

## 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 to the lands identified in Schedules “A” and “A1”.

### 1.3 Purpose and Intent of this By-law

This By-law regulates the use of land, the bulk, 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 provisions of this By-law.
- (2) This By-law does not relieve from complying with the requirements of any other By-law or standards 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 **Region**, 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. For ground related built forms including **detached dwelling**, **semi-detached dwelling**, **street townhouse dwelling**, **rear lane townhouse dwelling**, **back-to-back dwelling**, and **quadruplex dwelling** located on a parcel of land, the minimum required **yards** shall apply below **established grade**. For **detached dwellings** linked below **established grade**, no **setback** shall be required for that portion of the **dwelling unit** connected below **established grade** to a **dwelling unit** on an abutting parcel of land. 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 **lot lines** abutting a **street**.

### 1.6 Building Permits, Certificates of Occupancy and Municipal Licenses

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 license 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

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- 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 present tense include the future tense and words used in the future tense include the present tense.
- d) 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.
- e) In this By-law, unless the context indicates otherwise, “and” indicates that all connected items or provisions apply; and “or” indicates that the connected items or provisions may apply singularly, alternatively or in combination.
- f) In this By-law, a reference made to a **zone** category includes all **zones** within that **zone** category.
- g) In this By-law, a reference to a **zone** includes its **zone** name, or **zone** label.
- h) In this By-law, a use is permitted in a **zone** if it is indicated by the symbol “X” in the Permitted Uses Table for that **zone**, or it is indicated by a special provision number symbol in the Permitted Uses Table for that **zone**. If a use is not indicated by a “X” symbol or a special provision number symbol in the Permitted Uses Table for that **zone**, the use is not permitted. A listed or defined permitted use may not be interpreted as including any other use.

(3) Abbreviations

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

- a) “m” means metres.
- b) “ha” means hectares.
- c) “m<sup>2</sup>” means square metres.
- d) “min.” means minimum.
- e) “max.” means maximum.
- f) “%” means percentage.
- g) “GFA” means **gross floor area**.
- h) “FSI” means **floor space index**.
- i) “GLFA” means **gross leasable floor area**.
- j) “LRB” means **low-rise building**.
- k) “MRB” means **mid-rise building**.
- l) “HRB” means **high-rise building**.
- m) “S” means **detached dwelling**.
- n) “SD” means **semi-detached dwelling**.
- o) “DU” means **duplex dwelling**.
- p) “MA” means a **maisonette dwelling**.
- q) “BTH” means **block residential dwelling**.

- r) “STH” means **street townhouse dwelling**.
- s) “RLT” means **rear lane townhouse dwelling**.
- t) “Q” means **quadruplex dwelling**.
- u) “BTB” means **back-to-back dwelling**.
- v) “ST” means **stacked townhouse dwelling**.
- w) “NA” means **apartment dwelling**.
- x) “CNR” means Canadian National Railway.
- y) “TCPL” means TransCanada Pipeline.
- z) “PC” Protected Countryside.
- aa) “PSA” means Parking Strategy 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, grammar, mathematical abbreviations 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, and **zone** boundaries abutting the applicable Greenway System **zone**.
- 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 provisions or sections thereof by a **public authority** shall include any amendments or successor legislation.
- e) Changes to the Table of Contents 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.
- (3) Section 14.0 Amendments to this By-law is for convenience purposes only and does not form part of this By-law.

**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*, R.S.O. 1990 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, or portions thereof, of this By-law or any portion of the schedules to this By-law 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 of Minor Variances to Former By-laws

Where the Committee of Adjustment of the **City**, the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal has, between April 5, 2012 and the day before the day that this By-law is passed by **Council**, authorized a minor variance from By-law 30-25, as amended, or any zoning by-law in force and effect prior to the date that this By-law was passed by **Council**, the provisions of this By-law (as they apply to such land, **building** or **structure**) are modified to the extent necessary to implement that minor variance approval.

#### 1.12.2 Previous Decisions for Permission Under Section 45(2) of the *Planning Act*, R.S.O. 1990 or to Extend Legal Non-Conforming Uses

- (1) Where the Committee of Adjustment of the **City**, the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal has, between April 5, 2012 and the day before the day that this By-law is passed by **Council**, granted approval in accordance with Sections 45(2)(a) or (b) of the *Planning Act*, R.S.O. 1990 to enlarge, extend or permit a use that was a legal **non-conforming use** under By-law 30-25, as amended, or any zoning by-law in force and effect prior to the date that this By-law was passed by **Council**, the provisions of this By-law (as they apply to such use, **building** or **structure**) are modified to the extent necessary to implement that approval.
- (2) Notwithstanding Section 1.12.2(1), on lands **zoned** ORMNL, ORMNC, ORMCO, ORMH, ORMP, ORMOS, ORMOS1 and ORMKNF, no land, **building** or **structure** shall be used for a purpose prohibited by the provisions of this By-law unless such land, **building** or **structure** was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose.

#### 1.12.3 Previous Site Plan and Ontario Heritage Permit Approvals

Where site plan approval in accordance with the *Planning Act*, R.S.O. 1990 or a heritage permit in accordance with the *Ontario Heritage Act*, has been granted by the **City**, the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal, between April 5, 2012 and the day before the day that this By-law is passed by **Council**, the provisions of this By-law (as they apply to such land, **building** or **structure**), are modified to the extent necessary to implement that site plan approval or heritage permit.

#### 1.12.4 Previous Provisional Consent Approvals

Where the Committee of Adjustment of the **City**, the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal has, between April 5, 2012 and the

day before the day that this By-law is passed by **Council**, 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 implement that provisional consent so long as the provisional consent has not lapsed.

#### **1.12.5 Building Permit Applications**

Nothing in this By-law shall apply to prevent the erection or use of a **building or structure** for which a complete application for a building permit has been filed between April 5, 2012 and the day before the day that this By-law is passed by **Council**, if the project complies with the provisions of all zoning by-laws in force and effect on the day before the day that this By-law is passed by **Council**.

#### **1.12.6 Site Plan Approval and Heritage Permit Approval Applications**

Nothing in this By-law shall apply to site plan approval or heritage permit approval where a complete application for site plan approval under Section 41 of the *Planning Act*, R.S.O. 1990 or for a heritage permit in accordance with the *Ontario Heritage Act*, has been filed between April 5, 2012 and the day before the day that this By-law is passed by **Council**, provided the application complies with all zoning by-laws in force and effect on the day before the day that this By-law is passed by **Council**.

#### **1.12.7 Draft Plan of Subdivision, Draft Plan of Condominium, Consent to Sever and Part Lot Control Exemption Applications**

Nothing in this By-law shall apply to draft **plan of subdivision** approval, draft plan of **condominium** approval, consent to sever or part-lot control exemption where a complete application for draft **plan of subdivision** approval, draft plan of **condominium** approval, consent to sever or part-lot control exemption has been filed between April 5, 2012 and the day before the day that this By-law is passed by **Council**, provided the application complies with all zoning by-laws in force and effect on the day before the day that this By-law is passed by **Council**.

#### **1.12.8 Duration of Transition Provisions**

- (1) Nothing in this By-law applies so as to continue the application of Sections 1.12.1 to 1.12.7 beyond the issuance of the building permit(s) applicable to the project.
- (2) The provisions of Section 1.12 shall be of no force and effect 3 years after the day that this By-law is passed by **Council**.

#### **1.13 *Planning Act*, R.S.O. 1990**

A reference to the *Planning Act*, R.S.O. 1990 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**

Upon this By-law coming into full force and effect on any lands subject to this By-law, Zoning By-laws 986, 1275, 1703, 2523, 2325-68, 39-71, 66-71, 3-74, 150-80, 109-81, 181-81, 183-82, 251-82, 273-82, 108-85, 232-85, 88-86, 107-86, 355-86, 356-86, 184-87, 190-87, 57-88, 256-88, 12-89, 329-89, 76-91, 38-95, 255-96, 278-96, 312-96, 313-96, 235-97, 42-02, 85-02, 128-04, 91-13, 54-15, 55-15, 111-17 and 30-25, all as amended, are repealed for those lands subject to this By-law for which this By-law has come into full force and effect.

**1.15 Enactment**

Enacted by **Council** of the **Corporation** of the City of Richmond Hill this September 24<sup>th</sup>, 2025.