within the proposed development may be restricted from otherwise ordinary alterations to their dwellings without the need to seek significant relief from the provisions of the CZBL.

Accordingly, we ask that the ZBLA be included as a site specific exception within Section 19.0 of the CZBL. We also request that this exception be assessed against the proposed general regulations of the CZBL, with any additional relief incorporated into same to ensure that the proposed development remains fully compliant with the proposed regulations such that it is not necessary to rely on the Transition Regulations of Section 1.12.

We welcome the opportunity to meet with City Staff to discuss the above comments and concerns, and request to be notified of any further activity or reporting on this matter.

If you have any questions or require additional information, please do not hesitate to contact the undersigned at ext. 2101.

Yours truly,

**GOLDBERG GROUP**



Adam Layton, MCIP, RPP

cc. 2706379 Ontario Limited

**APPENDIX '1'**

**OLT ORDER**

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** June 3, 2024

**CASE NO.:** OLT-22-001947  
(Formerly PL210162)

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 2706379 Ontario Ltd.  
Subject: Request to amend the Official Plan - Failure of the City of Richmond Hill to adopt the requested amendment  
Existing Designation: "Neighbourhood"  
Proposed Designated: An amendment to the Official Plan to remove the subject lands from the listing of the "Existing Neighbourhood Commercial Site" (in accordance with Appendix 7 of the Official Plan) in order to facilitate the development of the proposed residential development in accordance with the provisions of the "Neighbourhood" designation  
Purpose: To permit the construction of a medium density residential development comprised of 19 townhouse dwelling units  
Property Address/Description: 12600 Bayview Avenue/ Block 226, Plan 65M-3802  
Municipality: City of Richmond Hill  
Approval Authority File No.: D01-19004  
OLT Case No.: OLT-22-001947  
Legacy Case No.: PL210162  
OLT Lead Case No.: OLT-22-001947  
Legacy Lead Case No.: PL210162  
OLT Case Name: 2706379 Ontario Limited v. Richmond Hill (City)

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 2706379 Ontario Ltd.  
Subject: Application to amend Zoning By-law No. 85-02, as amended - Neglect of the City of Richmond Hill to make a decision  
Existing Zoning: "Neighbourhood Commercial (NC) Zone"

Proposed Zoning: "Multiple Residential One (RM1) Zone"  
 Purpose: To permit the construction of a medium density residential development comprised of 19 townhouse dwelling units

Property Address/Description: 12600 Bayview Avenue/ Block 226, Plan 65M-3802  
 Municipality: City of Richmond Hill  
 Municipality File No.: D02-19021  
 OLT Case No.: OLT-22-001955  
 Legacy Case No.: PL210163  
 OLT Lead Case No.: OLT-22-001947  
 Legacy Lead Case No.: PL210162

**PROCEEDING COMMENCED UNDER** subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Referred by: 2706379 Ontario Ltd.  
 Subject: Site Plan  
 Property Address/Description: 12600 Bayview Avenue  
 Municipality: City of Richmond Hill  
 OLT Case No.: OLT-22-001956  
 Legacy Case No.: PL210164  
 OLT Lead Case No.: OLT-22-001947  
 Legacy Lead Case No.: PL210162

BEFORE:

SHARYN VINCENT ) Monday, the 3<sup>rd</sup> day of  
 VICE-CHAIR )  
 ) June, 2024

**THIS MATTER** having come on for a public hearing and the Tribunal in its Decision and Interim Order issued on July 7, 2022 having allowed the appeal in principle pertaining to the Zoning By-law Amendment matter but withheld its Final Order pending receipt of an amending by-law in final form to the satisfaction of the Parties;

**THE TRIBUNAL ORDERS** that the appeal with respect to the Zoning By-law Amendment is allowed, and By-law 85-02, as amended, is hereby amended in the

manner set out in Attachment “1” to this Order. The Tribunal authorizes the municipal clerk to assign a number to this By-law for record keeping purposes.

*“Euken Lui”*

EUKEN LUI  
ACTING REGISTRAR

**Ontario Land Tribunal**

Website: [olt.gov.on.ca](http://olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

## ATTACHMENT “1”

**The Corporation of the City of Richmond Hill****By-law 68-24**

A By-law to Amend By-law 85-02, as amended, of  
The Corporation of the City of Richmond Hill

Now Therefore the Ontario Land Tribunal adopts and approves as follows:

1. That By-law 85-02, as amended, of The Corporation of the City of Richmond Hill (“By-law 85-02”), be and hereby is further amended as follows:

- a) by rezoning those lands shown on Schedule “A” to this By-law 68-24 (the “Lands”) from “Neighbourhood Commercial (NC) Zone” to “Multiple Residential One (RM1) Zone” under By-law 85-02, as amended; and,
- b) by adding the following to **Section 7 – EXCEPTIONS**

**“7.1**

Notwithstanding any inconsistent or conflicting provisions of By-law 85-02, as amended, the following special provisions shall apply to the lands zoned “Multiple Residential One (RM1) Zone” and more particularly shown as “RM1” on Schedule “A” to this By-law 68-24 and denoted by a bracketed number (7.1):

- i) The following shall apply to the lands shown as “RM1” on Schedule “A” to this By-law 68-24:
  - a) A **LANE** shall include a parcel of land which is a **COMMON ELEMENT CONDOMINIUM** for means of vehicular and pedestrian access.
  - b) A **LOT** shall include a **PARCEL OF TIED LAND**.
  - c) A **STREET** shall include a **LANE**.
  - d) Maximum Number of **DWELLING UNITS**: 19
  - e) Maximum **BUILDING HEIGHT**: 11.5 metres (37.73 feet)
  - f) Maximum Number of **STOREYS**: 3
  - g) Minimum Number of **PARKING SPACES**:
    - (i) 2 **PARKING SPACES** per **DWELLING UNIT**
    - (ii) 0.25 visitor **PARKING SPACES** per **DWELLING UNIT**
  - h) The provisions of Section 5.8(b) (Landscaped Buffer) shall not apply.
- ii) The following provisions shall apply to the lands denoted as Block A on Schedule “B” to this By-law 68-24:
  - a) The **LOT LINE** that abuts Bayview Avenue shall be the **FRONT LOT LINE**.
  - b) Minimum **LOT AREA**: 115 square metres (1,237.89 square feet)
  - c) Minimum **LOT FRONTAGE**: 5.7 metres (18.70 feet)
  - d) Maximum **LOT COVERAGE**: 55.00%
  - e) Minimum **FRONT YARD** (1)(2): 3.5 metres (11.48 feet)
  - f) Minimum **SIDE YARD** (3): 1.5 metres (4.92 feet)
  - g) Minimum **REAR YARD** (4)(5): 4.5 metres (14.76 feet)
  - h) Minimum **SETBACK** to a Daylight Triangle:
    - (i) Dwelling 1.2 metres (3.94 feet)
    - (ii) Porch 0.5 metres (1.64 feet)

## NOTES:

- (1) Steps may encroach into the Minimum Required **FRONT YARD** up to the **FRONT LOT LINE**.
  - (2) The Maximum **ENCROACHMENT OF PORCHES** into the Required **FRONT YARD** shall be 2.0 metres (6.56 feet).
  - (3) This provision only applies to the end units of townhouse dwelling units.
  - (4) The Minimum Required **REAR YARD** for the northerly **DWELLING UNIT** in Block A shall be 3.5 metres (11.48 feet).
  - (5) The Maximum **ENCROACHMENT OF PORCHES** and **DECKS** into the Required **REAR YARD** shall be 2.9 metres (9.51 feet).
- iii) The following provisions shall apply to the lands denoted as Block B on Schedule "B" to this By-law 68-24:
- a) The northerly **LOT LINE** that abuts a private **LANE** shall be the **FRONT LOT LINE**.
  - b) Minimum **LOT AREA**: 140 square metres (1,506.99 square feet)
  - c) Minimum **LOT FRONTAGE**: 5.9 metres (19.36 feet)
  - d) Maximum **LOT COVERAGE**: 50.00%
  - e) Minimum **FRONT YARD** (1): 5.2 metres (17.06 feet)
  - f) Minimum **SIDE YARD** (2)(3)(4)(5): 1.4 metres (4.59 feet)
  - g) Minimum **REAR YARD**: 6.0 metres (19.68 feet)
  - h) Maximum **DRIVEWAY** width: 3.1 metres (10.17 feet)

## NOTES:

- (1) The Maximum **ENCROACHMENT OF PORCHES** into the Required **FRONT YARD** shall be 3.5 metres (11.48 feet).
  - (2) This provision only applies to the end units of townhouse dwelling units.
  - (3) Notwithstanding the Minimum Required **SIDE YARD** setback, a **PORCH** for the westerly **DWELLING UNIT** in Block B shall require a Minimum **SIDE YARD** of 1.4 metres (4.59 feet).
  - (4) The most easterly **LOT** in Block B is considered an interior **LOT** and the east **SIDE LOT LINE** shall be considered an **INTERIOR SIDE LOT LINE**.
  - (5) The Minimum Required **SIDE YARD** for the easterly dwelling unit in Block B shall be 1.8 metres (5.91 feet).
- iv) The following provisions shall apply to the lands denoted as Block C on Schedule "B" to this By-law 68-24:
- a) The **LOT LINE** that abuts Old Colony Road shall be the **FRONT LOT LINE**.
  - b) Minimum **LOT AREA**: 120 square metres (1,291.71 square feet)
  - c) Minimum **LOT FRONTAGE**: 5.7 metres (18.70 feet)
  - d) Maximum **LOT COVERAGE**: 55.00%
  - e) Minimum **FRONT YARD** (1)(4): 3.5 metres (11.48 feet)
  - f) Minimum **SIDE YARD** (2): 1.8 metres (5.91 feet)
  - g) Minimum **FLANKAGE YARD** (3): 1.8 metres (5.91 feet)
  - h) Minimum **REAR YARD** (3)(5): 5.5 metres (18.04 feet)

## NOTES:

- (1) Steps may encroach into the Minimum Required **FRONT YARD** up to the **FRONT LOT LINE**.
- (2) This provision only applies to the end units of townhouse dwelling units.



- (3) In the case of a **LOT** abutting a **LANE** with a curved corner, the **REAR LOT LINE** and **FLANKAGE LOT LINE** shall be deemed to extend to their hypothetical point of intersection with the extension of the **REAR LOT LINE** or the **FLANKAGE LOT LINE** for the purposes of calculating minimum required **YARD SETBACKS**, provided that no portion of a **STRUCTURE** is located within the **LANE**. Notwithstanding the above provision, no **STRUCTURE** shall be closer than 1.5 metres (4.92 feet) to a curved corner.
  - (4) The Maximum **ENCROACHMENT OF PORCHES** into the Required **FRONT YARD** shall be 2.0 metres (6.56 feet).
  - (5) The Maximum **ENCROACHMENT OF PORCHES, DECKS AND BALCONIES** into the Required **REAR YARD** shall be 3.5 metres (11.48 feet)."
2. All other provisions of By-law 85-02, as amended, not inconsistent with the foregoing, shall continue to apply to the lands shown on Schedules "A" and "B" attached hereto.
3. The imperial measurements found in this by-law in brackets are provided for information purposes only and are intended to be an approximate conversion of the metric measurements. The metric or SI measurements shall be deemed to be the standards established by this by-law and, wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurement shall apply.
4. Schedules "A" and "B" attached to By-law 68-24 are declared to form a part of this by-law.

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

### **Explanatory Note to By-law 68-24**

By-law 68-24 affects the lands described as Block 226, Registered Plan 65M-3802, municipally known as 12600 Bayview Avenue.

By-law 85-02, as amended, zones the subject lands “Neighbourhood Commercial (NC) Zone”.

By-law 68-24 will have the effect of rezoning the subject lands to “Multiple Residential One (RM1) Zone” under By-law 85-02, as amended, with site specific provisions to permit the construction of a residential development comprised of 19 townhouse dwelling units of common element condominium tenure on the subject lands.



