

The Corporation of the City of Richmond Hill

By-law Number 93-25

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 By-law

Office Consolidation: April 22nd, 2026 2026 CZBL Amendment DRAFT

Interactive Comprehensive Zoning By-law Mapping

This is an office consolidation of the City of Richmond Hill Comprehensive Zoning By-law (CZBL) 93-25, provided for convenience only. It consolidates By-law 93-25 as adopted by Council on **September 24th, 2025** and amending by-laws passed by Council with no appeals or approved by the Ontario Land Tribunal (OLT) as of April 22nd, 2026. This consolidation does not include amendments approved by the OLT where a written decision has not yet been issued.

The Comprehensive Zoning By-law (By-law 93-25) is currently under appeal before the OLT. Regulations and lands/areas under appeal are to be identified in the Appeal Status document and annotated in the by-law. All regulations, not under area- and site-specific appeal or part of the global appeal, shall be interpreted to apply to lands described under "Subject Lands".

This consolidation is not a legal document and does not replace the official by-law or any amendment thereto. In the event of any conflict or inconsistency between this consolidation and the official by-law or any amendment thereto, the official by-law and amendments shall prevail. The certified versions of By-law 93-25 and all amendments are available through the [City Clerk's Office](#) and should be consulted for all legal purposes.

While every effort has been made to ensure accuracy, the Corporation of the City of Richmond Hill makes no representations or warranties regarding the accuracy, reliability, or completeness of this consolidation and expressly disclaims all liability for any loss, damage, or other consequence arising from reliance on this document. Users are solely responsible for verifying all information with the official by-law and amendments thereto.

Appeal Status Index & Interpretation

The entirety of the City of Richmond Hill Comprehensive Zoning By-law (By-law 93-25) is under appeal before the Ontario Land Tribunal (OLT) as of April 22nd, 2026.

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Table of Contents

Section 1.0 Administration	1
1.1 Title	1
1.2 Application.....	1
1.3 Purpose and Intent of this By-law.....	1
1.4 Compliance with this By-law and Other Applicable Law.....	1
1.5 Calculating Required Minimum Yards	1
1.6 Building Permits, Certificates of Occupancy and Municipal Licenses	1
1.7 Defined Terms.....	1
1.8 Overlays, Illustrations, Notations and Other Convenience Features	3
1.9 Administrator	3
1.10 Enforcement.....	4
1.11 Severability.....	4
1.12 Transition	4
1.12.1 Previous Approvals of Minor Variances to Former By-laws	4
1.12.2 Previous Decisions for Permission Under Section 45(2) of the <i>Planning Act</i> , R.S.O. 1990 or to Extend Legal Non-Conforming Uses	4
1.12.3 Previous Site Plan and Ontario Heritage Permit Approvals	4
1.12.4 Previous Provisional Consent Approvals	4
1.12.5 Building Permit Applications.....	5
1.12.6 Site Plan Approval and Heritage Permit Approval Applications.....	5
1.12.7 Draft Plan of Subdivision, Draft Plan of Condominium, Consent to Sever and Part Lot Control Exemption Applications	5
1.12.8 Duration of Transition Provisions	5
1.13 <i>Planning Act</i> , R.S.O. 1990	5
1.14 Repeal and Replacement of Former Zoning By-laws.....	5
1.15 Enactment.....	6
Section 2.0 Establishment of Zones	7
2.1 Zones and Zone Categories.....	7
2.2 Location of Zones.....	8
2.3 Determining Zone Boundaries.....	8
2.4 Exception Zones	9
2.5 Zoning Schedules and Overlays	9
Section 3.0 Provisions Applicable to All Zones.....	10
3.1 General Provisions for All Zones.....	10
3.1.1 Holding Provisions	10
3.1.2 Temporary Uses, Construction and Sales.....	10

<u>3.1.3</u>	<u>Non-Complying Lots</u>	<u>11</u>
<u>3.1.4</u>	<u>Non-Complying Buildings or Structures and Lot Conditions</u>	<u>11</u>
<u>3.1.5</u>	<u>Non-Complying as a Result of Expropriation</u>	<u>12</u>
<u>3.1.6</u>	<u>Non-Conforming Uses</u>	<u>12</u>
<u>3.1.7</u>	<u>Further Division of Lots or Blocks on a Registered Plan for Semi-Detached, Street Townhouses and Multiple Dwelling Units</u>	<u>12</u>
<u>3.1.8</u>	<u>Common Element Condominiums</u>	<u>12</u>
<u>3.1.9</u>	<u>Application for Approval for a Condominium Description</u>	<u>13</u>
<u>3.1.10</u>	<u>Municipal Services</u>	<u>13</u>
<u>3.1.11</u>	<u>Public Authority</u>	<u>15</u>
<u>3.1.12</u>	<u>Multiple Uses on One Lot</u>	<u>16</u>
<u>3.1.13</u>	<u>Frontage on a Public Street</u>	<u>16</u>
<u>3.2</u>	<u>Height Exemptions</u>	<u>16</u>
	<u>Table 3.2 Permitted Height Exemptions</u>	<u>17</u>
<u>3.3</u>	<u>Amenity Space</u>	<u>17</u>
<u>3.4</u>	<u>Permitted Encroachments</u>	<u>18</u>
	<u>Table 3.4A Permitted Encroachments into a Minimum Required Yard</u>	<u>18</u>
	<u>Table 3.4B Permitted Encroachments into a Separation Distance</u>	<u>19</u>
	<u>Table 3.4C Permitted Encroachment Special Provisions</u>	<u>20</u>
<u>3.5</u>	<u>Building Separation</u>	<u>22</u>
<u>3.5.1</u>	<u>Mid-Rise Buildings and High-Rise Buildings</u>	<u>22</u>
<u>3.5.2</u>	<u>Block Residential Development</u>	<u>23</u>
<u>3.6</u>	<u>Soft Landscaping</u>	<u>25</u>
<u>3.7</u>	<u>Building Dwelling Unit Mix</u>	<u>25</u>
<u>3.8</u>	<u>Provisions for Accessory Home Occupations</u>	<u>25</u>
<u>3.8.1</u>	<u>Use Provisions</u>	<u>25</u>
<u>3.9</u>	<u>Provisions for Accessory Home Businesses (ORMCP)</u>	<u>26</u>
<u>3.10</u>	<u>Short-Term Accommodation</u>	<u>27</u>
<u>3.11</u>	<u>Accessory Buildings, Structures and Use Provisions for All Zones</u>	<u>27</u>
<u>3.11.1</u>	<u>Uses Prohibited in Accessory Buildings and Structures</u>	<u>27</u>
<u>3.11.2</u>	<u>Prohibition of Accessory Buildings or Structures in the Oak Ridges Moraine Conservation Plan Area</u>	<u>27</u>
<u>3.12</u>	<u>Provisions for Accessory Buildings and Structures</u>	<u>27</u>
<u>3.13</u>	<u>Provisions for Garages Located in the Rear Yard</u>	<u>28</u>
<u>3.14</u>	<u>Provisions for Detached Garages</u>	<u>29</u>
<u>3.15</u>	<u>[Deleted (xx-26)]</u>	<u>30</u>
<u>3.16</u>	<u>Outdoor Patios</u>	<u>31</u>
<u>3.16.1</u>	<u>Use Provisions</u>	<u>31</u>
<u>3.17</u>	<u>Reserves</u>	<u>33</u>
<u>3.18</u>	<u>Additional Residential Units</u>	<u>33</u>

<u>Table 3.18A Minimum Total Number of Parking Spaces for Additional Residential Units</u>	<u>37</u>
<u>Table 3.18B Special Provisions</u>	<u>37</u>
<u>3.19 Provisions for Accessory Swimming Pools</u>	<u>38</u>
<u>3.20 [Deleted (xx-26)].....</u>	<u>38</u>
<u>3.21 Daylighting Triangle</u>	<u>38</u>
<u>3.22 Automobile Service Station</u>	<u>39</u>
<u>Table 3.22.1 Automobile Service Station Standards.....</u>	<u>39</u>
<u>3.23 Outdoor Display and Sales.....</u>	<u>39</u>
<u>Section 4.0 Centres and Corridors</u>	<u>40</u>
<u>4.1 Zones</u>	<u>40</u>
<u>4.2 Interim Development.....</u>	<u>40</u>
<u>4.3 Angular Plane Requirements in Centres and Corridors Zones.....</u>	<u>41</u>
<u>Table 4.1A Centres and Corridors Zone Permitted Uses.....</u>	<u>42</u>
<u>Table 4.1.B Centres and Corridors Zone Permitted Uses Special Provisions.....</u>	<u>44</u>
<u>Table 4.2A Centres and Corridors Zone Standards.....</u>	<u>48</u>
<u>Table 4.2B Centres and Corridors Zone Standards Special Provisions.....</u>	<u>54</u>
<u>Section 5.0 Neighbourhoods.....</u>	<u>59</u>
<u>5.1 Zones</u>	<u>59</u>
<u>Table 5.1A Neighbourhood Zones Permitted Uses</u>	<u>60</u>
<u>Table 5.1B Neighbourhood Zones Permitted Uses Special Provisions</u>	<u>63</u>
<u>Table 5.2A Neighbourhood Zones Standards.....</u>	<u>66</u>
<u>Table 5.2B Neighbourhood Zones Standards Special Provisions</u>	<u>68</u>
<u>Section 6.0 Institutional.....</u>	<u>72</u>
<u>6.1 Zones</u>	<u>72</u>
<u>Table 6.1A Institutional Zones Permitted Uses.....</u>	<u>73</u>
<u>Table 6.1B Institutional Zones Permitted Uses Special Provisions.....</u>	<u>73</u>
<u>Table 6.2A Institutional Zones Standards.....</u>	<u>74</u>
<u>Table 6.2B Institutional Zones Standards Special Provisions.....</u>	<u>74</u>
<u>Section 7.0 Employment Area.....</u>	<u>75</u>
<u>7.1 Zones</u>	<u>75</u>
<u>7.2 General Provisions for Employment Zone.....</u>	<u>76</u>
<u>7.2.1 Accessory Uses, Buildings and Structures in Employment Zone</u>	<u>76</u>
<u>7.2.2 Landscaped Strip Requirement.....</u>	<u>76</u>
<u>Table 7.1A Employment Zone Permitted Uses.....</u>	<u>77</u>
<u>Table 7.1B Employment Zone Permitted Uses Special Provisions.....</u>	<u>78</u>
<u>Table 7.2A Employment Zone Standards.....</u>	<u>79</u>
<u>Table 7.2B Employment Zone Standards Special Provisions.....</u>	<u>79</u>
<u>Section 8.0 Business Commercial</u>	<u>80</u>
<u>8.1 Zones</u>	<u>80</u>

8.2	General Provisions for Business Commercial Zones	80
	Table 8.1A Business Commercial Zones Permitted Uses	81
	Table 8.1B Business Commercial Zones Permitted Uses Special Provisions.....	82
	Table 8.2A Business Commercial Zones Standards	83
	Table 8.2B Business Commercial Zones Standards Special Provisions ..	83
Section 9.0 Greenway System		84
9.1	Provisions applicable to lands within the Oak Ridges Moraine Conservation Plan Area with a zone symbol starting with “ORM”	84
9.1.1	Highly Vulnerable Aquifers within the Oak Ridges Moraine Conservation Plan Area	84
9.1.2	Rapid Infiltration Basins and Columns	84
9.1.3	Landform Conservation Areas.....	84
9.2	Zones	85
	Table 9.1A Oak Ridges Moraine Rural and Environmental Zones Permitted Uses.....	87
	Table 9.1B Oak Ridges Moraine Rural and Environmental Zones Permitted Uses Special Provisions.....	88
	Table 9.2A Oak Ridges Moraine Rural and Environmental Zones Standards.....	89
	Table 9.2B Oak Ridges Moraine Rural and Environmental Zones Special Provisions.....	90
9.3	Provisions applicable to the Greenway System within the urban areas and outside of the lands within the Oak Ridges Moraine Conservation Plan Area subject to Section 8.1 of this By-law	91
9.3.1	Zones	91
	Table 9.3A Greenway System Zones Permitted Uses.....	93
	Table 9.3B Greenway System Zones Permitted Uses Special Provisions	94
	Table 9.4A Greenway System Zones Standards.....	95
	Table 9.4B Greenway System Zones Standards Special Provisions....	95
Section 10.0 Utility Corridor.....		96
10.1	Zones	96
	Table 10.1A Utility Corridor Zone Permitted Uses	96
	Table 10.1B Utility Corridor Zone Permitted Uses Special Provisions....	97
	Table 10.2A Utility Corridor Zone Standards	97
	Table 10.2B Utility Corridor Zone Special Provisions	97
Section 11.0 Automobile Parking, Bicycle Parking and Loading Provisions		98
11.1	Location	98
11.2	Deficiencies.....	98
11.3	Access	98

<u>11.4</u>	<u>Reductions</u>	<u>98</u>
<u>11.5</u>	<u>Calculation of Parking Spaces</u>	<u>99</u>
<u>11.6</u>	<u>Automobile Parking Space Provisions</u>	<u>99</u>
<u>11.6.1</u>	<u>Provisions Applying to All Automobile Parking Spaces</u>	<u>99</u>
	<u>Table 11.1A Minimum Dimensions of Various Types of Automobile Parking Spaces Provisions</u>	<u>99</u>
	<u>Table 11.1B Minimum Dimensions of Various Types of Automobile Parking Spaces Special Provisions</u>	<u>99</u>
	<u>Table 11.2A Minimum Stacking Lane Space Provisions</u>	<u>100</u>
<u>11.6.2</u>	<u>Obstruction of a Parking Space</u>	<u>101</u>
<u>11.6.3</u>	<u>Automobile Parking Structures</u>	<u>102</u>
<u>11.6.4</u>	<u>Parking and Storage of Commercial Vehicles</u>	<u>103</u>
<u>11.6.5</u>	<u>Driveways</u>	<u>103</u>
<u>11.7</u>	<u>Automobile Parking Rates</u>	<u>104</u>
	<u>Table 10.3A Minimum and Maximum Automobile Parking Space Provisions</u>	<u>104</u>
	<u>Table 11.3B Minimum and Maximum Automobile Parking Space Special Provisions</u>	<u>105</u>
	<u>Table 11.3C Minimum and Maximum Visitor Automobile Parking Space Provisions</u>	<u>106</u>
<u>11.8</u>	<u>Automobile Parking Space Exemptions</u>	<u>106</u>
<u>11.8.1</u>	<u>Shared Parking Rates</u>	<u>106</u>
<u>11.8.2</u>	<u>Mixed-Use Development Shared Parking Reduction</u>	<u>106</u>
<u>11.9</u>	<u>Bicycle Parking Space Provisions</u>	<u>106</u>
<u>11.9.1</u>	<u>Provisions Applying to All Bicycle Parking Spaces</u>	<u>106</u>
	<u>Table 11.4A Minimum Dimensions of Various Types of Bicycle Parking Spaces Provisions</u>	<u>107</u>
	<u>Table 11.4B Minimum Bicycle Parking Space Provisions</u>	<u>108</u>
	<u>Table 11.4C Minimum Bicycle Parking Space Special Provisions</u>	<u>109</u>
<u>11.10</u>	<u>Loading Space Provisions</u>	<u>109</u>
<u>11.10.1</u>	<u>Provisions Applying to All Loading Spaces</u>	<u>109</u>
<u>11.10.2</u>	<u>Loading Space Rates</u>	<u>109</u>
	<u>Table 10.5A Minimum Loading Spaces Provisions</u>	<u>110</u>
<u>11.11</u>	<u>Provisions for Loading Spaces for Automotive Service Stations</u>	<u>110</u>
<u>11.12</u>	<u>Electric Vehicle and Electric Bicycle Provisions</u>	<u>110</u>
<u>11.12.1</u>	<u>Electric Vehicle Parking Space Provisions</u>	<u>110</u>
	<u>Table 11.6A Minimum Electric Vehicle and Electric Bicycle Parking Space Provisions</u>	<u>111</u>
	<u>Table 10.6B Minimum Electric Vehicle and Electric Bicycle Parking Space Special Provisions</u>	<u>111</u>
<u>11.12.2</u>	<u>Permitted Electric Vehicle Supply Equipment within a Parking Space</u>	<u>111</u>
<u>Section 12.0</u>	<u>Definitions</u>	<u>112</u>

Section 13.0	Zoning Schedules and Overlays	142
13.1	Zoning – Schedule “A” and Schedule “A1”	142
13.2	Density – Schedule “B”	142
13.3	Height – Schedule “C”	142
13.4	Parking Strategy Areas – Schedule “D”	142
13.5	TRCA Regulation Area and Hazardous Lands – Overlay “E”	142
13.6	Natural Features – Overlay “F”	142
13.7	Highly Vulnerable Aquifers and Wellhead Protection Areas – Overlay “G”	142
13.8	Street Classification – Overlay “H”	142
Section 14.0	Exceptions	143
Section 15.0	Amendments to this By-law	173
Section 1.0	Administration	1
1.1	Title	1
1.2	Application	1
1.3	Purpose and Intent of this By-law	1
1.4	Compliance with this By-law and Other Applicable Law	1
1.5	Calculating Required Minimum Yards	1
1.6	Building Permits, Certificates of Occupancy and Municipal Licenses	1
1.7	Defined Terms	1
1.8	Overlays, Illustrations, Notations and Other Convenience Features	3
1.9	Administrator	3
1.10	Enforcement	4
1.11	Severability	4
1.12	Transition	4
1.12.1	Previous Approvals of Minor Variances to Former By-laws	4
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	4
1.12.3	Previous Site Plan and Ontario Heritage Permit Approvals	4
1.12.4	Previous Provisional Consent Approvals	4
1.12.5	Building Permit Applications	5
1.12.6	Site Plan Approval and Heritage Permit Approval Applications	5
1.12.7	Draft Plan of Subdivision, Draft Plan of Condominium, Consent to Sever and Part Lot Control Exemption Applications	5
1.12.8	Duration of Transition Provisions	5
1.13	Planning Act, R.S.O. 1990	5
1.14	Repeal and Replacement of Former Zoning By-laws	5
1.15	Enactment	6
Section 2.0	Establishment of Zones	7
2.1	Zones and Zone Categories	7

2.2	Location of Zones	8
2.3	Determining Zone Boundaries	8
2.4	Exception Zones	9
2.5	Zoning Schedules and Overlays.....	9
Section 3.0 Provisions Applicable to All Zones.....		10
3.1	General Provisions for All Zones	10
3.1.1	Holding Provisions	10
3.1.2	Temporary Uses, Construction and Sales	10
3.1.3	Non-Complying Lots.....	11
3.1.4	Non-Complying Buildings or Structures and Lot Conditions	11
3.1.5	Non-Complying as a Result of Expropriation	12
3.1.6	Non-Conforming Uses.....	12
3.1.7	Further Division of Lots or Blocks on a Registered Plan for Semi-Detached, Street Townhouses and Multiple Dwelling Units	12
3.1.8	Common Element Condominiums	12
3.1.9	Application for Approval for a Condominium Description	13
3.1.10	Municipal Services	13
3.1.11	Public Authority	15
3.1.12	Multiple Uses on One Lot.....	16
3.1.13	Frontage on a Public Street.....	16
3.2	Mechanical Equipment, Penthouses and Roof Constructions	16
3.3	Amenity Space	16
3.4	Permitted Encroachments	16
	Table 3.4A Permitted Encroachments	17
3.5	Separation	17
3.6	Soft Landscaping	19
3.7	Building Dwelling Unit Mix	19
3.8	Provisions for Accessory Home Occupations	19
3.8.1	Use Provisions	19
3.9	Provisions for Accessory Home Businesses (ORMCP)	20
3.10	Short-Term Accommodation	20
3.11	Accessory Buildings, Structure and Use Provisions for All Zones.....	20
3.11.1	Uses Prohibited in Accessory Buildings and Structures	21
3.11.2	Prohibition of Accessory Buildings or Structures in the Oak Ridges Moraine Conservation Plan Area	21
3.12	Provisions for Accessory Buildings and Structures.....	21
3.13	Provisions for Garages Located in the Rear Yard	22
3.14	Provisions for Detached Garages.....	22
3.15	Provisions for Decks and Porches.....	23
3.16	Outdoor Patios	25
3.16.1	Use Provisions	25
3.17	Reserves.....	26

3.18	Additional Residential Units	26
	Table 3.18A – Minimum Total Number of Parking Spaces for Additional Residential Units	29
	Table 3.18B – Special Provisions	29
3.19	Provisions for Accessory Swimming Pools	30
3.20	Barrier-Free Access Ramp and Elevating Devices	30
3.21	Daylighting Triangle	31
Section 4.0 Centres and Corridors		32
4.1	Zones	32
4.2	Interim Development	32
	Table 4.1A – Centres and Corridors Zone Permitted Uses	34
	Table 4.1.B – Centres and Corridors Zone Permitted Uses Special Provisions	36
	Table 4.2A – Centres and Corridors Zone Standards	39
	Table 4.2B – Centres and Corridors Zone Standards Special Provisions	41
Section 5.0 Neighbourhoods		48
5.1	Zones	48
	Table 5.1A – Neighbourhood Zone Permitted Uses	49
	Table 5.1B – Neighbourhood Zone Permitted Uses Special Provisions	51
	Table 5.2A – Neighbourhood Zone Standards	53
	Table 5.2B – Neighbourhood Zone Standards Special Provisions	55
Section 6.0 Institutional		59
6.1	Zones	59
	Table 6.1A – Institutional Zone Permitted Uses	60
	Table 6.1B – Institutional Zone Permitted Uses Special Provisions	60
	Table 6.2A – Institutional Zone Standards	61
	Table 6.2B – Institutional Zone Standards Special Provisions	61
Section 7.0 Employment Area		62
7.1	Zones	62
	Table 7.1A – Employment Area Zone Permitted Uses	62
	Table 7.1B – Employment Area Zone Permitted Uses Special Provisions	62
	Table 7.2A – Employment Area Zone Standards	62
	Table 7.2B – Employment Area Zone Standards Special Provisions	62
Section 8.0 Greenway System		63
8.1	Provisions applicable to lands within the Oak Ridges Moraine Conservation Plan Area with a zone symbol starting with “ORM”	63
8.1.1	Area of High Aquifer Vulnerability Zone – Oak Ridges Moraine Conservation Plan Area	63
8.1.2	Rapid Infiltration Basins and Columns	63
8.1.3	Landform Conservation Areas	63
8.2	Zones	63
	Table 8.1A – Oak Ridges Moraine Rural and Environmental Zone Permitted Uses	66

Table 8.1B—Oak Ridges Moraine Rural and Environmental Zone Permitted Uses Special Provisions	67
Table 8.2A—Oak Ridges Moraine Rural and Environmental Zone Standards	68
Table 8.2B—Oak Ridges Moraine Rural and Environmental Zone Special Provisions	69
8.3—Provisions applicable to the Greenway System within the urban areas and outside of the lands within the Oak Ridges Moraine Conservation Plan Area subject to Section 8.1 of this By-law	70
8.3.1—Zones	70
Table 8.3A—Greenway System Zone Permitted Uses	72
Table 8.3B—Greenway System Zone Permitted Uses Special Provisions	73
Table 8.4A—Greenway System Zone Standards	74
Table 8.4B—Greenway System Zone Standards Special Provisions	74
Section 9.0 Utility Corridor	75
9.1—Zones	75
Table 9.1A—Utility Corridor Zone Permitted Uses	75
Table 9.1B—Utility Corridor Zone Permitted Uses Special Provisions	76
Table 9.2A—Utility Corridor Zone Standards	76
Table 9.2B—Utility Corridor Zone Special Provisions	76
Section 10.0 Automobile Parking, Bicycle Parking and Loading Provisions	77
10.1—Location	77
10.2—Deficiencies	77
10.3—Access	77
10.4—Reductions	77
10.5—Calculation of Parking Spaces	78
10.6—Automobile Parking Space Provisions	78
10.6.1—Provisions Applying to All Automobile Parking Spaces	78
Table 10.1A—Minimum Dimensions of Various Types of Automobile Parking Spaces Provisions	78
Table 10.1B—Minimum Dimensions of Various Types of Automobile Parking Spaces Special Provisions	78
Table 10.2A—Minimum Stacking Lane Space Provisions	79
10.6.2—Obstruction of a Parking Space	80
10.6.3—Automobile Parking Structures	81
10.6.4—Parking and Storage of Commercial Vehicles	81
10.6.5—Driveways	82
10.7—Automobile Parking Rates	82
Table 10.3A—Minimum and Maximum Automobile Parking Space Provisions	83
Table 10.3B—Minimum and Maximum Automobile Parking Space Special Provisions	84
Table 10.3C—Minimum and Maximum Visitor Automobile Parking Space Provisions	84
10.8—Automobile Parking Space Exemptions	85
10.8.1—Shared Parking Rates	85
10.8.2—Mixed-Use Development Shared Parking Reduction	85

10.9	Bicycle Parking Space Provisions	85
10.9.1	Provisions Applying to All Bicycle Parking Spaces	85
	Table 10.4A – Minimum Dimensions of Various Types of Bicycle Parking Spaces Provisions	86
	Table 10.4B – Minimum Bicycle Parking Space Provisions	87
	Table 10.4C – Minimum Bicycle Parking Space Special Provisions	88
10.10	Loading Space Provisions	88
10.10.1	Provisions Applying to All Loading Spaces	88
10.10.2	Loading Space Rates	88
	Table 10.5A – Minimum Loading Spaces Provisions	89
10.11	Provisions for Loading Spaces for Automotive Service Stations	89
10.12	Electric Vehicle and Electric Bicycle Provisions	89
10.12.1	Electric Vehicle Parking Space Provisions	89
	Table 10.6A – Minimum Electric Vehicle and Electric Bicycle Parking Space Provisions	90
	Table 10.6B – Minimum Electric Vehicle and Electric Bicycle Parking Space Special Provisions	90
10.12.2	Permitted Electric Vehicle Supply Equipment within a Parking Space	90
Section 11.0 Definitions		91
Section 12.0 Zoning Schedules and Overlays		116
12.1	Zoning – Schedule “A” and Schedule “A1”	116
12.2	Density – Schedule “B”	116
12.3	Height – Schedule “C”	116
12.4	Parking Strategy Areas – Schedule “D”	116
12.5	TRCA Regulation Area and Hazardous Lands – Overlay “E”	116
12.6	Natural Features – Overlay “F”	116
12.7	High Aquifer Vulnerability and Wellhead Protection Areas – Overlay “G”	116
12.8	Street Classification (Arterial & Collector Streets) – Overlay “H”	116
Section 13.0 Exceptions		117
Section 14.0 Amendments to this By-law		145

List of Figures

Figure 1:	Section 3.4 – Encroachment	20
Figure 2:	Section 3.5.1 – Podium Separation	23
Figure 3:	Section 3.12 – Accessory Buildings & Structures	28
Figure 4:	Section 3.13 – Provision for Garages Located in the Rear Yard	29
Figure 5:	Section 3.14 – Provisions for Detached Garages	30
Figure 7:	Section 3.18 – Additional Residential Units	36
Figure 8:	Table 4.2A – High-Rise Building Standards	50
Figure 9:	Table 4.2A – Mid-Rise Building Standards	52
Figure 10:	Table 4.2A – Low-Rise Building Standards	53
Figure 11:	Table 4.2B Special Provision 2 – Permitted reduction of setback to 0m	55

Figure 12: Table 5.2B Special Provision 12 – Establishing Front Yard Setback.....	69
Figure 13: Section 11.6.1 – Automobile Parking Space Provisions	101
Figure 14: Section 11.6.2 – Obstruction of a Parking Space.....	102
Figure 15: Section 12 – Building or Structure Height	116
Figure 16: Section 12 – Daylighting Triangle.....	118
Figure 17: Section 12 – Dwelling Types.....	121
Figure 18: Section 12 – Established Grade (view from Front Lot Line)	122
Figure 19: Section 12 – Floor Space Index (FSI).....	123
Figure 20: Section 12 – Lot Types	129
Figure 21: Section 12 – Lot Coverage	130
Figure 22: Section 12 – Lot Frontage	130
Figure 23: Section 12 – Lot Line	131
Figure 24: Section 12 – Soft Landscaping.....	139
Figure 1: Section 3.4 – Encroachment.....	17
Figure 2: Section 3.5 – Podium Separation	18
Figure 3: Section 3.12 – Accessory Buildings & Structures	22
Figure 4: Section 3.13 – Provision for Garages Located in the Rear Yard	22
Figure 5: Section 3.14 – Provisions for Detached Garages.....	23
Figure 6: Section 3.15 – Example of Provisions for Decks and Porches	25
Figure 7: Section 3.18 – Additional Residential Units	28
Figure 8: Table 4.2A – High-Rise Building Standards	41
Figure 9: Table 4.2A – Mid-Rise Building Standards.....	42
Figure 10: Table 4.2A – Low-Rise Building Standards	43
Figure 11: Table 4.2B Special Provision 2 – Permitted reduction of setback to 0m	45
Figure 12: Table 5.2B Special Provision 12 – Establishing Front Yard Setback.....	56
Figure 13: Section 10.6.1 – Automobile Parking Space Provisions	80
Figure 14: Section 10.6.2 – Obstruction of a Parking Space.....	81
Figure 15: Section 11 – Building or Structure Height of less than 5 Storeys.....	94
Figure 16: Section 11 – Daylighting Triangle.....	96
Figure 17: Section 11 – Dwelling Types.....	98
Figure 18: Section 11 – Established Grade (view from Front Lot Line)	99
Figure 19: Section 11 – Floor Space Index (FSI).....	100
Figure 20: Section 11 – Lot Types	105
Figure 21: Section 11 – Lot Coverage	106
Figure 22: Section 11 – Lot Frontage	106
Figure 23: Section 11 – Lot Line	107
Figure 24: Section 11 – Soft Landscaping.....	113

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

- 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) “m²” 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) “BRDTH” means **block residential dwellingdevelopment.**

- 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 24th, 2025.

DRAFT

Section 2.0 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 Corridors **zones**:

<u>Zone Name</u>	<u>Zone Label</u>
Richmond Hill Centre	RHC
Yonge and Bernard KDA	KDA-YB
Yonge/ Carrville/ 16 th KDA	KDA-YC
Regional Mixed Use Corridor One	RMU-COR1 RMUC1
Regional Mixed Use Corridor Two	RMU-COR2 RMUC2
Local Centre Village	LC-V
Local Centre Oak Ridges	LC-OR
Local Centre Newkirk One	LC-N1
Local Centre Newkirk Two	LC-N2
Local Development Area One	LDA1
Local Development Area Two	LDA2
Local Mixed Use Corridor	LMU-COR LMUC

(2) Neighbourhood **zones**:

<u>Zone Name</u>	<u>Zone Label</u>
Neighbourhood	N
Neighbourhood One	N1
Neighbourhood Two	N2
Neighbourhood Three	N3
Neighbourhood Four	N4
Neighbourhood Semi-Detached One	NS1
Neighbourhood Semi-Detached Two	NS2
Neighbourhood Townhouse One	NT1
Neighbourhood Townhouse Two	NT2
Neighbourhood Apartment	NA
Neighbourhood Mixed Use	NMU
Neighbourhood Local Commercial	NLC

(3) Employment Area **zones**:

<u>Zone Name</u>	<u>Zone Label</u>
<u>Employment Area</u>	<u>EA</u>

~~Employment Area zones:~~

~~(intentionally left blank)~~

(4) Business Commercial **zones**:

<u>Zone Name</u>	<u>Zone Label</u>
<u>Business Commercial One</u>	<u>BC1</u>
<u>Business Commercial Two</u>	<u>BC2</u>

(5) Greenway System **zones**:

<u>Zone Name</u>	<u>Zone Label</u>
Oak Ridges Moraine Rural	ORMCO
Oak Ridges Moraine Rural Settlement Area	ORMH
Oak Ridges Moraine Pit	ORMP
Oak Ridges Moraine Natural Core	ORMNC
Oak Ridges Moraine Natural Linkage	ORMNL

Oak Ridges Moraine Open Space	ORMOS
Oak Ridges Moraine Open Space One	ORMOS1
Oak Ridges Moraine Key Natural Feature	ORMKNF
Greenway Natural Core	GNC
Greenway Natural Linkage	GNL
Protected Countryside	PC
Major Urban Open Space	MUOS

(6) Institutional Area **zones**:

<u>Zone Name</u>	<u>Zone Label</u>
Institutional One	I1
Institutional Two	I2
Institutional Three	I3

(7) Utility Corridor **zones**:

<u>Zone Name</u>	<u>Zone Label</u>
Utility Corridor	UC

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 Toronto and Region Conservation Authority Regulation Area (TRCA) and/or **Hazardous Lands** and/or the Natural Features Overlay as shown on Overlay "E" and/or Overlay "F":
 - i. the **zone** boundary shall be redefined through a Natural Heritage Evaluation or equivalent comprehensive evaluation approved by the **City** through a development application pursuant to the applicable sections of the *Planning Act, R.S.O. 1990*.
 - ii. Where a TRCA Regulation Area and/or **Hazardous Lands** and/or the Natural Features overlay boundary is reduced or removed, the portion of the land formerly subject to the overlay shall be deemed to be in accordance with the underlying **zone** as shown on the schedules in Section 12.0, as applicable.

- iii. Where a TRCA Regulation Area and/or **Hazardous Lands** and/or the Natural Features overlay boundary is increased, the portion of the land formerly within the underlying **zone** as shown on Overlay “E” and/or Overlay “F”, shall be deemed to be in accordance with the applicable Greenway System **zone** in Section 8.0.
- f) An overlay of this By-law may alter, add or remove some of the provisions affecting the use of land within an area depicted on the respective overlay.
- g) If a lot is ~~subject to the High Aquifer Vulnerability and Wellhead Protection Area Overlay as shown on Overlay “G” and is~~ identified as being wholly or partially within an area potentially identified as a highly vulnerable aquifer ~~vulnerability~~ and/or Wellhead Protection Area WHPA-D, uses and development may be limited in accordance with the provisions in this By-law.
- h) Where none of the above provisions apply, the **zone** boundary shall be scaled from the attached schedules.
- i) The information shown on the overlays may be amended from time to time by the TRCA or the **City**, as the case may be.
- j) The boundary of the **Oak Ridges Moraine Conservation Plan Area** as shown on Schedule “A1” shall be at a Canadian Geodetic Vertical Datum 1928 (CGVD28) elevation of 245.00 metres.

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 13.0 Exceptions of this By-law.

2.5 Zoning Schedules and Overlays

- (1) The Zoning Schedules as outlined in Section 12.0 show the area of all lands regulated by this By-law.
- (2) The Density Schedule as outlined in Section 12.0 shows the minimum and maximum density of all lands regulated by this By-law.
- (3) The Height Schedule as outlined in Section 12.0 shows the minimum and maximum range or maximum number of **storeys** of all lands regulated by this By-law
- (4) The Parking Strategy Areas Schedule as outlined in Section 12.0 shows the parking strategy areas for all lands regulated by this By-law.
- (5) The TRCA Regulation Area and Hazardous Lands Overlay “E” and Natural Features Overlay “F” show the Natural Areas and **Hazardous Lands** for all lands regulated by this By-law.
- ~~(6)~~ (6) The Highly Vulnerable Aquifers Vulnerability and Wellhead Protection Areas Overlay “G” shows groundwater protected areas applicable for all lands regulated by this By-law.
- ~~(6)(7)~~ (7) The Street Classification Overlay “H” shows the existing and proposed public streets by their categories.

Section 3.0 Provisions Applicable to All Zones

3.1 General Provisions for All Zones

3.1.1 Holding Provisions

Where a **zone** label as shown on Schedules A and A1 in Section 12.0 is followed by the bracketed symbol (H), the bracketed symbol indicates that the lands to which it applies have been placed in a Holding (H) provision pursuant to Section 36 of the *Planning Act*, R.S.O. 1990 and the City of Richmond Hill Official Plan, as amended. Lands as shown on Schedules A and A1 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 Uses Table in this By-law may be permitted to locate within legally existing **buildings** or **structures**.
- c) Additions to existing **buildings** referred to in Section 3.1.1(a) in this section, pursuant to Section 4.2 Interim Development may be permitted.
- d) A sales **trailer** pursuant to Section 3.1.2 may be permitted.
- e) No **buildings** or **structures**, save and except for 3.1.1 (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 Provision by-laws;
 - iv. a functional servicing report to the satisfaction of the **City**;
 - v. an arborist report, tree inventory and protection plan, or natural heritage evaluation to the satisfaction of the **City**; and,
 - vi. completion or fulfillment of any other study, condition or requirement as deemed necessary by the **City**.

3.1.2 Temporary Uses, Construction and Sales

- (1) Nothing in this By-law shall prevent, in any **zone** other than the applicable Greenway System **zone** in Section 8.0, uses incidental to construction, such as a construction camp or other such temporary work camp, temporary **parking area**, 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 Greenway System **zone** and as identified on Overlay “E” and/or Overlay “F”, the use of land for a sales office or **trailer** for the sale or lease of residential **dwelling units** or **commercial suites** provided that the following criteria are met:
 - a) the **suites** or **dwelling units** to be sold or leased are within the limits of the designated area of this By-law; and,
 - b) any sales **building** or **structure** is removed within 60 days after completion of the last **suite** or **dwelling unit** as the case may be.
- (3) Nothing in this By-law may prevent, in any Centres or Corridors **zone**, the use of land for the temporary placement of tent or **structure** intended for **commercial** uses and including **outdoor storage** for a period of not more than 16 contiguous weeks within a calendar year. The temporary displacement of required **parking spaces** is permitted with the exception that the temporary tent or **structure** does not block or displace an access route for fire department use or any other fire protection equipment and required accessible **parking spaces**.
- (4) Nothing in this By-law may prevent, in any Centres or Corridors **zone**, displacement of required **parking spaces** during the construction phase of a **building** or **structure** on a **lot** only for so long as the same is necessary for work in progress which has neither been finished nor abandoned.

3.1.3 Non-Complying Lots

(1) Non-Complying

A **building** or **structure** may be **erected** and used on a **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 or Structures and Lot Conditions

Enlargement, Repair or Renovation

A **non-complying building** or **structure** may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) does not further reduce the minimum required **front yard, side yard, flankage yard** and/or **rear yard setbacks**;
- b) does not increase the **lot coverage**, if the **lot coverage** does not comply with this By-law;
- c) does not increase the amount of **gross floor area** on that part of the **lot** located within a minimum required **yard**;
- d) for **lots** located within the **Oak Ridges Moraine Conservation Plan Area** as shown on Schedule “A1” (ORM Greenway System), Section 3.1.4 only applies to **buildings** or **structures** existing as of November 15, 2001; and,
- e) complies with all other applicable provisions of this By-law.

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.
- (2) The reconstruction within the same location and dimensions of an existing **building** or **structure** that is damaged or destroyed by causes beyond the owner's control is permitted on lands shown on Schedule "A" and Schedule "A1" and the reconstructed **building** or **structure** shall be deemed to be an existing **building** or **structure** if there is no change in use and no intensification of the use.

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 that this By-law is passed by **Council** 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) For **lots** located within the **Oak Ridges Moraine Conservation Plan Area** as shown on Schedule "A1" (ORM Greenway System), 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 for that purpose.

3.1.7 Further Division of Lots or Blocks on a Registered Plan for Semi-Detached, Street Townhouses and Multiple Dwelling Units

- (1) Where **dwelling units** in a **semi-detached, street townhouse dwelling** 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**.
- (2) Where **dwelling units** in a **semi-detached** or **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 **semi-detached** or **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

- (1) Where any form of **dwelling units** or **premises** is erected in conformity with a **site plan agreement** or site alteration agreement:
 - a) part of the lands affected by the **site plan agreement** or site alteration agreement are parts on a **common element condominium**; and,
 - b) the balance of the lands affected by the **site plan agreement** or site alteration 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** or site alteration agreement, and provided that the **common element condominium** and the **parcels of tied lands** are contiguous.

(2) Notwithstanding the registration of a plan of condominium and creation of **parcels of tied land**, the zone provisions and development standards in this By-law shall apply to the block as a whole, provided that all permitted encroachments, including **accessory buildings or structures** are contained within individual **parcels of tied land**.

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** or site alteration agreement and where the **buildings, dwelling units** or **premises** is proposed for approval pursuant to the *Condominium Act, 1998* 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** or site alteration 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 provision 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, R.S.O. 1990* 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 the **Commissioner** has assigned allocation for 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; and,
 - ii. the Commissioner of Infrastructure and Engineering Services has confirmed that municipal services are available in accordance with Section 3.1.10 (1) (c) hereof or Section 3.1.10 (1) (d) hereof as the case may be.
 - c) For the purposes of this provision, 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 watermains, 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 **plan of subdivision**:
 1. all property required for the service have been conveyed to the **City** or other government having jurisdiction; and,
 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.
 - 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 of Infrastructure and Engineering Services.
- 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 Section 3.1.10 (1) (c), or that is within a **plan of subdivision** referred to in Section 3.1.10 (1) (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 Section 50(7) of the *Planning Act*, R.S.O. 1990 or pursuant to a consent under Section 53 of the *Planning Act*, R.S.O. 1990, 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**, an access route for fire department use, in accordance with the provisions of the Building Code, Ontario Regulation 350/06, as amended, or any successor legislation or provision, 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.
 - 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 Section 3.1.10 (1) (c) or Section 3.1.10 (1) (d), for the purposes of this provision, water and sanitary sewer capacity and municipal services otherwise required by this By-law may be deemed by the Commissioner of Infrastructure and Engineering Services, in his or her absolute discretion, to be available to service a **building** containing 3 or more **dwelling units** and having 4 or more storeys, up to 9 months prior to the time that such municipal services are actually completed and operational.
 - f) Notwithstanding the requirements of Section 3.1.10 (1) (c) or Section 3.1.10 (1) (d), for the purposes of this provision, municipal services otherwise required by this By-law may be deemed by the Commissioner of Infrastructure and Engineering Services, in his or her absolute discretion, to be available to service a **non-residential building** up to 2 months prior to the time that such municipal services are actually completed and operational.
 - g) Nothing in this provision 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, Ontario Regulation 350/06, as amended, or any successor legislation or provision, has been provided.

3.1.11 Public Authority

- (1) A **Public Authority** is permitted to use and develop any **lot, building, structure** or infrastructure in all **zones**.

(2) A public authority use may include but is not limited to the following uses:

i. public highways;

ii. transit lines, railways and related facilities;

iii. gas and oil pipelines;

iv. sewage and water service systems and lines and stormwater management facilities;

v. power generation facilities and/or transmission lines;

vi. telecommunications lines and facilities, including broadcasting towers;

vii. bridges, interchanges, stations, parking areas and/or structures, rights-of-way and other structures and/or infrastructure that are required for the construction, operation or use of the facilities in (i) to (vii);

viii. community centres and recreational facilities;

ix. emergency service facilities;

x. libraries;

xi. public schools;

xii. post-secondary schools;

xiii. administrative facilities;

xiv. works yards; and,

i.xv. parks and open spaces. ~~Utilities including buildings, structures and accessory facilities used for the distribution of gas, steam, electricity or other forms of energy, and tele-communication provided by entities other than a Public Authority shall be permitted in all zones.~~

~~(2)~~(3) Within the **Oak Ridges Moraine Conservation Plan Area** as shown on Schedule "A1" and located within a Greenway System **zone**, only those public uses that conform to Ontario Regulation 140/02 are permitted.

~~(3)~~(4) Within the **Oak Ridges Moraine Conservation Plan Area** as shown on Schedule "A1", an office used by a **Public Authority** is permitted where offices are permitted in a **zone**.

~~(4)~~(5) Sections 3.1.11 (1) to (4) do not apply on lands within lands **zoned** ORMKNF, ORMOS and ORMOS1.

~~(5)~~(6) Notwithstanding Section 3.1.11 (5), transportation, infrastructure and utilities are permitted on lands **zoned** ORMOS and ORMOS1.

~~(6)~~(7) A public school may be located within all Neighbourhood, Institutional Area and Centres and Corridors **zones**.

3.1.12 Multiple Uses 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 provision(s) shall apply.

3.1.13 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** or **structure** is situated or **erected** or proposed to be **erected**, abuts or fronts onto a **street** or a **lane** which is assumed by the **Corporation** for maintenance purposes or is being constructed pursuant to a subdivision agreement with the **Corporation**. For the purposes of a **common element condominium**, a **street** shall include a **lane**. A **street** which includes a **lane** for purposes of a **common element condominium** shall not be assumed by the **Corporation**.

3.2 ~~Mechanical Equipment, Penthouses and Roof Constructions~~ Height Exemptions

(1) Any maximum **building** or **structure height** requirements of this By-law shall not apply to the following **building** and **structure** components in accordance with Table 3.2A.

(2) Rooftop mechanical equipment shall be fully enclosed within a **mechanical penthouse** or fully screened by an architectural feature of equivalent height.

Table 3.2 Permitted Height Exemptions

<u>Building or Structure Components</u>	<u>Permitted Height Exemptions</u>
<u>Accessory building or structure associated with agricultural use, provided that the accessory building or structure is not used for human habitation</u>	<u>does not count towards any height requirements</u>
<u>Belfry, spire, minaret or similar structures associated with a place of worship</u>	<u>does not count towards any height requirements</u>
<u>Chimney associated with a dwelling unit</u>	<u>2 m</u>
<u>Chimney or smokestack associated with a non-residential use</u>	<u>does not count towards any height requirements</u>
<u>Flag poles, telecommunication equipment, ventilators</u>	<u>does not count towards any height requirements</u>
<u>Mechanical penthouse</u>	<u>Townhouse dwelling, stacked townhouse dwelling, back-to-back dwelling and LRB: 4 m</u> <u>MRB and HRB: 6 m</u>
<u>Parapet or other decorative roof structures</u>	<u>MRB and HRB of non-residential and residential use: 6m</u> <u>Other residential use and LRB of non-residential use: 1.5 m</u>
<u>Other architectural/decorative equipment, rooftop access, fencing and screening that is not part of a mechanical penthouse</u>	<u>Townhouse dwelling, stacked townhouse dwelling, back-to-back dwelling and LRB: 3.5 m</u> <u>MRB and HRB: 6m</u>
<u>Skylight and associated structures</u>	<u>1 m</u>
<u>Public authority use</u>	<u>does not count towards any height requirements</u>

~~(1) Parapets, mechanical penthouses, roof constructions such as flagpoles, chimneys and/or solar panels, and other decorative roof structures, including the 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. Mechanical equipment, mechanical penthouses and roof constructions shall not be used as habitable space.~~

~~Rooftop mechanical equipment shall be fully enclosed within a mechanical penthouse or fully screened by an architectural feature of equivalent height.~~

3.3 Amenity Space

The following provisions shall apply to a **high-rise building, mid-rise building or low-rise building** containing 20 or more **dwelling units**:

- a) **amenity space** shall be calculated for each **dwelling unit** at a minimum rate of 2 square metres per **dwelling unit**;
- b) **amenity space** shall be located on the same **lot** as the **dwelling units** for which the **amenity space** is provided;
- c) a minimum of 50% of the required **amenity space** shall be provided as a contiguous common space;
- d) the required **amenity space** may be provided at grade and/or located on a terrace and/or rooftop; and,
- e) **amenity space** provided at grade or on a terrace and/or rooftop may be included in satisfying the applicable minimum soft landscaping requirements of this By-law.

3.4 Permitted Encroachments

- (1) Specified **accessory structures** and **building** features are permitted to encroach into the specified minimum required **yards** in accordance with Table 3.4A.
- (2) No **building, structure** or part thereof is permitted to encroach into a **separation distance**, including where a **separation distance** exceeds the minimum requirement, for a **block residential development** other than those set out in accordance with Table 3.4B.

Table 3.4A Permitted Encroachments into a Minimum Required Yard

<u>Structure or Feature</u>	<u>Yards in which Encroachment are Permitted</u>	<u>Maximum Encroachments into a Minimum Required Yard</u>
<u>Awnings and canopies (dwellings that are not LRB, MRB, HRB)</u>	<u>any yard</u>	<u>1 m</u>
<u>Awnings and canopies (LRB, MRB, HRB)</u>	<u>any yard</u>	<u>No closer than 50% of the yard</u>
<u>Balconies ⁽²⁾</u>	<u>a. front yard, flankage yard and rear yard (BTB, Q, RLT, ST, STR);</u> <u>b. any yard for other building types.</u>	<u>2 m ⁽⁴⁾</u>
<u>Belt courses, cornices, gutters or sills</u>	<u>any yard or separation distance</u>	<u>0.7 m</u>
<u>Barrier-free access ramps and elevating devices</u>	<u>any yard (BTB, Q, RLT, ST, STR, LRB, MRB, HRB)</u>	<u>a. 0 m to a front lot line ⁽⁴⁾;</u> <u>b. no closer than 0.45 m from a side lot line and rear lot line ⁽⁴⁾; and,</u> <u>c. no closer than 0.9 m from a flankage lot line. ⁽⁴⁾</u>
<u>Bay, bow or box windows not exceeding 1m in width and 3 m in length</u>	<u>front yard, rear yard, and flankage yard</u>	<u>1 m</u>
<u>Chimneys or pilasters</u>	<u>any yard</u>	<u>0.5 m ⁽⁴⁾</u>
<u>Decks ⁽³⁾</u>	<u>rear yard (BTB, D, DU, M, Q, RLT, SD, ST, STR)</u>	<u>a. no closer than 2 m from a rear lot line for a deck less than 0.6 m in height above grade;</u> <u>b. no closer than 3.5 m from a rear lot line for a deck 0.6 m or greater in height above grade;</u> <u>c. no closer than 2.4 m from a flankage lot line;</u> <u>d. no closer than 0.3 m from a side lot line where the dwelling units are not attached; and,</u> <u>e. to a side lot line where the dwelling units are attached.</u>
<u>Exterior stairs/steps and associated landings and stairwells, including those</u>	<u>rear yard, flankage yard, side yard (BTB, D, DU, M, Q, RLT, SD, ST, STR)</u>	<u>no closer than 0.3 m to a property line</u>

<u>Structure or Feature</u>	<u>Yards in which Encroachment are Permitted</u>	<u>Maximum Encroachments into a Minimum Required Yard</u>
<u>to access a parking structure located below established grade, a deck or a porch</u>		
<u>Roof overhangs</u>	<u>any yard</u>	<u>0.9 m</u>
<u>Porches not exceeding 4.5 m in height, measured from established grade to the underside of the rafters or ceiling of the porch and with or without basements</u> ⁽³⁾	<u>front yard, rear yard, and flankage yard (BTB, D, DU, M, Q, RLT, SD, ST, STR)</u>	<p>a. <u>front yard: 2 m, and no closer than the required side yard setback of a main building;</u></p> <p>b. <u>rear yard: 2.5 m and no closer than the required side yard setback of a main building; and,</u></p> <p>c. <u>flankage yard: to a distance of 1.5 m.</u></p>
<u>Window wells not exceeding 3 m in length</u>	<u>any yard</u>	<u>1 m</u>

Table 3.4B Permitted Encroachments into a Separation Distance

<u>Structure or Feature</u>	<u>Main Wall from which Encroachments are Permitted</u>	<u>Maximum Encroachment into a Separation Distance</u> ⁽¹⁾⁽⁵⁾
<u>Awnings and canopies (BRD)</u>	<u>any</u>	<u>1 m</u>
<u>Balconies</u> ⁽²⁾	<u>front and rear</u>	<u>2 m</u>
	<u>flankage</u>	<u>0.9 m</u>
<u>Belt courses, cornices, gutters or sills</u>	<u>any</u>	<u>0.7 m</u>
<u>Barrier-free access ramps and elevating devices</u>	<u>front</u>	<u>3 m</u>
	<u>side</u>	<u>0.75 m</u>
	<u>flankage</u>	<u>0.6 m</u>
	<u>rear</u>	<u>0.5 m</u>
<u>Bay, bow or box windows not exceeding 1m in width and 3 m in length</u>	<u>Front, flankage and rear</u>	<u>1 m</u>
<u>Chimneys or pilasters</u>	<u>any</u>	<u>0.5 m</u>
<u>Decks</u> ⁽³⁾	<u>rear</u>	<p>a. <u>4 m for a deck less than 0.6 m in height above grade;</u></p> <p>b. <u>2.5 m for a deck 0.6 m or greater in height above grade; and,</u></p> <p>c. <u>May not extend beyond a side or flankage main wall.</u></p>
<u>Exterior stairs/steps and associated landings and stairwells, including those to access a parking structure located below established grade, a deck or a porch</u>	<u>front</u>	<u>2.7 m</u>
	<u>side</u>	<u>0.9 m</u>
	<u>flankage</u>	<u>1.2 m</u>
	<u>rear</u>	<u>5.7 m</u>
<u>Roof overhangs</u>	<u>any</u>	<u>0.9 m</u>
<u>Porches not exceeding 4.5 m in height, measured from established grade to</u>	<u>front</u>	<u>2 m and may not extend beyond a side or flankage main wall.</u>

<u>Structure or Feature</u>	<u>Main Wall from which Encroachments are Permitted</u>	<u>Maximum Encroachment into a Separation Distance ⁽¹⁾⁽⁵⁾</u>
<u>the underside of the rafters or ceiling of the porch and with or without basements ⁽³⁾</u>	<u>side</u>	<u>0.9 m</u>
	<u>flankage</u>	<u>2.5 m and may not extend beyond a side or flankage main wall.</u>
<u>Window wells not exceeding 3 m in length</u>	<u>any</u>	<u>1 m</u>

Table 3.4C Permitted Encroachment Special Provisions

<u>Special Provision Number</u>	<u>Description of Special Provision</u>
<u>1</u>	<u>Encroachments into a separation distance may be permitted from more than one main wall or building on a lot.</u>
<u>2</u>	<u>No balcony encroachment into a minimum required yard or separation distance as permitted in Table 3.4A shall be enclosed to more than 50% of the vertical plane of the wall above floor level exclusive of roof supports.</u>
<u>3</u>	<u>No deck or porch shall be enclosed to more than 50% of the vertical plane from the floor to ceiling of the story that it serves.</u>
<u>4</u>	<u>Notwithstanding Sections 3.4 (1), no balcony, pillar or structural support encroachments greater than 0.6 metres shall be permitted within the first 10.5 metres of building height of a mid-rise building or high-rise building abutting a front yard, a flankage yard, or a rear yard or side yard abutting a street, lane or public park.</u>
<u>5</u>	<u>Notwithstanding any permitted encroachment into a separation distance, no portion of a building, structure or part thereof is permitted closer than 1.5 metres to the curved intersection of lanes or drive aisles, or any sidewalk.</u>

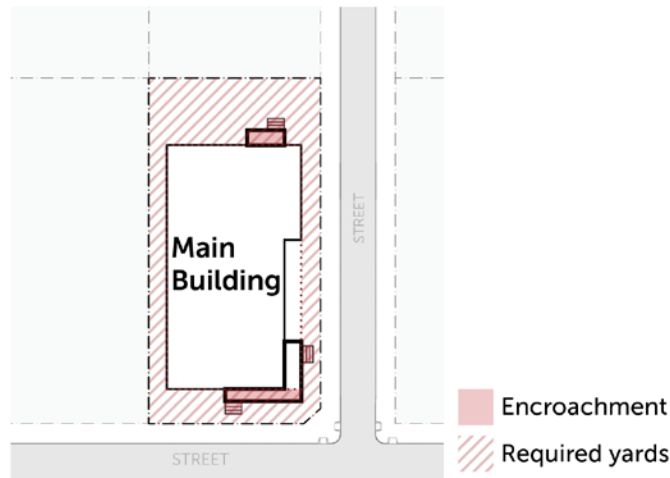


Figure 1: Section 3.4 – Encroachment

(1) ~~The following are permitted to encroach into the maximum **building height** or minimum required **yards** defined in this By-law:~~

Table 3.4A Permitted Encroachments

Structure	Yards in which Encroachments are Permitted	Maximum Encroachments into a Minimum Required Yard
Sills, belt courses cornices, canopies or gutters	any yard	0.7 metres
Chimneys or pilasters	any yard	0.5 metres

Structure	Yards in which Encroachments are Permitted	Maximum Encroachments into a Minimum Required Yard
Bay windows and window wells	front yard, rear yard, and flankage yard	1 metre over a maximum width of 3 metres
Balcony	1. front yard, flankage yard and rear yard for street townhouse dwelling, block residential 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 metres
Roof overhangs	any yard	0.9 metres
A canopy to a low-rise building, mid-rise building or high-rise building	any yard	50% of the setback of the building from the street line
Exterior steps including any associated landings, and stairwell associated with underground parking structures	rear yard, side yard and flankage yard	no closer than 0.3 metres to a property line

- (2) ~~No **balcony** encroachment into a minimum required **yard** as permitted by this Section 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** provided that 50% of the vertical plane of the wall is open to the movement of air.~~
- (3) ~~Notwithstanding Sections 3.4 (1) and (2), no **balconies**, canopies, terraces, pillars, structural supports or encroachments 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 **high-rise building** abutting a **front yard, flankage yard, or any other yard** abutting a **street, lane** or park.~~

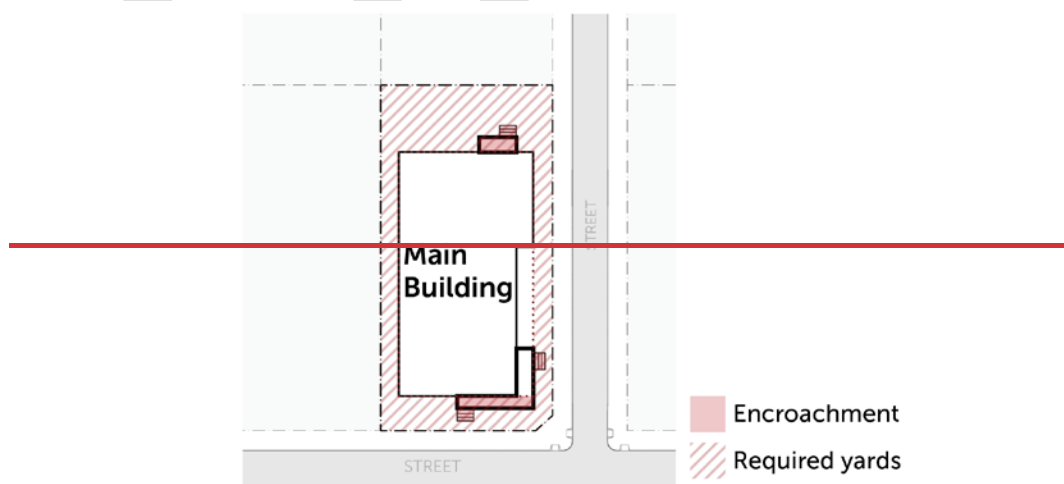


Figure 1: Section 3.4 – Encroachment

3.5 **Building Separation**

3.5.1 **Mid-Rise Buildings and High-Rise Buildings**

(1) Where two or more mid-rise buildings or high-rise buildings are located on the same lot, the following minimum horizontal separation distance of such buildings shall apply:

- a) a minimum of 15 metres between the closest part of two mid-rise buildings and/or the podium of high-rise buildings, where the main walls of either building facing each other contain windows; and,
- b) a minimum of 7.5 metres between the closest part of two mid-rise buildings and/or the podium of high-rise buildings, where a blank main wall of one building faces a main wall of another building containing windows.

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

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

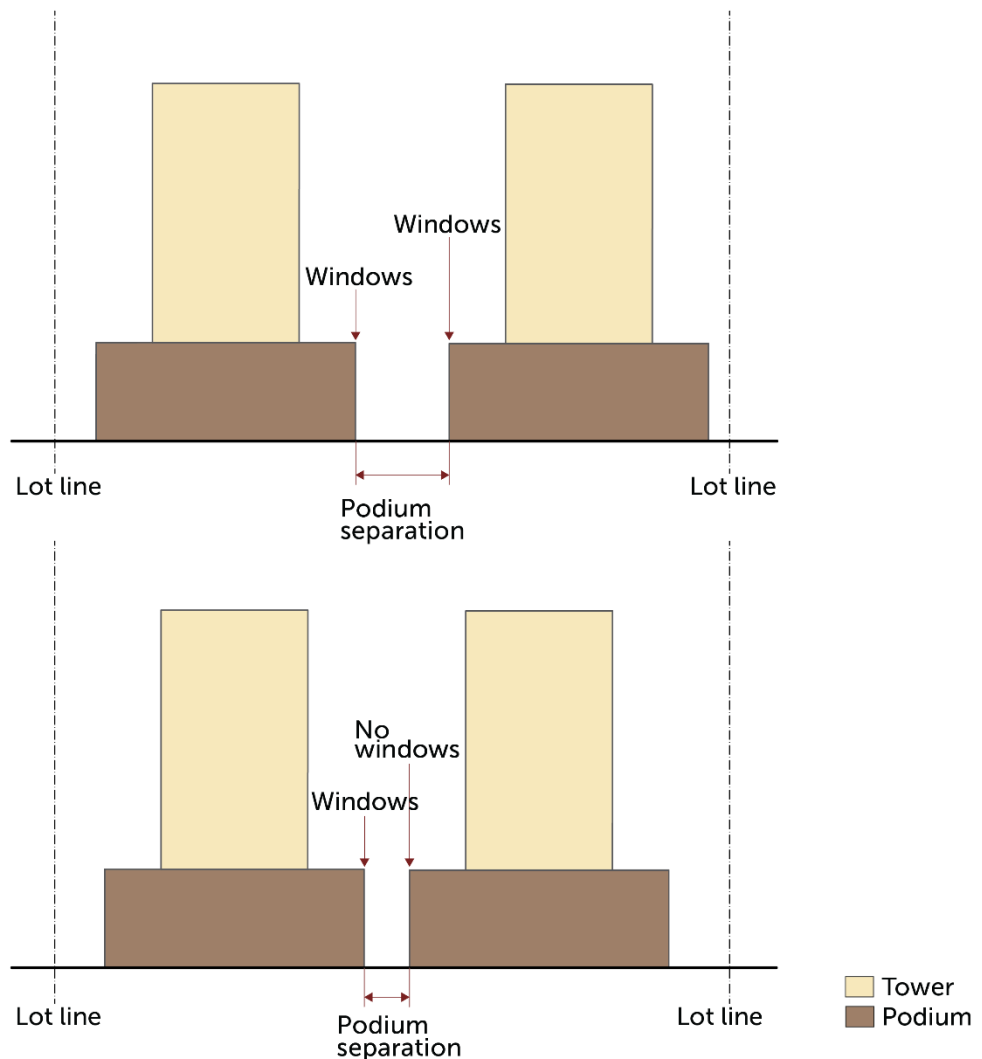


Figure 2: Section 3.5.1 – Podium Separation

3.5.2 Block Residential Development

(1) The following provisions shall apply to any buildings permitted under block residential development proposed on the same lot:

- a) A minimum separation distance shall be provided from a front main wall of a building of:**
 - i. 3 metres to a street, lane, drive aisle, or sidewalk;**
 - ii. 6 metres to an abutting lot within a Centres and Corridors zone or Neighbourhood zone;**
 - iii. 7.2 metres to a side main wall of another building; and,**
 - iv. 12 metres to a front main wall of another building.**
- b) A minimum separation distance shall be provided from a side main wall of a building of:**
 - i. 1.2 metres to an abutting lot within a Centres and Corridors zone or Neighbourhood zone;**
 - ii. 2.4 metres to a side main wall of another building;**
 - iii. 7.2 metres to a rear main wall of another building; and,**

- c) A minimum **separation distance** shall be provided from a flankage **main wall** of a **building** of:
- i. 1.5 metres to a **lane, drive aisle**, or sidewalk; and,
 - ii. 3 metres to a **street**.
- d) A minimum **separation distance** shall be provided from a rear **main wall** of a **building** of:
- i. 6 metres to a **street, lane, drive aisle**, sidewalk, or an abutting lot within a **Centres and Corridors zone** or **Neighbourhood zone**;
 - ii. 7.2 metres to a side **main wall** of another **building**;
 - iii. 12 metres to a rear **main wall** of another **building**; and,
 - iv. notwithstanding (i), (ii) and (iii), where a rear **main wall** contains an **attached garage** and no windows or openings on the **first storey**, the **minimum separation distance** to a **lane** or **drive aisle** shall be 1.5 metres for the portion of the rear **main wall** of the **first storey** and 3 metres to any portion of the rear **main wall** above the **first storey**.
- e) Notwithstanding any other minimum **separation distance** requirement:
- i. the minimum **separation distance** from any portion of a **building** to the curved intersection of **lanes** or **drive aisles**, or any sidewalk shall be 1.5 metres;
 - ii. the minimum **separation distance** from any portion of a **building** to a **parking area** shall be 3 metres;
 - iii. the minimum **separation distance** from any portion of a **main wall** of a **building** that serves as a **parking structure** entrance to a **drive aisle** shall be 0 metres; and,
 - iv. the minimum **separation distance** from a front or side **main wall** of a **building** to an abutting lot within a **Greenway System zone** or an abutting lot with a **public authority use** as the principal use within any **zone** shall be 3 metres.

3.6 Soft Landscaping

- (1) The following provisions shall apply to a **low-rise building, mid-rise building or high-rise building** on a **lot**:
 - a) A minimum of 20% of the **lot area** shall be used for no other purpose than **soft landscaping**, which may be located at grade or on top of a **building or structure**.
- (2) The following provisions shall apply to a **detached dwelling, semi-detached dwelling, street townhouse dwelling, block residential dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back-to-back dwelling or a quadruplex dwelling**:
 - a) A minimum 45% of the area of a **front yard and flankage yard** shall be used for no other purpose than **soft landscaping**. Notwithstanding the foregoing, where this 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 **soft landscaping**.
 - ~~b) Notwithstanding Section 3.6 (2)(a), a walkway no wider than 1 metre from the street to the dwelling units shall be permitted;~~
 - b) Notwithstanding Section 3.6 (2):
 - i. For lots containing semi-detached dwelling and townhouse dwelling where the lot frontage per dwelling unit is 6 metres, a minimum 34% of the front yard and flankage yard shall be used as no other purpose than soft landscaping.
 - ii. Portions of a walkway, exterior stairs/steps and associated landings from a street or a lane to a dwelling unit up to and including 1 metre in width may be deemed to be included in the calculation of soft landscaping; and.
 - iii. The area of land covered by a porch without a basement within a front yard or a flankage yard may be deemed to be included in the calculation of soft landscaping for the respective yard.
- (3) The parking of **motor vehicles** is prohibited within any area of a **lot** required for **soft landscaping** in accordance with Section 3.6 (2)(a). Driveways and **parking areas** are not included in the calculation of **soft landscaping**. ~~and,~~
- (4) For a **block residential dwelling**, a minimum 45% of the area of a **front yard or a flankage yard** shall be used for no other purpose other than **soft landscaping**. Section 3.6 (2)(d) applies to the **lot**.

3.7 Building Dwelling Unit Mix

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

3.8 Provisions for Accessory Home Occupations

3.8.1 Use Provisions

- (1) A **home occupation** is permitted in a **dwelling unit** occupied as a principal residence of the operator of the **home occupation**, provided that the **home occupation** use:

- a) shall be conducted entirely within an enclosed **building**;
 - b) shall not have a storefront;
 - 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% 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;~~
 - ~~e) from its nature of operation, creates a nuisance or is liable to become a nuisance by the creation of noise, vibration, or by reason of the emission of gas, fumes, dust, glare or odour which is evident outside of the **dwelling unit**;~~
 - f) shall not consist of activities that involve the salvage, repair, maintenance or sales of **motor vehicles** or **motor vehicles** engines or parts;
 - g) shall not consist of an animal shelter, **veterinary service**, or kennel;
 - h) shall not consist of an occupation that involves the sale of a commodity not produced on the premises. For commodities produced on the **premises**, sales of those commodities are permitted provided 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) a **home occupation** shall not include an individual engaged with the **home occupation** that does not reside within the principal residence; and,
 - k) if involving instructional activity or personal service establishment uses, shall not be occupied by more than 4 students or patrons at any one time.
- (2) ~~Home child care uses~~ Private home child care are permitted as a **home occupation** use in a **dwelling unit** occupied as a principal residence of the operator of the **home occupation**.

3.9 Provisions for Accessory Home Businesses (ORMCP)

For lands located within the **Oak Ridges Moraine Conservation Plan Area** as shown on Schedule "A1", where a **home business** is permitted in a **zone**, the **home business**:

- 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 business** 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 business**;
- d) Shall not occupy more than 25% of the **gross floor area** of the **dwelling unit**;
- e) Shall not result in the discharge or emission of odours, noxious or toxic matter or vapour as listed on Ontario Regulation 347 of the Revised Regulations of Ontario, R.S.O. 1990; heat, glare; noise; radiation; or recurrently generated ground vibrations; and,
- f) Shall not consist of an occupation that involves the salvage, repair, maintenance or sale of **motor vehicles** or **motor vehicles** engines or parts.

3.10 Short-Term Accommodation

A **short-term accommodation** is permitted:

- a) On a **lot** in a **dwelling unit** or **accessory residential unit** that is designated as a principal residence of the rental operator of the **short-term accommodation**;
- b) A **short-term accommodation** shall not include a **bed and breakfast** use;
- c) A **short-term accommodation** on a residential property must be operated in a manner that does not constitute a **commercial** use; and,
- d) A rental operator may operate a maximum of two separate **short-term accommodations** within the same **dwelling unit** or same **accessory residential unit**.

3.11 Accessory Buildings, Structures and Use Provisions 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**.

3.11.1 Uses Prohibited in Accessory Buildings and Structures

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.

3.11.2 Prohibition of Accessory Buildings or Structures in the Oak Ridges Moraine Conservation Plan Area

Notwithstanding any other provision of this By-law to the contrary, new **accessory** uses, **buildings** and **structures**, including **swimming pools**, related to the existing **uses** in accordance with the permitted uses of this By-law are only permitted if the **accessory** use, **building** or **structure** does not intrude into any area in an ORMNC, ORMNL, ORMOS1, ORMOS or ORMKNF **Zone**. Where such uses are located in an ORMNC, ORMNL, ORMOS1, ORMOS or ORMKNF **Zone**, new **accessory** uses shall be restricted to the **development envelope**.

3.12 Provisions for Accessory Buildings and Structures

- (1) An **accessory building** or **structure**, shall be permitted, provided that:
 - a) it shall not be permitted to be located in a **side yard**, **flankage yard** or **front yard**;
 - b) the minimum **side yard setback** of the **accessory building** or **structure** shall be 0.6 metres;
 - c) the minimum **rear yard setback** of the **accessory building** or **structure** shall be 0.6 metres;
 - d) the minimum **flankage yard setback** shall be the required **setback** of the **main building**;
 - e) the maximum height of an **accessory building** or **structure** ~~with a sloped 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, and the height of an accessory building or structure with a flat roof (having a slope of less than 1:6 ratio) shall not exceed~~ shall be 1 storey and 2.75 metres;

~~f) the maximum height of an accessory building or structure without a roof shall not exceed 2.75 metres;~~

~~g) the maximum number of storeys of an accessory building or structure is one;~~

~~h) no rooftop outdoor amenity areas shall be permitted;~~

~~i) buildings or structures within any zone abutting the TransCanada Pipeline right-of-way shall have a minimum setback of 7 metres;~~

~~j) buildings or structures within any zone abutting the Canadian National Railway right-of-way shall have a minimum 30 metre setback; and,~~

~~k) the total lot coverage for all detached accessory buildings and structures on any lot shall not exceed 5% of the lot area.~~

- (2) An accessory building or structure for a block residential development may encroach 5.7 metres into a separation distance from the rear main wall of a building, provided that it is no closer than 0.3 metres from the side or flankage main wall.

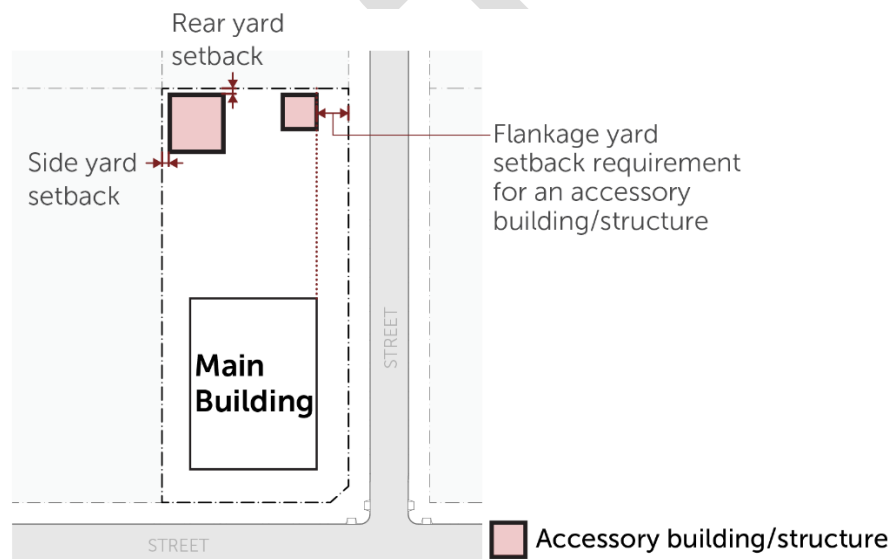


Figure 3: Section 3.12 – Accessory Buildings & Structures

3.13 Provisions for Garages Located in the Rear Yard

An attached garage to a detached dwelling, semi-detached dwelling, street townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling or a multiplex dwelling is permitted in a required rear yard, provided that:

- no more than 50% of the area of the required rear yard is covered by the attached garage;
- the attached garage is not located closer to the flankage lot line and side lot line than the main building on the lot;
- the attached garage shall be setback a minimum of 0.6 metres from the rear lot line; and,
- notwithstanding Sections 3.13 (a), (b), and (c), no minimum setback shall be required from the side lot line for an attached garage if the attached garage is to be attached to another attached garage or detached garage on an abutting lot.

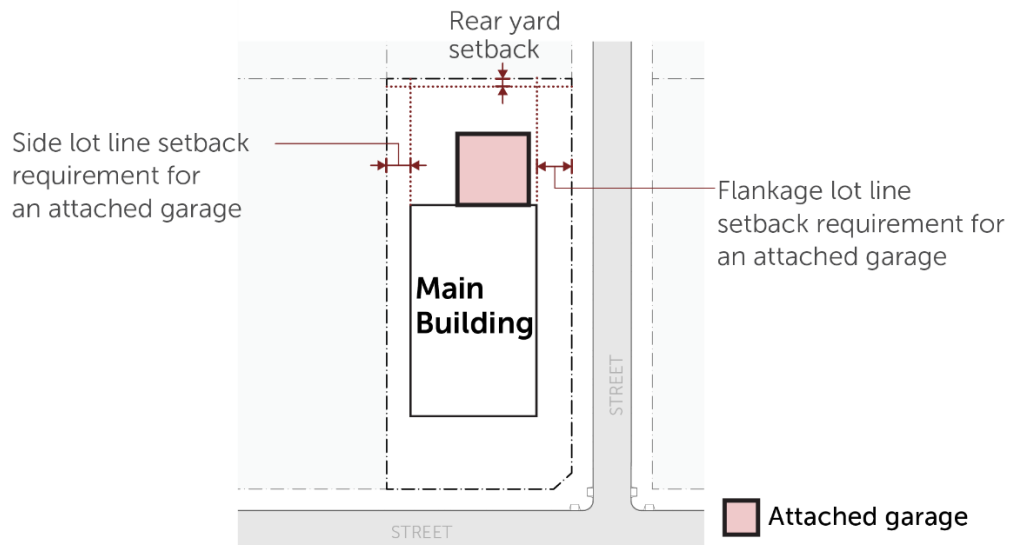


Figure 4: Section 3.13 – Provision for Garages Located in the Rear Yard

3.14 Provisions for Detached Garages

- (1) A **detached garage** to a **detached dwelling, semi-detached dwelling, street townhouse dwelling** or **rear lane townhouse dwelling** is permitted on a lot, provided that:
- the **detached garage** shall be **setback** from the **side lot line** by a minimum of 0.6 metres;
 - if the **detached garage** is to be **attached** to another **detached garage** on an abutting lot, no minimum **setback** shall be required where the **detached garages** are **attached** along the **side** and/or **rear lot line**;
 - 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**;
 - 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**;
 - the maximum **floor area** of a **detached garage** shall be 40 m²;
 - the maximum height of a **detached garage** shall be 4.2 metres to the highest point of the roof. In the case of a **detached garage** having an **accessory residential unit**, the maximum height of the **detached garage** shall be 7.5 metres to the highest point of the roof;
 - 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;
 - Section 3.14 (1) (g) does not apply on lands within the **Oak Ridges Moraine Conservation Plan Area** as shown on Schedule "A1";
 - If a **detached 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; and,
 - where **detached 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.
- (2) Notwithstanding Section 10.6.2, a **detached garage** or an **attached garage** to a **detached dwelling, semi-detached dwelling, or street townhouse dwelling** for

a single car shall have a minimum interior width of 3 metres and the minimum interior width of a double car **detached garage** or **attached garage** shall be 5.5 metres.

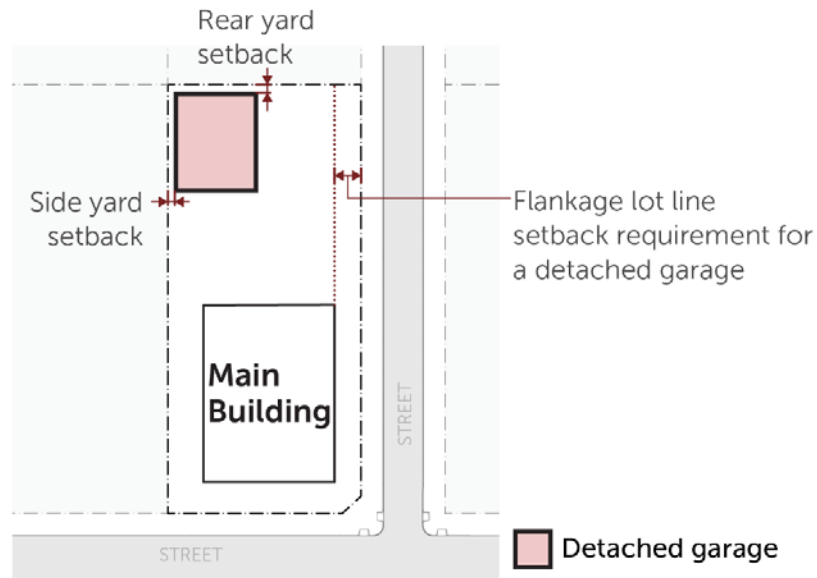


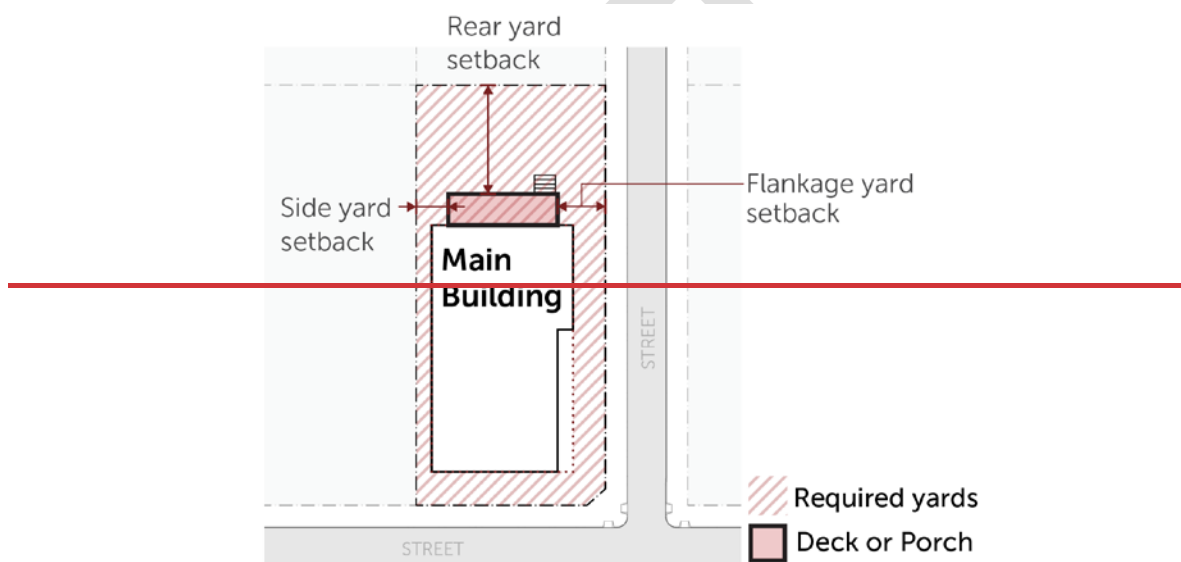
Figure 5: Section 3.14 – Provisions for Detached Garages

3.15 ~~Provisions for Decks and Porches [Deleted (xx-26)]~~

~~Decks and porches are permitted on any lot comprised of a detached dwelling, semi-detached dwelling, street townhouse dwelling, block residential dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back-to-back dwelling, quadruplex dwelling, duplex dwelling or multiplex dwelling in accordance with the following provisions:~~

- 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 metres, provided that the porch is not closer to a side lot line than the required setback to the main building on the lot;~~
 - ii. ~~a minimum required flankage yard to a distance of 1.5 metres;~~
 - iii. ~~a minimum required rear yard to a distance of 2.5 metres, provided that the porch is not closer to a side lot line than the required setback to the main building on the lot; and,~~
 - iv. ~~Where a building permitted under a block residential dwelling fronts onto a lane, internal walkway, park or other communal area, a porch may encroach in accordance with Sections 3.15 (a) (i) to (iii).~~
- b) ~~The following provisions apply to decks located within the required rear yard:~~
 - i. ~~Decks which are 0.6 metres in height or greater above established grade are permitted to encroach into the minimum required rear yard to a distance of 2.5 metres;~~
 - ii. ~~Decks which are 0.6 metres in height or greater above established grade are permitted no closer to a required side lot line than 0.3 metres; and,~~
 - iii. ~~Deck which are 0.6 metres in height or greater above established grade are permitted no closer to a required flankage lot line than 2.4 metres.~~
- c) ~~The following provisions apply to decks located within the required rear yard:~~

- ~~i. Decks which are less than 0.6 metres in height above established grade are permitted to encroach into the minimum required rear yard to a distance of 2 metres from the rear lot line;~~
- ~~ii. Decks which are less than 0.6 metres in height above established grade are permitted no closer to a required side lot line than 0.3 metres; and,~~
- ~~iii. Decks which are less than 0.6 metres in height above established grade are permitted no closer to a required flankage lot line than 2.4 metres.~~
- ~~d) Where a building permitted under a block residential dwelling fronts onto a lane, internal walkway, park or other communal area, a deck may encroach in accordance with Sections 3.15 (b) and (c);~~
- ~~e) No deck or porch shall be enclosed to more than 50% of the vertical plane from the floor to ceiling of the storey that it serves, but this shall not prohibit a guard up to the height of 1.07 metres above the floor level; and,~~
- ~~f) Stairs used to access a deck or a porch or an entry element shall be setback at least 0.3 metres from any lot line.~~



~~Figure 6: Section 3.15—Example of Provisions for Decks and Porches~~

3.16 Outdoor Patios

3.16.1 Use Provisions

- (1) Notwithstanding any provision to the contrary, in any other section of this By-law, an **outdoor patio** is hereby permitted as an **accessory** use to a restaurant, tavern, banquet hall 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 20% of the **gross floor area** of the restaurant or similar establishment it serves, but in no case shall constitute more than 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 zone** except where such **zones** are separated by an **active-at-grade frontage** or arterial **street**. **Outdoor patios** located on a **deck**, terrace or rooftop shall not be

permitted on any site which abuts any **neighbourhood zone** except where such **zones** are separated by an **active-at-grade frontage**.

- (5) The **outdoor patio** area shall be delineated and enclosed with an appropriate barrier. A minimum of one access point installed within the barrier to the outside of the **outdoor patio** shall be provided.
- (6) The **outdoor patio** area shall not interfere with any required **parking space**, driveway, **drive aisle** or **loading space**. The barrier for the **outdoor patio** area shall be **setback** a minimum of 1.5 metres from any adjacent driveway, **drive aisle**, internal circulation area, parking aisle, or **loading space**.
- (7) 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 **established grade** or on a **deck** or terrace or a rooftop, is located at least 100 metres from a residential property located in any adjacent **neighbourhood zone**.

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- (8) 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 City of Richmond Hill Light Pollution By-law.

3.17 Reserves

For the purpose of this By-law, a 0.3 metre **reserve** shall be considered part of the required **yard setback** to a **lot**. A **reserve** shall be included as part of the abutting **lot** when calculating **floor space index**.

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 as identified by Special Provision (1) noted in Table 5.1B that is located:
- on a **lot** that has **lot frontage** on a **street** and has direct vehicular access to a **street**;
 - on a **parcel of tied land**; or,
 - on a parcel of land within a **common element condominium**, and which a **lot** or parcel is separately serviced by municipal services.
- (2) Up to 3 **additional residential units** may be permitted per **lot**, provided:
- the total number of **dwelling units** per **lot** does not exceed 4; and,
 - the number of **additional residential units** in an **accessory residential building** does not exceed 2.
- (3) No **additional residential units** shall be located on lands within a Greenway System **zone**:
- on Schedules "A" and "A1", the TRCA Regulation Area and/or Hazardous Lands as shown on Overlay "E" and natural features as shown on Overlay "F", unless otherwise permitted by this By-law;
 - With respect to lands located within the Greenway Natural Core designation under the Greenbelt Plan 2017 as the GNC **zone** shown on Schedule "A", no **additional residential units** shall be permitted;
 - No more than 1 **additional residential unit** shall be permitted in an existing **detached dwelling**, or in an existing **accessory building** or **structure** or within an **accessory residential building** located on the same **lot** as the **detached dwelling** on lands **zoned** PC, provided that the **lot** has safe access and the **additional residential unit** is not located within **hazardous lands** or a wetland;
 - With respect to the lands **zoned** ORMCO and ORMH, no more than 1 **additional residential unit** shall be permitted on a **lot** and which shall be located in a **detached dwelling**; and,
 - With respect to the lands **zoned** ORMNC and ORMNL, no **additional residential unit** shall be permitted.

- ~~(4)~~ No **additional residential unit** shall be permitted unless it adheres to the following development standards:
- a) For a **lot** where an **additional residential unit** is located, the following shall apply:
 - i. a minimum 1 metre wide access path must be provided to the entrance of an **additional residential unit** from a **street** or a **lane**;
 - ii. the access path shall have **hard landscaping** for a minimum width of 0.75 metres along its entirety;
 - iii. notwithstanding Table 3.4A, no encroachment greater than 0.5 metres shall obstruct the access path; and,
 - iv. a driveway may form part of the access path.
- (4) Where the principal entrance to a **building** containing an **additional residential unit** or an **accessory residential building** is provided through a door located in the **side yard** or **rear yard**, the following shall apply:
- (a) An access path with a minimum width of 1 metre shall be provided to the exterior entrance of an **additional residential unit** or an **accessory residential building** from a **street, lane** or **drive aisle**.
 - (b) A minimum vertical clearance of 2.1 metres shall be provided for the entire length of the access path.
 - (c) An access path may only be obstructed in accordance with the following:
 - i. utility equipment such as utility metres, **electric vehicle supply equipment** and HVAC equipment up to 0.25 metres into the required access path; and,
 - ii. a through gate across the access path with a minimum 0.9m opening.
 - (d) No uncovered window well shall be located within the access path.
 - (e) An access path shall have **hard landscaping** along its entirety.
 - (f) An access path may comprise of a **private driveway** or part thereof.
- (5) For an **additional residential unit** located in the principal dwelling, the following shall apply:
- a) A maximum of 2 main entrances to **dwelling units**, including the primary **dwelling unit**, are permitted to be located above **established grade** on the front **building** elevation of the principal dwelling and oriented parallel to the **street**.
 - b) Notwithstanding Section 3.18 (5)(a), main entrances to **dwelling units** in excess of 2 are permitted to be located on the front **building** elevation of the principal dwelling if they are located below **established grade** and/or oriented perpendicular to the **street**.
- ~~(6)~~ A maximum of 1 **attached garage** shall be provided on a **lot** containing **additional residential units** where the **additional residential unit** is within the **principal building**.
- ~~(6)~~(7) No **accessory residential building** shall be permitted unless it adheres to the following development standards:
- a) only 1 **accessory residential building** is permitted per **lot**;
 - b) an **accessory residential building** shall only be located in the **rear yard** of a **dwelling** type listed in Special Provision (1) noted in Table 5.1B;

- c) an **accessory residential building** shall not be permitted to be located in a **side yard, flankage yard or front yard**;
- d) an **accessory residential building** may contain an **attached garage** or an **accessory structure** provided it adheres to the development standards for the **accessory residential building**. An **attached garage** to an **accessory residential building** shall not be greater than 40 square metres;
- e) the minimum **side yard setback** of an **accessory residential building** shall be 1.2 metres;
- f) the minimum **rear yard setback** of an **accessory residential building** shall be 1.2 metres;
- g) the minimum **flankage yard setback** of an **accessory residential building** shall be the **setback** of the principal **dwelling**;
- h) a **main wall** of an **accessory residential building** shall be no less than 4 metres from a **main wall** of the principal **dwelling** on the same **lot**;
- ~~i) an **accessory residential building** may not exceed 2 storeys;~~
- ~~j) the height of the **main walls** of an **accessory residential building** shall not exceed an elevation equal to 6 metres above **established grade**;~~
- ~~k) the height of an **accessory residential building** shall not exceed 7.5 metres measured from **established grade** to the highest point of the roof;~~
- i) the maximum **height** of an **accessory residential building** shall be:
 - i. 2 storeys and 6 metres for an **accessory residential building** with a flat roof or mansard roof; or,
 - ii. 2 storeys and 7.5 metres for an **accessory residential building** with a gable, hip, gambrel or other type of pitched roofs;
- h)j) the **building** coverage of an **accessory residential building** shall not exceed 80 square metres, inclusive of any area covered by an integral **detached garage**;
- ~~m)k) no rooftop outdoor amenity areas shall be permitted on an **accessory residential building**;~~
- n)l) no **balcony** or platform higher than 1 metre above **established 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, abuts a **lot** in a **neighbourhood zone**; and,
- e)m) a minimum of 50% of the **rear yard** of a **lot** shall be **soft landscaping**.

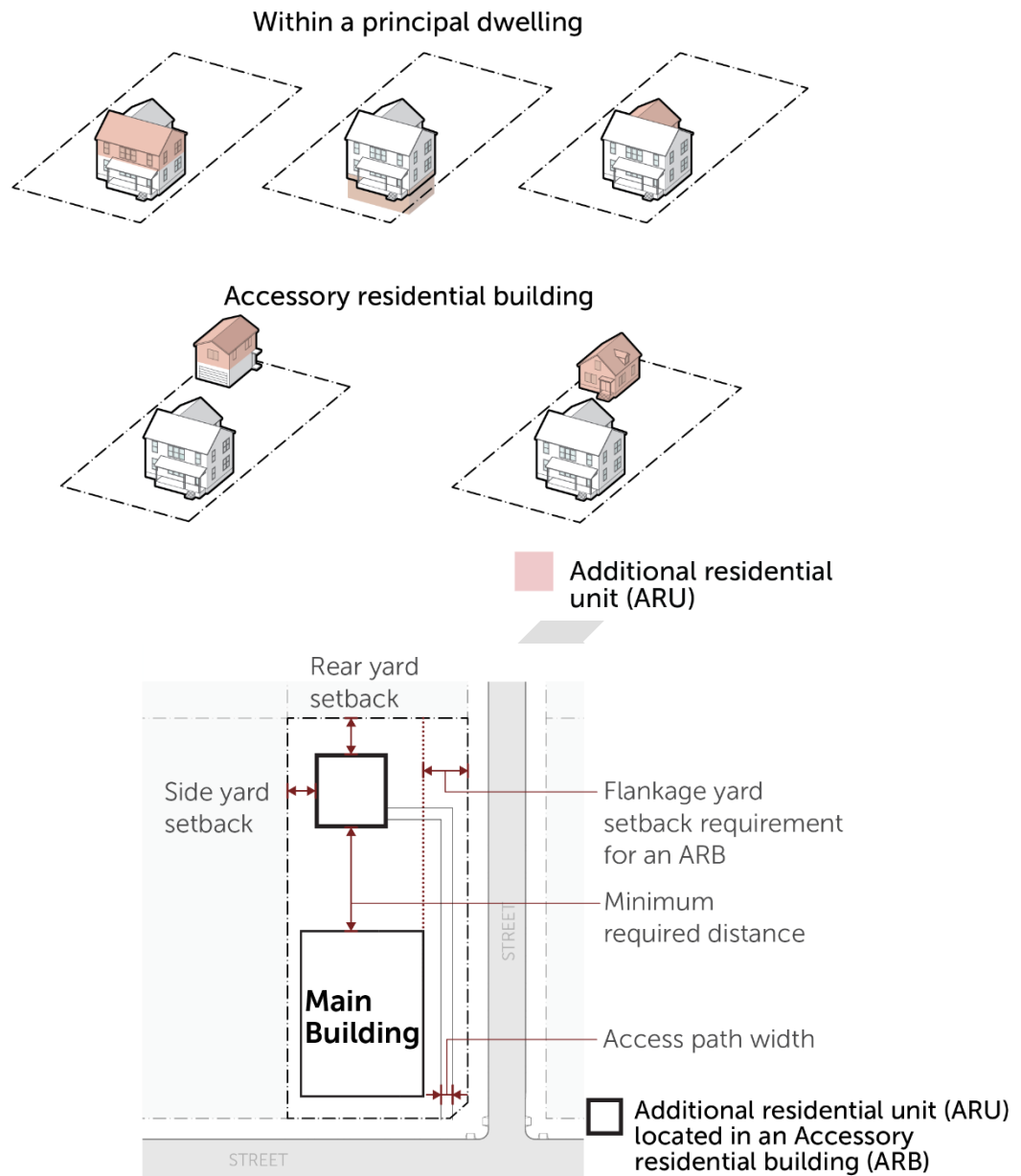


Figure 6: Section 3.18 – Additional Residential Units

~~(7)~~(8) For a lot containing, on the day that this By-law is passed by Council, a lawfully existing detached garage or a lawfully existing detached accessory structure that is to be converted into an accessory residential building with setbacks and/or separation less than required by Section 3.18 (6), the minimum setbacks and/or separation for an accessory residential building shall be:

- the minimum side yard setback for that lawfully existing detached garage or lawfully existing detached accessory structure;
- the minimum rear yard setback for that lawfully existing detached garage or lawfully existing detached accessory structure; and,
- the minimum separation from the principal dwelling for that lawfully existing detached garage or lawfully existing detached accessory structure.

Notwithstanding Section 3.18 (7), additions to the lawfully existing detached garage or detached accessory structure for the purposes of an accessory residential building shall comply with the provisions of Section 3.18 (6).

~~(8)~~(9) For a lot containing, on the day that this By-law is passed by Council, a lawfully existing additional residential unit located above a detached garage with heights in excess of the maximum heights permitted by Section 3.18 (6), the maximum heights for an accessory residential building shall be:

- a) the existing **main wall** height for that lawfully existing **additional residential unit** located above a **detached garage**; and,
- b) the existing height measured from average **established grade** to the highest point of the roof for that lawfully existing **additional residential unit** located above a **detached garage**.

~~(9)~~(10) An **additional residential unit** shall not be solely accessed from within a **garage**.

~~(10)~~(11) **Accessory residential building** 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 this By-law.

~~(11)~~(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**.

~~(12)~~(13) A **home occupation** shall not be permitted within **additional residential units**.

~~(13)~~(14) Notwithstanding any minimum parking provisions for the primary **dwelling unit** within this By-law, for a **lot** containing 1 or more **additional residential units**, the following parking standards apply:

- a) The minimum total number of **parking spaces** required for a **lot** containing 1 or more **additional residential unit** is shown in Table 3.18A with respect to lands shown on Schedule "D" as PSA1, PSA2, PSA3 and PSA4. For greater clarity, the number of **parking spaces** required for a **lot** shown in Table 3.18A includes any **parking spaces** required for the primary **dwelling unit**.

Table 3.18A Minimum Total Number of Parking Spaces for Additional Residential Units

Parking Strategy Area	PSA1	PSA2	PSA3	PSA4
Lot containing 1 or 2 additional residential units	0	1 (1)	1 (1)	2 (1)(3)
Lot containing 3 additional residential units	0	1 (1)	2 (1)(3)	3 (1)(2)(3)

Table 3.18B Special Provisions

1	Notwithstanding Section 3.18 (13)(a), where repealed zoning by-laws do not require parking spaces for the primary dwelling unit , no parking spaces shall be required for a lot containing 1 or more additional residential units .
2	Notwithstanding Section 3.18 (13)(a), where a lot has a frontage of less than 9 metres, no more than 2 parking spaces shall be required.
3	Notwithstanding Section 3.18 (13)(a) and Special Provision (2), where repealed zoning by-laws require a minimum of 1 parking space for the primary dwelling unit , a minimum of 1 parking space shall be required for a lot containing 1 or more additional residential units .

- b) On a **lot** or parcel referred to in Sections 3.18 (1)(a) and 3.18 (1)(b) 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.
- c) On a parcel referred to in Section 3.18 (1)(c), the required **parking spaces** shall serve exclusively the primary **dwelling unit**.

- d) Visitor **parking spaces** within a **common element condominium**, other than as described in Sections 3.18 (13)(b) and Section 3.18 (13)(c), shall not count towards the minimum **parking spaces** required for **lots** containing **additional residential units**.
- e) **Parking spaces** required under Section 3.18 may be arranged in tandem.
- f) With respect to lands shown on Schedule "D" as PSA 1, PSA 2 and PSA 3, a minimum of 1 weather-protected, **long-term bicycle parking space** shall be provided for each **additional residential unit** on a **lot**.

~~(14)~~(15) Notwithstanding the definitions within Section 11.0 for **duplex dwelling**, **triplex dwelling**, **quadruplex dwelling** and any similar terms, where a new **building** is constructed that contains 2, 3, or 4 **dwelling units** on a parcel of land, in accordance with Section 3.18, that **building** may be considered to be one of the permitted dwelling types and containing a primary **dwelling unit** and **additional residential unit(s)**, subject to the applicable regulations for the permitted dwelling type in the **zone**.

3.19 Provisions for Accessory Swimming Pools

Swimming pools, erected accessory to a **dwelling unit**, are permitted as follows:

- a) 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;
- b) in the **rear yard**, provided that no part of such **swimming pool** is located closer to any **lot line** than 1.5 metres;
- c) where an **accessory deck** or support **structure** is included, the provisions in Section 3.19 (a) and 3.19 (b) shall apply to the **accessory deck** or support **structure**; Section 3.15 does not apply to a **swimming pool**;
- d) unless otherwise permitted by this By-law, such **swimming pool** shall not be located on lands in the Greenway System **zones**; and,
- e) **swimming pools** shall be **setback** a minimum of 7 metres from the TransCanada Pipeline (TCPL) right-of-way.

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

3.20 ~~Barrier-Free Access Ramp and Elevating Devices~~ [Deleted (xx-26)]

~~(1) The following provisions shall apply to a **barrier-free access ramp** and elevating devices on any **lot**:~~

- ~~a) A **barrier-free access ramp** and elevating devices are permitted within any **yard** subject to following:~~
 - ~~i. shall be **setback** a minimum of 0.45 metres from the **side lot line** and **rear lot line**;~~
 - ~~ii. no **setback** is required from a **front lot line**; and,~~
 - ~~iii. shall be **setback** a minimum of 0.90 metres from the **flankage lot line**.~~

3.21 Daylighting Triangle

A **daylighting triangle** shall be free of any encroachment or obstruction.

3.22 Automobile Service Station

- (1) Notwithstanding any provisions to the contrary and where permitted in this By-law, an **automobile service station** shall be in accordance with Table 3.21A.
- (2) Notwithstanding Section 3.6 to the contrary and where an **automobile service station** is permitted in this By-law, a **landscaped strip** shall be provided in a **yard** in accordance with the following:
 - a) a minimum width of 6 metres abutting a **front lot line**;
 - b) a minimum width of 3 metres abutting a **flankage lot line**; and,
 - c) a minimum width of 1.5 metres abutting a **side lot line** or **rear lot line**.
- (3) Notwithstanding any provision to the contrary and where permitted in this By-law, an **automobile service station** shall be exempt from the required minimum **building height** and density set out in this By-law
- (4) No storage tank for fuel located below or above **established grade** shall be permitted within any required **yard setback** abutting a Centres and Corridors, Neighbourhoods, Institutional or Greenway System **zone**.

Table 3.22.1 Automobile Service Station Standards

	<u>Minimum Required Standards</u>
<u>Minimum Lot Area</u>	<u>0.4 ha</u>
<u>Minimum Front Yard and Flankage Yard Setback</u>	<u>9 m</u>
<u>Minimum Side Yard and Rear Yard Setback</u>	<u>7.5 m</u>
<u>Minimum Daylighting Triangle Setback</u>	<u>9 m</u>
<u>Minimum setback of an automobile service station canopy structure from a street line when abutting an arterial street as shown on Overlay "H"</u>	<u>15 m</u>
<u>Minimum setback of an automobile service station canopy structure from a lot line abutting a Centres and Corridors, Neighbourhoods, Institutional or Greenway System zone</u>	<u>15 m</u>
<u>Maximum structure or building height</u>	<u>5.3 m</u>

3.23 Outdoor Display and Sales

- (1) Where permitted in this By-law, the maximum area permitted for **outdoor display and sales** shall be in accordance with the following:
 - a) **outdoor display and sales accessory to major retail** shall have a maximum area of 2,200 square metres.
 - b) outdoor display and sales accessory to a motor vehicle sales establishment shall have a maximum area less the portion of the lot where soft landscaping is not required.
 - c) **outdoor display and sales accessory** to other **commercial** uses not identified in (a) or (b) shall have a maximum area of 5% of the **gross leasable floor area** or 210 square metres, whichever is lesser.
- (2) Notwithstanding (1) to the contrary, **outdoor display and sales accessory** to a **motor vehicle sales establishment** shall not be permitted on lands zoned NMU and NLC.
- (3) **Outdoor display and sales** shall not be located within any required **yard** on a **lot**.

Section 4.0 Centres and Corridors

4.1 Zones

- a) Uses which are permitted in the **zones** are identified in following Tables:

	Zone	Table
Centres and Corridors Zones Permitted Uses	RHC KDA-YB	Table 4.1A
Centres and Corridors Zones Permitted Uses Special Provisions	KDA-YC RMU C1-COR1 RMU C2-COR2 LC-V	Table 4.1B
Centres and Corridors Zones Standards	LC-OR LC-N1 LC-N2	Table 4.2A
Centres and Corridors Zones Standards Special Provisions	LDA1 LDA2 LMU C-COR	Table 4.2B

- b) Permitted uses in a **zone** are noted by the symbol '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:
- the special provisions shall specifically apply where referred to in the Permitted Uses Tables; and,
 - the special provisions shall specifically apply where referred to in the Standards Tables.
- c) One or more **residential uses** and **non-residential** uses prescribed in Table 4.1A may be permitted on one **lot**.

4.2. Interim Development

~~(1) Notwithstanding any other provision of this By-law to the contrary, expansions of existing **building(s)** or **structure(s)** in the Centres and Corridors **zones** shall be permitted provided:~~

- ~~the expansion of **building(s)** or **structure(s)** is for **non-residential** uses prescribed in Table 4.1A only;~~
- ~~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 day this By-law is passed by **Council**;~~
- ~~that the expansion of **building(s)** or **structure(s)** have a maximum **building height** of 2 **storeys** and shall not include a **structure** below **established grade**;~~
- ~~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**; and,~~
- ~~this section shall not apply to any expansions of **building(s)** or **structure(s)** greater than 15% as prescribed in Section 4.2 (1) (b) or greater than 2 **storeys** as prescribed in Section 4.2 (1) (c). Such expansion of **building(s)** or **structure(s)** shall be subject to the provisions of this By-law.~~

- (1) Within the KDA-YC Zone, new stand-alone building(s) or structure(s) are also permitted in accordance with Section 4.2 (1). Notwithstanding the minimum density and podium and building height requirements set in Table 4.2A, new, change or expansion of non-residential use on a lot within a Centres and Corridors zone, which may comprise of a new building or structure or an expansion of a building or structure, shall be permitted subject to the following:
- a) the new, change or expansion of commercial use is permitted in accordance with Table 4.1A;
 - b) the cumulative gross floor area of all uses, buildings or structures on the lot after the new, change or expansion of non-residential use shall be 50% or less than the cumulative gross floor area of all uses, buildings or structures on the lot as of April 5, 2012; and,
 - c) a new or expanded building or structure shall have a maximum building height of 2 storeys and shall not include a structure below established grade.

4.3 Angular Plane Requirements in Centres and Corridors Zones

A building or structure on a lot within Centres and Corridors zones shall be subject to the following angular plane requirements:

A 45-degree angular plane shall be required where a lot on the opposite side of a street is located within a Neighbourhood zone and contains a building other than a mid-rise building or high-rise building, and shall be applied from grade along the street line abutting the opposite side of the street.

A 45-degree angular plane shall be required where abutting a lot within a Neighbourhood zone contains a building other than a mid-rise building or high-rise building, and shall be applied from 15 metres above grade along the lot line abutting the neighbourhood zone.

(2) A building or structure on a lot zoned LC-V shall be subject to the following angular plane requirements:

a) A 45-degree angular plane shall be required where abutting Yonge Street and shall be applied from grade along the street line abutting the opposite side of Yonge Street.

b) A 30-degree angular plane shall be required where abutting Church Street South and shall be applied from grade along the street line abutting the opposite side of Church Street.

(3) Notwithstanding Section 4.2.2 (1) and (2), specified architectural components and features of a building shall be permitted to extrude beyond an angular plane permitted in accordance with Section 3.2.

(4) Angular plane requirements shall not apply to a lot within a Centres and Corridors zone if the lot or portion thereof abuts or is located across a street from a lot within a Greenway System, Employment Area, Business Commercial or Utility Transportation zone.

(5) Notwithstanding Section 4.2.2 (1), angular plane requirements shall not apply to a lot within a Centres and Corridors zone if the abutting lot within a Neighbourhood zone or a lot located on the opposite side of a street within a Neighbourhood zone does not contain a residential use.

(6) Notwithstanding Section 4.2.2 (2), angular plane requirements shall not apply to a lot within a Centres and Corridors zone if the lot or portion thereof abuts or is located across a street from lands within a Centres and Corridors zone.

The Corporation of the City of Richmond Hill
By-law 93-25

Table 4.1A Centres and Corridors Zone Permitted Uses

Residential Uses (17)(21)	RHC	KDA-YB (5)(19)	KDA-YC (5)	RMUC- COR1	RMUC-COR2	LC-V (4)(5)	LC-OR (4)(5)	LC-N1 (4)(7)	LC-N2 (4)(7)	LDA1 (4)	LDA2 (4)	LMUC- COR
Apartment Dwelling (HRB)	X (23)(24)	X (3)	X (3)	X		X		X (6)(8)	X			
Apartment Dwelling (MRB)	X (23)(24)	X (3)	X (3)	X	X	X	X	X (6)(8)	X	X	X	
Long-Term Care Home	X	X	X	X	X	X	X	X (8)	X	X	X	X
Apartment Dwelling (LRB)	X (23)(10)	X (1)(3)	X (1)(3)	X (1)	X (1)	X (2)	X	X (1)(6)(8)	X	X	X	X
Detached Dwelling (20)						X (2)						
Semi-Detached Dwelling (20)						X (2)						
Block Residential Dwelling Development (20)	X (10)		X (1)	X (1)	X (1)	X (2)	X (1)	X (1)(8)	X (1)	X (1)	X (1)	X
Street Townhouse Dwelling (20)	X (10)	X (1)	X (1)	X (1)	X (1)	X (2)	X (1)	X (1)(8)	X (1)	X (1)	X (1)	X
Rear Lane Townhouse Dwelling (20)	X (10)	X (1)	X (1)	X (1)	X (1)	X (2)	X (1)	X (1)(8)	X (1)	X (1)	X (1)	X
Stacked Townhouse Dwelling	X (10)	X (1)	X (1)	X (1)	X (1)	X (2)	X (1)	X (1)(8)	X (1)	X (1)	X (1)	X
Back-to-Back Dwelling (20)	X (10)	X (1)	X (1)	X (1)	X (1)	X (2)	X (1)	X (1)(8)	X (1)	X (1)	X (1)	X
Quadruplex Dwelling (20)	X (10)	X (1)	X (1)	X (1)	X (1)	X (2)	X (1)	X (1)(8)	X (1)	X (1)	X (1)	X
Live-Work Unit (16)	X	X (3)	X (3)	X	X	X	X	X (8)	X	X	X	X
Home Occupation (15)	X (10)	X	X	X	X	X	X	X (8)	X	X	X	X
Short-Term Accommodation (14)	X	X	X	X	X	X	X	X (8)	X	X	X	X

The Corporation of the City of Richmond Hill
By-law 93-25

Page 43

Non-Residential Uses (13)(18)(21)	RHC	KDA-YB (5)(19)	KDA-YC (5)	RMUC- COR1	RMUC- COR2	LC-V (4)(5)	LC-OR (4)(5)	LC-N1 (4)(7)	LC-N2 (4)(7)	LDA1 (4)	LDA2 (4)	LMUC- COR
Arts and Cultural Facility	X	X	X	X	X	X	X	X	X	X	X	X
Commercial, <u>including Adult Care Centre</u>	X	X	X	X	X	X	X	X	X	X	X	X
Major Office	X	X	X	X	X			X				
Major Retail (22)	X (11)	X (11)	X (11)	X	X			X				
Child Care Centre	X	X	X	X	X	X	X	X (8)	X	X	X	X
<u>Private Home Child Care</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u> (8)	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Automotive Service Station (12)				X	X		X	X	X	X	X	
Hospital and healthcare centre and ancillary commercial uses	X	X	X	X	X	X	X	X (8)	X	X	X	X
Public Authority <u>uses</u>	X	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	X
Private Utility	X	X	X	X	X	X	X	X	X	X	X	X
Private School	X	X	X	X	X	X	X	X (8)	X	X	X	X
Social Services <u>uses</u>	X	X	X	X	X	X	X	X (8)	X	X	X	X

<u>Specified Accessory Uses</u>	<u>RHC</u>	<u>KDA-YB</u> (5)(19)	<u>KDA-YC</u> (5)	<u>RMUC-COR1</u>	<u>RMUC-COR2</u>	<u>LC-V</u> (4)(5)	<u>LC-OR</u> (4)(5)	<u>LC-N1</u> (4)(7)	<u>LC-N2</u> (4)(7)	<u>LDA1</u> (4)	<u>LDA2</u> (4)	<u>LMUC-COR</u>
<u>Additional Residential Unit</u>	X	X	X	X	X	X	X	X	X	X	X	X
<u>Home Occupation (15)</u>	X (10)	X	X	X	X	X	X	X (8)	X	X	X	X
<u>Live-Work Unit (16)</u>	X	X(3)	X(3)	X	X	X	X	X(8)	X	X	X	X
<u>Outdoor Display and Sales</u>	X	X	X	X	X	X	X	X	X	X	X	X
<u>Outdoor Patio</u>	X	X	X	X	X	X	X	X	X	X	X	X
<u>Private Home Child Care</u>	X	X	X	X	X	X (8)	X	X	X	X	X	X
<u>Short-Term Accommodation (14)</u>	X	X	X	X	X	X	X	X (8)	X	X	X	X

Table 4.1.B Centres and Corridors Zone Permitted Uses Special Provisions

Special Provision Number	Description of Special Provisions for Centre and Corridor Zones – Residential Uses 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, or the Market Promenade and the Planned Local/Collector Streets as shown on Schedule “A”.
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 and for the Planned Local/Collector Streets as shown on Schedule “A”. Commercial uses shall be provided within the at-grade portion of a building abutting the Market Promenade as shown on Schedule “A”. Dwelling units

Special Provision Number	Description of Special Provisions for Centre and Corridor Zones – Residential Uses and Non-Residential Uses
	shall be prohibited at-grade abutting a street or a park. Live-work units which may include commercial uses and /or a dwelling unit 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 provided within the at-grade portions of a building abutting Yonge Street, Major Mackenzie Drive and Newkirk Road. Dwelling units shall be prohibited within the at-grade portion of a building abutting Yonge Street, Major Mackenzie Drive and Newkirk Road.
5	Development on lands with existing commercial uses shall retain or exceed the amount of GLFA devoted to non-residential uses as it existed on the date of passing of this By-law, subject to the following: <u>a-d.</u> This special 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 ; <u>b-e.</u> Notwithstanding the further division of any lot, the minimum non-residential GLFA requirement for a lot as required in this special provision shall continue to apply to that lot as a whole as it existed on the date of the passing of this By-law; <u>e-f.</u> where there is a site plan agreement resulting from Section 3.1.1 which allocates the minimum non-residential GLFA requirement under this By-law to a portion of the lot , the minimum non-residential GLFA for that portion of the lot shall be provided and maintained in accordance with the site plan agreement ; <u>d-g.</u> Notwithstanding this Special Provision, the Hillcrest Mall building shall maintain a minimum of 90% of the non-residential GLFA . The remaining 10% of GLFA area may be converted to non- commercial uses; and, <u>e-h.</u> Applicable to the KDA-YB Zone , development shall retain or exceed the amount of commercial GFA as shown on Schedule “B”.
6	Commercial uses shall be provided within first storey and at least 1 storey above the first storey of a building . In addition, a minimum of 0.5 FSI of the permitted maximum density shall comprise of commercial uses.
7	Parking spaces associated with transit service shall be provided below established grade or within a parking structure . An above established 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 only be located on an arterial street as shown on Overlay “H”. [Deleted (xx-26)]

The Corporation of the City of Richmond Hill
By-law 93-25

Special Provision Number	Description of Special Provisions for Centre and Corridor Zones – Residential Uses and Non-Residential Uses
10	Use shall be permitted only on lands within the RHC Zone that abut a neighbourhood zone west of Yonge Street, but do not have frontage on Yonge Street.
11	Major retail shall be permitted only within an integrated mixed-use building . Parking for major retail uses shall be located below established grade or within an integrated above established grade parking structure subject to the provisions of Section 10.6.3.
12	Automotive service station use shall only be permitted on lands as shown on Schedule “A”. [Deleted (xx-26)]
13	The outdoor storage of goods, materials, machinery or equipment shall be prohibited. Notwithstanding this special provision, parking areas accessory to motor vehicle sales is permitted.
14	A short-term accommodation must comply with the specific use provisions in Section 3.10.
15	A home occupation must comply with the specific use provisions in Section 3.8.1 (1).
16	A live-work unit shall be subject to the following: a.i. shall not be permitted to abut the Yonge Street, <u>Carville Road, 16th Avenue</u> and Bernard Avenue active-at-grade frontages ; b.i. must be the primary dwelling unit of the occupant; and e.k. a commercial use within a live-work unit shall only be permitted on the first storey and shall have direct access to a street ; and, e.l. outdoor storage and outdoor display <u>and sales</u> shall be prohibited.
17	Home child care shall be permitted subject to the specific use provisions in Section 3.8.1 (2).
18	Outdoor patios must comply with the specific use provisions in Section 3.16.
19	For a low-rise building, mid-rise building or high-rise building , the following active-at-grade frontage requirements apply: a. For lands within the KDA-YB <u>and KDA-YC Zones</u> along Yonge Street, <u>Carville Road, 16th Avenue</u> , Bernard Avenue and any street south of Bernard Avenue which connects Yonge Street to Bernard Avenue, 60% of the length of the main wall of the first storey shall contain non-residential uses and have direct access onto a street .

The Corporation of the City of Richmond Hill
By-law 93-25
Page 47

Special Provision Number	Description of Special Provisions for Centre and Corridor Zones – Residential Uses and Non-Residential Uses
20	Notwithstanding any other requirements of this by-law to the contrary, additional residential units must comply with the provisions of Section 3.18.
21	No building or structure shall be permitted within the Transit Area as shown on Schedule “A”, save and except for transit service facilities and a park operated by a Public Authority .
22	Shall not exceed 30,000 m² of GLFA. [Deleted (xx-26)]
23	<p>For a low-rise building, mid-rise building or high-rise building, the following requirements apply to the RHC Zone:</p> <ul style="list-style-type: none"> a. For lands located within the area bounded by Bantry Avenue to the north, the CNR right-of-way to the east, Beresford Drive to the south, and Yonge Street to the west, a minimum of 60% of the length of the main wall of the first storey abutting any public street, park, and open space shall contain commercial, major office, major retail or community uses and have direct access onto a street; b. Notwithstanding (a), for lands having frontage on Yonge Street, a minimum of 70% of the length of the main wall of the first storey abutting any public street, park, and open space shall contain commercial, major office, major retail or community uses and have direct access onto a street; c. For lands located within the area bounded by Bantry Avenue to the north, Red Maple Road to the east, High Tech Road to the south, and the CNR right-of-way to the west, a minimum of 25% of the length of the main wall of the first storey abutting any public street, park, and open space shall contain commercial, major office, major retail or community uses and have direct access onto a street; and, d. For lands located within the area bounded by High Tech Road to the north, Red Cedar Avenue to the east, Red Maple Road to the west, and the utility corridor to the south, a minimum of 25% of the length of the main wall of the first storey abutting any public street, park, and open space shall contain commercial, major office, major retail or community uses have direct access onto a street.
24	For lands within the RHC Zone located within the area bounded by High Tech Road to the north, Red Cedar Avenue to the east, Red Maple Road to the west, and the limit of the RHC Zone to the south, a minimum of 15% of the total gross floor area of all buildings shall contain commercial, major office, major retail or community uses .

The Corporation of the City of Richmond Hill
By-law 93-25

Table 4.2A Centres and Corridors Zone Standards

Zone (16)(17)	Special Provisions applicable to all building types in all zones (11)	Min. Lot Frontage (m)	Min. Front Yard Setback (m)	Min. Rear Yard Setback (m) (3)(4)	Min. Side Yard Setback (m) (3)(4)	Min. Flankage Yard Setback (m)	Min. Daylighting Triangle Setback (m)	Min. Front Yard Setback – Tower (m)	Min. Rear Yard Setback – Tower (m)	Min. Side Yard Setback – Tower (m)	Min. Flankage Yard Setback – Tower (m)	Min. Daylighting Triangle Setback – Tower (m)	Max. First Storey Height (m)	Min. and/or Max. FSI (10)(12)(13)	Min. and/or Max. Building Heights (9)(14)(20)
RHC	HRB (1)(2) (45)(7)(18)	30	3			3		6	12.5	12.5	6	3	6.5	Schedule “B”	Schedule “C”
KDA-YB KDA-YC	MRB (1)(5)(7)	30	3			3							6.5	Schedule “B”	Schedule “C”
LC-N1 LC-N2	LRB	30	3			3							6.5	Schedule “B”	Schedule “C”
RMUC- GOR1	HRB (1)(2)(45)	30	3			3		6	12.5	12.5	6	3	6.5	Schedule “B”	Schedule “C”
	MRB (1)(5)	30	3			3							6.5	Schedule “B”	Schedule “C”
	LRB	30	3			3							6.5	Schedule “B”	Schedule “C”
RMUC- GOR2	MRB (1)(5)(6)	30	3			3							6.5	Schedule “B”	Schedule “C”
LC-OR LDA1 LDA2	LRB	30	3			3							6.5	Schedule “B”	Schedule “C”

The Corporation of the City of Richmond Hill
By-law 93-25

Zone (16)(17)	Special Provisions applicable to all building types in all zones (11)	Min. Lot Frontage (m)	Min. Front Yard Setback (m)	Min. Rear Yard Setback (m) (3)(4)	Min. Side Yard Setback (m) (3)(4)	Min. Flankage Yard Setback (m)	Min. Daylighting Triangle Setback (m)	Min. Front Yard Setback – Tower (m)	Min. Rear Yard Setback – Tower (m)	Min. Side Yard Setback – Tower (m)	Min. Flankage Yard Setback – Tower (m)	Min. Daylighting Triangle Setback – Tower (m)	Max. First Storey Height (m)	Min. and/or Max. FSI (10)(12)(13)	Min. and/or Max. Building Heights (9)(14)(20)
LC-V (15)	HRB (1)(2)(54)(8)	30	1			1		6	12.5	12.5	6	3	4.5	Schedule "B"	Schedule "C"
	MRB (1)(5)(8)	30	1			1							4.5	Schedule "B"	Schedule "C"
	LRB (19)	30	3			3							4.5	Schedule "B"	Schedule "C"
LMUC- GOR	LRB	30	3			3							6.5	Schedule "B"	Schedule "C"

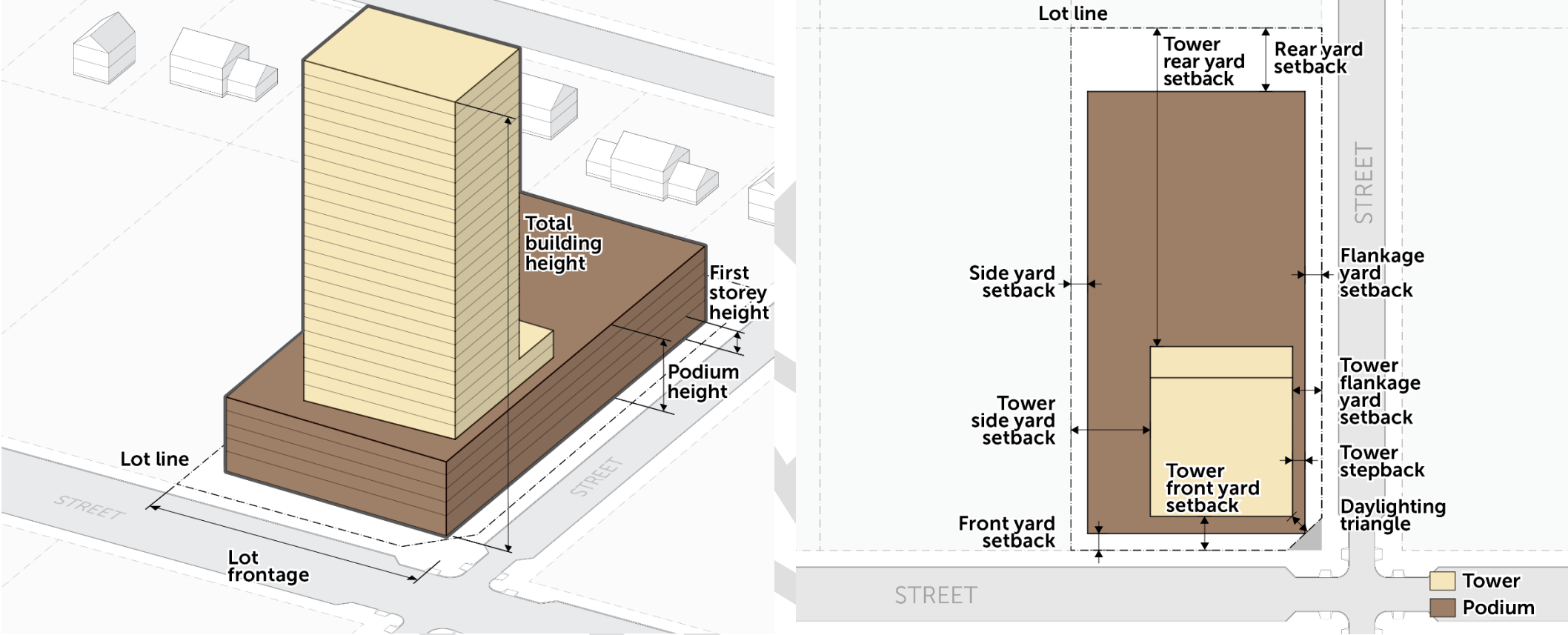
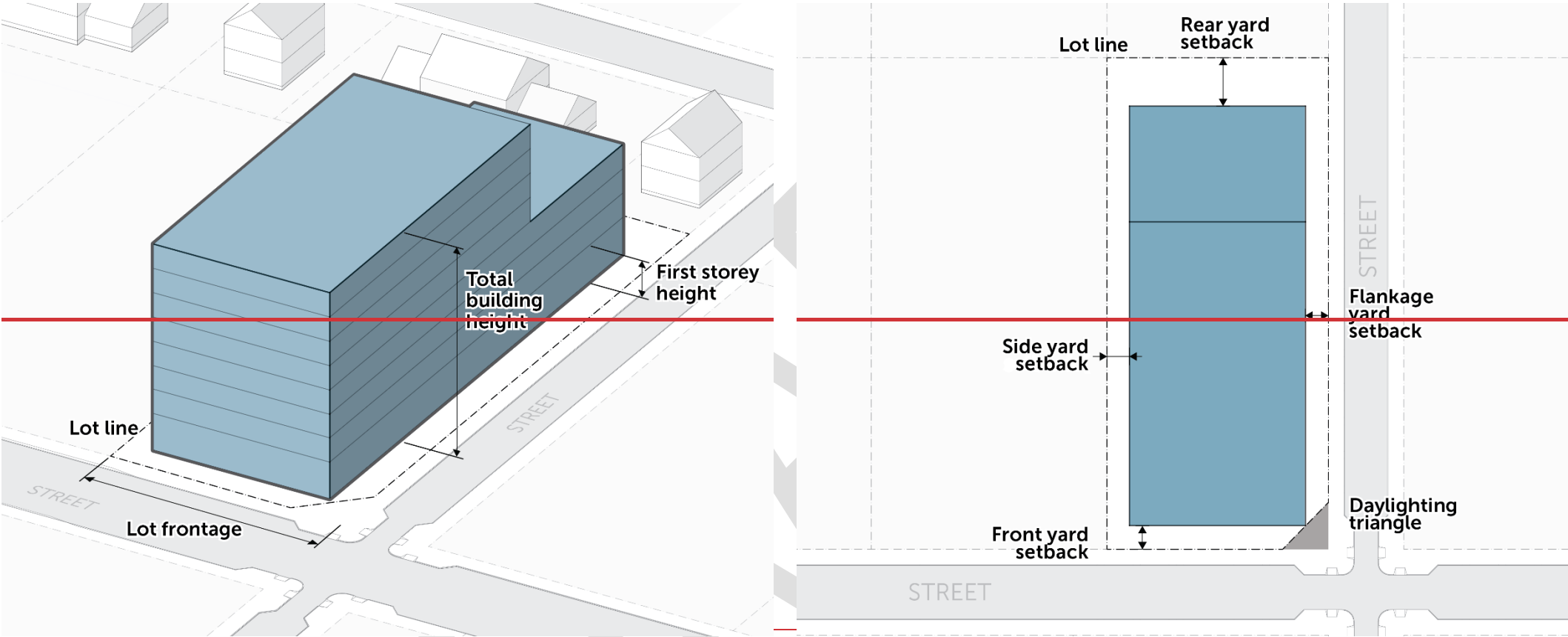


Figure 7: Table 4.2A – High-Rise Building Standards



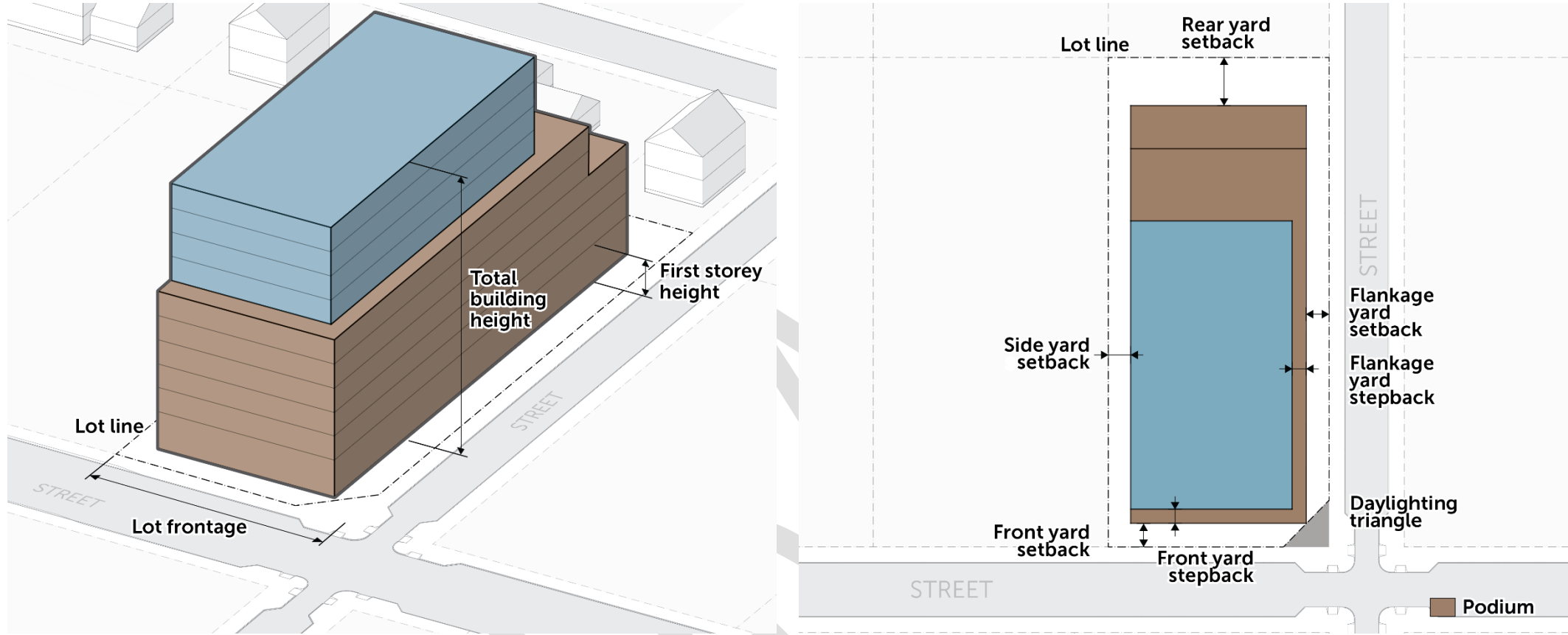


Figure 8: Table 4.2A – Mid-Rise Building Standards

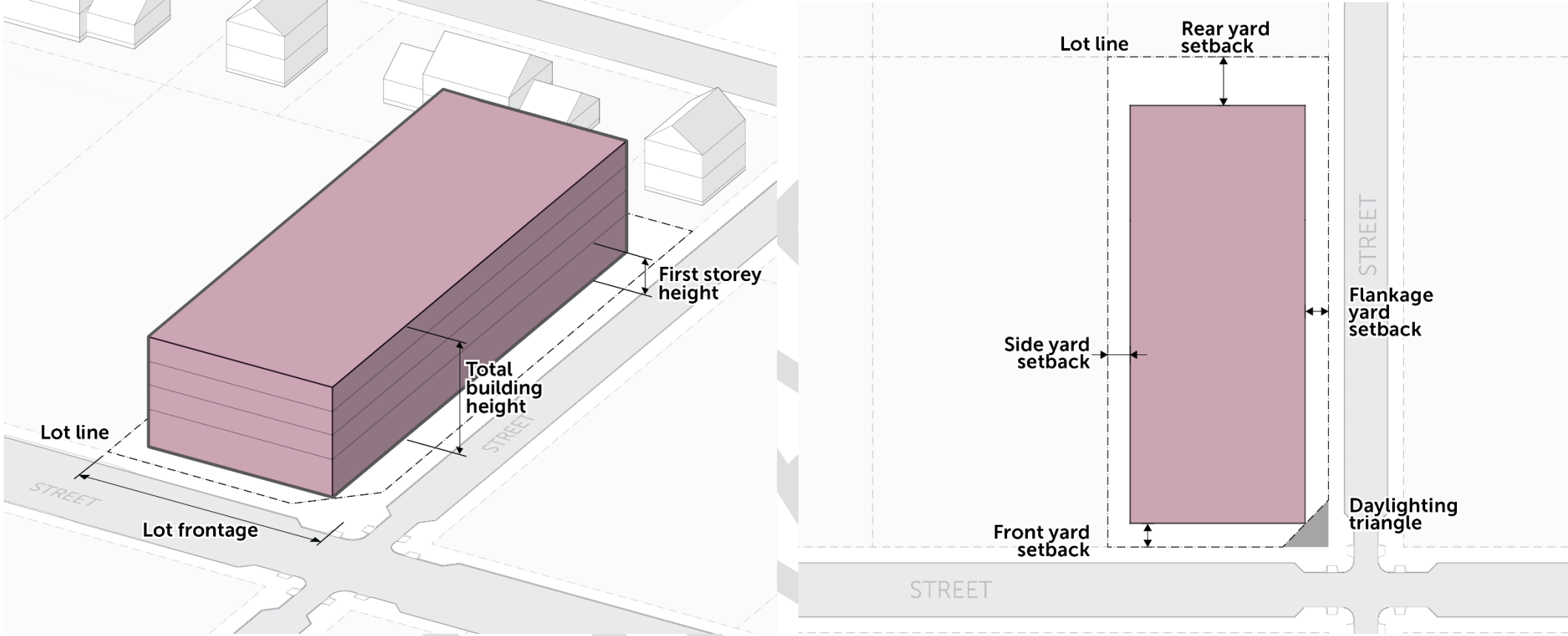
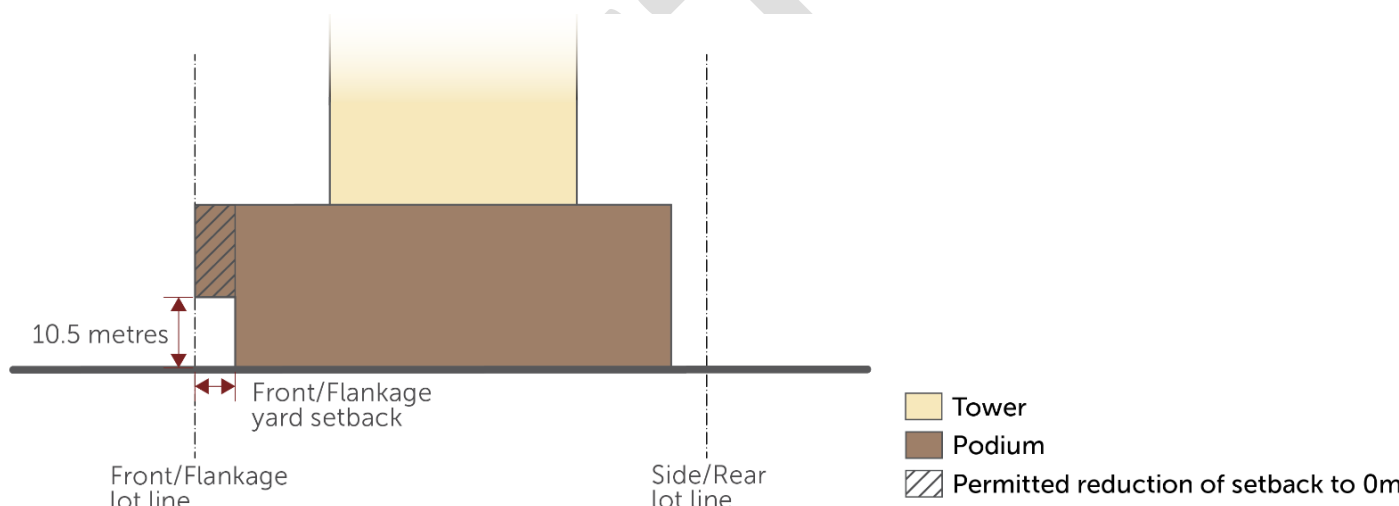


Figure 9: Table 4.2A – Low-Rise Building Standards

Table 4.2B Centres and Corridors Zone Standards Special Provisions

Special Provision Number	Description of Special Provision
1	<p>See Section 4.3. A mid-rise building or high-rise building shall be subject to the following angular plane requirements:</p> <p>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;</p> <p>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;</p> <p>for lands located within the KDA-YB Zone abutting lands located within a neighbourhood zone, such as a side lot or back lot condition, a maximum 45-degree angular plane measured from 10 metres above established grade from the abutting property line within the neighbourhood zone is required. Notwithstanding, a building and structure up to 15 metres in height may protrude into this 45-degree angular plane;</p> <p>except as set out in (a), (b) and (c) above, for lands in any zone adjacent to lands located within a neighbourhood zone, a maximum 45-degree angular plane projected from the adjacent property line within the neighbourhood zone, including where separated by a street, is required. Notwithstanding, for lands located within any zone abutting lands located within a neighbourhood zone, such as a side lot or back lot condition, a building or structure up to 15 metres in height may protrude into this 45-degree angular plane;</p> <p>any flagpole, light, signage, mechanical penthouse, unenclosed balcony and terrace, parapet, fence and at-grade landscaping shall be permitted to project into the angular plane; and,</p> <p>for lands located within the RHC Zone:</p> <p>that abut a neighbourhood zone, the maximum building height shall not exceed the projection of a 45-degree angular plane measured from 10 metres above the established grade at the neighbourhood zone lot line. Notwithstanding, a building and structure up to 15 metres in height may protrude into this 45-degree angular plane.</p> <p>that are west of Yonge Street, where an existing or planned street is located adjacent to a neighbourhood zone, the maximum building height shall not exceed the projection of a 45-degree angular plane measured from the established grade at the adjacent neighbourhood zone lot line.</p>

Special Provision Number	Description of Special Provision
2	<p>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 the required podium. Special Provision (2) does not apply to a tower.</p>  <p>Figure 10: Table 4.2B Special Provision 2 – Permitted reduction of setback to 0m</p>

Special Provision Number	Description of Special Provision
3	<p><u>Notwithstanding the minimum required side yard and rear yard setbacks in Table 4.2A:</u></p> <p><u>a. where a side yard or rear yard abuts a street, lane, or 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;</u></p> <p><u>b. where a side yard or rear yard abuts lands within Neighbourhood zones not separated by a street, the minimum side yard or rear yard setback shall be a minimum of 6 metres;</u></p> <p><u>c. where a side yard or rear yard abuts lands within Greenway System zones, the minimum side yard or rear yard setback shall be a minimum of 3 metres.</u></p> <p><u>e-d. Notwithstanding (a), (b) and (c) above, where the main wall of any portion of a building facing a side yard or rear yard that does not abut a street, lane or 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. Notwithstanding the minimum required side yard and rear yard setbacks, where a side yard or rear yard abuts a street, lane, or 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 and the minimum required side yard and rear yard setbacks, where a side yard or rear yard abuts a neighbourhood zone not separated by a street the minimum side yard or rear yard setback shall be a minimum of 6 metres. Where a side yard or rear yard abuts a Greenway System zone, the minimum side yard or rear yard setback shall be a minimum of 3 metres. Special Provision (3) does not apply to a tower.</u></p>
4	<p><u>Notwithstanding the minimum required side yard / rear yard setback – tower in Table 4.2A, for a high-rise building, where a side yard or a rear yard abuts a street, lane or park, a tower shall have a minimum setback of 6 metres. Where the main wall of any portion of a building facing a side yard or rear yard that does not abut a street, lane or 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.</u></p>
5	<p><u>For a mid-rise building, where a front yard, flankage yard, side yard, or rear yard abuts a street, lane or park, all storeys above a podium shall have a minimum setback of 6 metres. For a mid-rise building 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 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.</u></p>
6	<p>Special Provision (5) does not apply to lands located within the RMUC-COR2, LDA1, or LDA2 Zones.</p>
7	<p>For the lands fronting onto the Market Promenade as identified on Schedule "A" for KDA-YC Zone, where a podium height is greater than 4 storeys, all storeys of the <u>a podium</u> located above the fourth storey shall have <u>be stepped back</u> a minimum <u>stepback</u> of 3 metres.</p>
8	<p>For lands <u>zoned LC-V</u> located north of Wright Street and Dunlop Street where a podium height is greater than 3 storeys, all storeys of the <u>a podium</u> located above the third storey shall be <u>have a minimum stepback</u> stepped back a minimum of 3 metres.</p>

The Corporation of the City of Richmond Hill
By-law 93-25

Page 57

Special Provision Number	Description of Special Provision
9	The required minimum and permitted maximum building heights , including podium heights, are as shown on Schedule "C". For lands within the KDA-YC Zone , train storage facilities are excluded from the minimum building height requirements.
10	The required minimum and permitted maximum densities are the numerical value as shown on Schedule "B". For the LC-N1, LC-N2 and LC-V Zones , community uses , parks and open spaces and infrastructure are excluded from the minimum density calculation. For KDA-YC Zone , community uses , parks, opens spaces, infrastructure and interim development are excluded from minimum density calculation. Train storage facilities located within the KDA-YC Zone are excluded from the minimum density calculation requirements.
11	The minimum required yards shall not apply to any portion of a building or structure below established grade .
12	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.
13	Refer to Schedule "B".
14	Refer to Schedule "C".
15	<p>Within the LC-V Zone, the following provisions shall apply to:</p> <ul style="list-style-type: none"> a. detached dwellings: N3 Zone provisions contained in Table 5.2A b. semi-detached dwellings: NS1 Zone provisions contained in Table 5.2A c. notwithstanding any provision to the contrary, the permitted density shall be in accordance with Schedule "B". d. notwithstanding any provision to the contrary, the permitted building height shall be in accordance with Schedule "C".

The Corporation of the City of Richmond Hill
By-law 93-25

Page 58

Special Provision Number	Description of Special Provision
16	<p>Within the RHC, LC-V, KDA-YB, KDA-YC, RMUCCOR1, RMUCCOR2, LC-OR, LC-N1, LC-N2, LDA1, LDA1 and LMUCCOR Zones, the following provisions shall apply to:</p> <ol style="list-style-type: none"> a. block residential dwelling development: NT2 Zone provisions contained in Table 5.2A b. street townhouse dwelling: NT1 Zone provisions contained in Table 5.2A c. rear lane townhouse dwelling: NT1 Zone provisions contained in Table 5.2A d. back-to-back dwelling: NT1 Zone provisions contained in Table 5.2A e. quadruplex dwelling: NT1 Zone provisions contained in Table 5.2A f. stacked townhouse dwelling: NT2 Zone provisions contained in Table 5.2A g. notwithstanding any provision to the contrary, the permitted density shall be in accordance with Schedule "B". h. notwithstanding any provision to the contrary, the permitted building height shall be in accordance with Schedule "C".
17	<p>Notwithstanding any other requirements of this by-law to the contrary, where a block residential dwelling development is combined with a high-rise building, mid-rise building, or low-rise building the development standards contained in Table 4.2A shall apply.</p>
18	<p>For lands located within the RHC Zone, the maximum tower floor plate size for a high-rise building shall be 850 m². For this special provision, tower floor plate shall mean the area of any storey of a high-rise building located above the podium.</p>
19	<p>For a lot fronting onto Yonge Street, the required front yard setback and flankage yard setback may be reduced to 1 metre.</p>
<u>20</u>	<p><u>Notwithstanding podium height requirements set in Schedule "C" or otherwise contrary to this By-law, where a mid-rise building is permitted to have a maximum building height up to 8 storeys in KDA-YB, KDA-YC and RMUC2 zones, a podium is not required for the mid-rise building.</u></p>

Section 5.0 Neighbourhoods

5.1 Zones

f)a) Uses which are permitted in the **zones** are identified in following Tables:

	Zone	Table
Neighbourhood Zone Permitted Uses	N	Table 5.1A
Neighbourhood Zone Permitted Uses Special Provisions	N1	Table 5.1B
	N2	
	N3	
	N4	
Neighbourhood Zone Standards	NS1	Table 5.2A
	NS2	
	NT1	
Neighbourhood Zone Standards Special Provisions	NT2	Table 5.2B
	NA	
	NMU	
	NLC	

g)b) Permitted uses in a **zone** are noted by the symbol '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 specifically apply where referred to in the Permitted Uses Tables; and,
- ii. the special provisions shall specifically apply where referred to in the Standards Tables.

h)c) One or more uses prescribed in Table 5.1A may be permitted on one **lot**.

The Corporation of the City of Richmond Hill
 By-law 93-25
 Page 62

<u>Specified Accessory Uses</u>	<u>N</u>	<u>N1</u>	<u>N2</u>	<u>N3</u>	<u>N4</u>	<u>NS1</u>	<u>NS2</u>	<u>NT1</u>	<u>NT2</u>	<u>NA</u>	<u>NMU</u> <u>(10)</u>	<u>NLC</u> <u>(16)(17)(18)</u>
<u>Additional Residential Unit</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>
<u>Home Occupation (4)(13)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>
<u>Live-Work Unit (14)</u>											<u>X</u>	
<u>Outdoor Display and Sales</u>											<u>X</u>	<u>X</u>
<u>Outdoor Patio</u>										<u>X</u>	<u>X</u>	<u>X</u>
<u>Private Home Child Care</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	
<u>Short-Term Accommodation (2)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>		<u>X</u>	

Table 5.1B Neighbourhood Zones Permitted Uses Special Provisions

Special Provision Number	Description of Special Provision
1	Notwithstanding any other requirements of this By-law to the contrary, additional residential units must comply with the provisions of Section 3.18.
2	A short-term accommodation must comply with the specific use provisions in Section 3.10.
3	Commercial uses shall only be permitted on lands within an NA Zone that have frontage on an arterial street as shown on Overlay “H” within the first storey of a building .
4	Notwithstanding any other requirements of this By-law to the contrary, retail sales and medical clinics are prohibited as home occupation uses within the West Gormley Community as shown on Schedule “A”.
5	Automotive service station use shall only be permitted on lands as shown on Schedule “A” unless otherwise identified in a Permitted Uses Table of this By-law. [Deleted (xx-26)]
6	Within the North Leslie Community as shown on Schedule “A”, a building used for a single non-residential use shall not exceed 929 m ² gross floor area .
7	The outdoor storage of goods, material, machinery or equipment shall be prohibited.
8	Within the North Leslie Community and the West Gormley Community as shown on Schedule “A”, drive-through facilities shall be prohibited except for lands in NLC Zone .
9	Within the North Leslie Community and the West Gormley Community as shown on Schedule “A”, an apartment dwelling shall not include an independent seniors living residence/senior citizens dwelling .
10	Development on lands with existing commercial uses shall retain or exceed the amount of GLFA devoted to commercial uses as it existed on the date of passing of this By-law, 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 GLFA 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.

The Corporation of the City of Richmond Hill

By-law 93-25

Page 64

Special Provision Number	Description of Special Provision
11	[Deleted (xx-26)]No department stores and a maximum of one supermarket or anchor tenant shall be permitted.
12	Outdoor patios must comply with the specific use provisions in Section 3.16.
13	Private hHome child care shall be permitted subject to the specific use provisions in Section 3.8.1 (2)
14	A live-work unit shall be subject to the following: a. must be the primary dwelling unit of the occupant; b. a commercial use within a live-work unit shall only be permitted on the first storey and shall have direct access to a street ; and, c. outdoor storage and outdoor display and sales shall be prohibited.
15	For a stacked townhouse dwelling , the development standards required for the NT2 Zone shall apply.
16	Notwithstanding any other requirements of this By-law to the contrary, apartment dwelling , supermarket and motor vehicle washing establishment shall be permitted subject to the following: a. In a building containing both commercial and residential uses : i) apartment dwellings shall be connected to and form an integral part of a building containing commercial uses; ii) no dwelling units shall be permitted on the first storey ; and, iii) access to the dwelling units shall be separate from the access to the commercial uses within the building ; and, b. An apartment dwelling shall have a maximum building height of 10 storeys and a maximum FSI of 2.0.
17	Notwithstanding any other requirements of this By-law to the contrary, the requirements of Table 5.2A for the NT1 and NT2 Zones provision shall apply.
18	Notwithstanding any other requirements of this By-law to the contrary, street townhouse dwelling , rear lane townhouse dwelling , back-to-back townhouse dwelling , block residential dwellingdevelopment , quadruplex dwelling and home occupations shall not be permitted within the West Gormley Community as shown on Schedule "A".
19	Adult care centre shall only be located on a lot fronting onto an arterial street as shown on Overlay "H". (xx-26)

The Corporation of the City of Richmond Hill
By-law 93-25
Page 65

Special Provision Number	Description of Special Provision
<u>20</u>	<u>Notwithstanding any other requirements of this By-law to the contrary, only uses lawfully in existence on April 5, 2012 shall be permitted. (xx-26)</u>
<u>21</u>	<u>Notwithstanding any other requirements of this By-law to the contrary, a mid-rise building or high-rise building lawfully in existence on April 5, 2012 shall be permitted. (xx-26)</u>
<u>22</u>	<u>Shall only be located on a lot fronting onto an arterial or a collector street as shown on Overlay "H". (xx-26)</u>
<u>23</u>	<u>Shall only be located on a lot fronting onto an arterial street as shown on Overlay "H". (xx-26)</u>
<u>24</u>	<u>Shall only be located on a lot fronting onto a collector street as shown on Overlay "H". (xx-26)</u>

The Corporation of the City of Richmond Hill
 By-law 93-25
 Page 66

Table 5.2A Neighbourhood Zones Standards

Zone (1)(2)(4)(11)		Min. Lot Frontage (m)	Min. Lot Area (m ²) (15)	Max. Lot Coverage (21)	Min. Front Yard Setback (m) (12)(19)	Min. Side Yard Setback (m)	Min. Required Flankage Yard Setback (m)	Min. Required Rear Yard Setback (m)	Max. Height (m) (14)
N (10)	S	(16)	(16)	40 <u>5</u> %	3.5	1.2	2.4	6	11
N1 (5)(10)	S	18	540	50%	3.5	1.2 (7)(9)	2.4	6 (8)	11
N2 (5)(10)	S	15	450	50%	3.5	1.2 (7)(9)	2.4	6 (8)	11
N3 (5)(10)	S	12	300	50%	3.5	1.2 (7)(9)	2.4	6 (8)	11
N4 (5) (10)(17)	S	9	270	50%	3.5	1.2 (7)(9)	2.4	6 (8)	11
NS1 (5)(10)	SD	12	300	50%	3.5	1.2 (9)	2.4	6 (8)	11
NS2 (10)	S (5)(7)	9	270	50%	3.5	1.2 (9)	2.4	6 (8)	11
	SD (5)	12	300	50%	3.5	1.2 (9)	2.4	6 (8)	11
	Q	20	750	4 <u>5</u> 0%	3.5	3	3	6	11

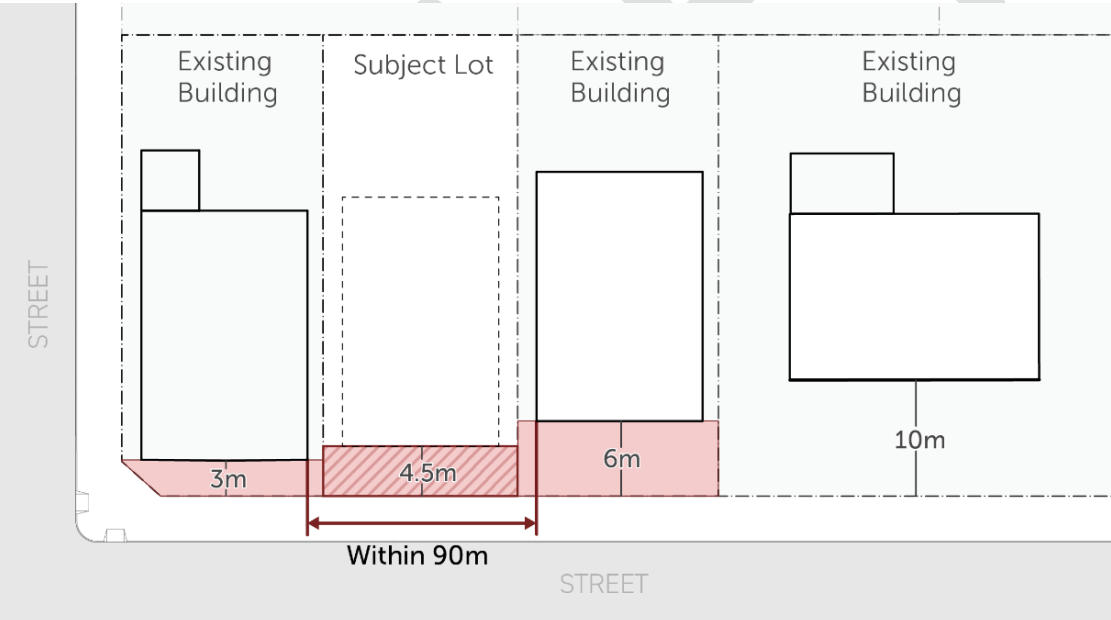
The Corporation of the City of Richmond Hill

By-law 93-25

Zone (1)(2)(4)(11)		Min. Lot Frontage (m)	Min. Lot Area (m ²) (15)	Max. Lot Coverage (21)	Min. Front Yard Setback (m) (12)(19)	Min. Side Yard Setback (m)	Min. Required Flankage Yard Setback (m)	Min. Required Rear Yard Setback (m)	Max. Height (m) (14)
NT1 (10)	STH	6	150	60%	3	1.2 (3)	2.4 (3)	6 (6)(8)	11
	RLT	4.5	105	90%	3.5	1.2 (3)	2.4 (3)	6 (6)(8)	11
	BTB	6	85	80%	3.5	1.2 (3)	2.4 (3)		11
	Q	20	750	450%	3.5	3	3	6	11
NT2 (18)		20		60%	3	1.2 (3)	3	6 (8)	11
NA (20)		20			6	6	6	6	
NMU	LRB	30			3	3	3	6	4 storeys
	NS2 (13)								
	NT1 (13)								
	NT2 (13)(17)								
	NA (13)								
NLC (22)		20			3	6	3	6	2 storeys

Table 5.2B Neighbourhood Zones Standards Special Provisions

Special Provision Number	Description of Special Provision
1	Subject to Sections 3.13 and 3.14.
2	An attached garage shall have a minimum setback of 5.7 metres from the front lot line and, if the attached private garage is accessed by a driveway crossing the flankage lot line , the attached garage shall have a minimum setback of 5.7 metres from the flankage lot line .
3	This provision only applies to the end units of townhouse dwellings located on a lot .
4	Notwithstanding any other requirements of this By-law to the contrary, the minimum setback from the hypotenuse of a daylighting triangle taken by the City to the main building shall be 0.6 metres.
5	The minimum required front yard setback applies to each portion of a through lot abutting a street .
6	If a detached garage of a street townhouse dwelling is located in the rear yard and is accessed by a driveway that does not cross the front lot line or flankage lot line , the minimum required rear yard for the main building on the lot is 10.5 metres.
7	Where the City has entered into a subdivision agreement pursuant to the <i>Planning Act</i> , R.S.O. 1990, 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 5.2B, 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 setback shall apply: a. The minimum required side yard setback shall be 1.2 metres on one side and 0.6 metres on the other provided that for interior lots , the larger side yard setback shall be adjacent to the larger side yard or a rear yard on the adjoining lot .
8	The minimum required rear yard setback shall be 0.6 metres if a garage at the rear of the dwelling is accessed by a driveway crossing the flankage lot line .
9	Where an uneven number of lots in a row about a flankage lot , a block or a rear yard condition, the interior side yard setback may be reduced to 0.6 metres provided that the adjacent yard is a minimum of 1.2 metres.

Special Provision Number	Description of Special Provision
10	Notwithstanding any other requirements of this by-law to the contrary, additional residential units must comply with the provisions of Section 3.18.
11	Notwithstanding any other requirements of this by-law to the contrary, within the Village Core Community the shown on Schedule "A", an attached or detached garage shall not project beyond the front main wall of the primary dwelling unit .
12	<p>The minimum front yard setback of any building erected on a lot or grouping of lots situated between two lots containing existing dwellings, which are not more than 90 metres apart, shall be established by the averaging a line connecting the closest point of the front main wall of the existing dwellings to the street.</p>  <p>Figure 11: Table 5.2B Special Provision 12 – Establishing Front Yard Setback</p>

The Corporation of the City of Richmond Hill

By-law 93-25

Page 70

Special Provision Number	Description of Special Provision
13	Development standards required for the NS2, NT1, NT2 and NA Zones apply.
14	Notwithstanding any other requirements of this by-law to the contrary, the maximum building height permitted is as shown on Schedule "C".
15	Within the West Gormley Community as shown on Schedule "A", the maximum lot area shall be 1 hectare.
16	The minimum lot frontage and lot area required is as existing on the day before the day that this By-law is passed by Council .
17	Notwithstanding any other requirements of this By-law to the contrary, where a block residential dwelling-development is combined with a high-rise building, mid-rise building or low-rise building the development standards contained in Table 4.2A for each zone shall apply.
18	<p><u>See Section 3.5.2.</u></p> <p>Notwithstanding any other provision to the contrary, the follow provisions related to block residential dwellings shall apply:</p> <p>Where a building is permitted under a block residential dwelling, the minimum rear yard shall be 6 metres abutting a neighbourhood zone.</p> <p>Where a building permitted under a block residential dwelling fronts onto a street and/or a lane, a minimum setback of 3 metres shall be provided to the street and/or lane.</p> <p>Special Provision (c) only applies to the end units of a block residential dwelling located on a lot which has a flankage yard on a street / a lane. Where a building is permitted under a block residential dwelling, the required rear yard may be reduced to 1.2 metres where an end unit to a block residential dwelling abuts a rear yard.</p> <p>Special Provision (d) only applies to the end units of block residential dwelling located on a parcel which flanks onto a lane. Where a building is permitted under a block residential dwelling, the required setback to the lane shall be 1.5 metres.</p> <p>Where a building is permitted under a block residential dwelling, the end units of any block residential dwellings shall have a minimum combined separation of 2.4 metres.</p> <p>Where a building permitted under a block residential dwelling fronts onto a street or a lane, a minimum of 6 metres shall be provided at the rear of the building.</p> <p>Where a building permitted under a block residential dwelling fronts onto an internal walkway, park or other communal area, a minimum setback of 3 metres shall be provided to the internal walkway, park or other communal area.</p>

The Corporation of the City of Richmond Hill
By-law 93-25
Page 71

Special Provision Number	Description of Special Provision
19	Notwithstanding any other requirements of this By-law to the contrary, the minimum front yard setback shall be 3 metres for the North Leslie Community and the West Gormley Community as shown on Schedule "A".
20	Apartment building(s) or structure(s) lawfully existing prior to the date that this By-law was passed by Council within the NA Zone shall be permitted.
21	Notwithstanding any other requirements of this By-law to the contrary, the maximum density permitted is as shown on Schedule "B".
22	For residential uses permitted in Table 5.1A, the development standards required for the NT1 and NT2 Zones shall apply.

Section 6.0 Institutional

6.1 Zones

- a) Uses which are permitted in the **zones** are identified in following Tables:

	Zone	Table
Institutional Zone Permitted Uses	I1 I2 I3	Table 6.1A
Institutional Zone Permitted Uses Special Provisions		Table 6.1B
Institutional Zone Standards		Table 6.2A
Institutional Zone Standards Special Provisions		Table 6.2B

- b) Permitted uses in a **zone** are noted by the symbol '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 specifically apply where referred to in the Permitted Uses Tables; and,
 - ii. the special provisions shall specifically apply where referred to in the Standards Tables.
- c) One or more uses prescribed in Table 6.1A may be permitted on one **lot**.

Table 6.1A Institutional Zones Permitted Uses

Non-Residential Uses	Long-Term Care Home	Arts and Cultural Facility	Public Authority <u>Use</u>	Place of Worship	Private School	Social Service <u>Use</u>	Child Care Centre	Hospital	Commercial, <u>including Adult Care Centre</u>
I1	X	X	X	X	X	X	X		X (1)
I2	X		X	X			X	X	
I3	X		X	X			X		

<u>Specified Accessory Uses</u>	<u>I1</u>	<u>I2</u>	<u>I3</u>
<u>Outdoor Patio</u>	<u>X</u>		

Table 6.1B Institutional Zones Permitted Uses Special Provisions

Special Provision Number	Description of Special Provision
1	Notwithstanding any other provision to the contrary, commercial uses shall only occupy a maximum of 49% of the gross floor area of any building on a lot . This provision does not apply to office uses.

The Corporation of the City of Richmond Hill
By-law 93-25

Table 6.2A Institutional Zones Standards

Zone	Min. Lot Frontage (m)	Min. Front Yard Setback (m)	Min. Rear Yard Setback (m)	Min. Side Yard Setback (m)	Min. Flankage Yard Setback (m)	Max. Lot Coverage (%)	Max. Building Height (m)
I1	30	3	2	3	3	60	11 (1)
I2	30	6	6	3	3		13
I3	30	6	6	6	6		13

Table 6.2B Institutional Zones Standards Special Provisions

Special Provision Number	Description of Special Provision
1	Notwithstanding any other requirements of this By-law to the contrary, the maximum building height permitted is as shown on See Schedule "C".

Section 7.0 Employment Area

7.1 Zones

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Table 7.1A Employment Area Zone Permitted Uses

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Table 7.1B Employment Area Zone Permitted Uses Special Provisions

(intentionally left blank)

Table 7.2A Employment Area Zone Standards

(intentionally left blank)

Table 7.2B Employment Area Zone Standards Special Provisions

(intentionally left blank)

7.1 Zones

a) Uses which are permitted in the zones are identified in following Tables:

	Zone	Table
<u>Employment Area Zone Permitted Uses</u>	EA	<u>Table 7.1A</u>
<u>Employment Area Zone Permitted Uses Special Provisions</u>		<u>Table 7.1B</u>
<u>Employment Area Zone Standards</u>		<u>Table 7.2A</u>
<u>Employment Area Zone Standards Special Provisions</u>		<u>Table 7.2B</u>

b) Permitted uses in a zone are noted by the symbol '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 specifically apply where referred to in the Permitted Uses Tables; and,
- ii. the special provisions shall specifically apply where referred to in the Standards Tables.

c) One or more uses prescribed in Table 7.1A may be permitted on one lot.

7.2 General Provisions for Employment Zone

7.2.1 Accessory Uses, Buildings and Structures in Employment Zone

- (1) Notwithstanding Section 3.11 or other provisions of this By-law to the contrary, accessory uses, buildings or structures not identified in Table 7.1A shall not be permitted.

7.2.2 Landscaped Strip Requirement

- (2) Notwithstanding Section 3.9 to the contrary, a landscaped strip shall be provided for a lot in an EA zone within the minimum required portion of a yard.

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Table 7.1A Employment Zone Permitted Uses

<u>Uses</u>	<u>EA</u>
<u>Manufacturing, Processing or Assembly</u> within wholly enclosed buildings	<u>X</u>
<u>Warehouse</u> , including <u>Data Storage Facility</u>	<u>X</u>
<u>Research and Development</u>	<u>X</u>
Uses lawfully in existence before October 20, 2024	<u>X</u> ⁽⁸⁾
Utilities and infrastructure use by a <u>Public Authority</u> and <u>Private Utility</u>	<u>X</u>
<u>Specified Associated or Accessory Uses</u>	<u>EA</u>
<u>Transportation Terminal</u> associated with <u>Manufacturing, Processing or Assembly</u> and <u>Warehouse</u>	<u>X</u> ⁽¹⁾
<u>Office</u> associated with <u>Manufacturing, Processing or Assembly, Warehouse, Transportation Terminal</u> and <u>Research and Development</u>	<u>X</u> ⁽²⁾
<u>Retail</u> associated with <u>Manufacturing, Processing or Assembly, Warehouse, Transportation Terminal</u> and <u>Research and Development</u> ^(A)	<u>X</u> ⁽³⁾
<u>Ancillary facilities</u> ⁽⁴⁾	<u>X</u> ⁽⁵⁾⁽⁶⁾
<u>Outdoor Storage</u>	<u>X</u> ⁽⁷⁾

Table 7.1B Employment Zone Permitted Uses Special Provisions

<u>Special Provision Number</u>	<u>Description of Special Provision</u>
1	<u>Transportation terminal shall only be permitted on a lot in an EA zone or portions thereof located east of Leslie Street and 60 metres from an arterial street line as shown on Overlay “H”.</u>
2	<u>Associated office use shall be located on the same lot as the primary use.</u>
3	<u>Associated retail use shall not be located as a standalone building and shall not exceed 15% of the gross floor area of the first storey of the building.</u>
4	<u>Ancillary facilities are restricted to uses and structures ancillary to Manufacturing, Processing or Assembly, Warehouse, Transportation Terminal, Research and Development, associated office and associated retail located on the same lot.</u>
5	<u>Permitted ancillary facilities shall be permitted only in accordance with the following:</u> <u>b. shall not have direct exterior door or entrance to a street;</u> <u>c. occupies the lesser of 500 m² or 15% of the gross floor area of the principal building; and,</u> <u>d. does not include any building/structure, amenity area or outdoor space for residential use, community use or other sensitive uses as defined in the Ontario D-Series Guidelines by the Ministry of the Environment, Conservation and Parks or a predecessor thereof or a successor thereto.</u>
6	<u>Special Provision 5 shall not apply to uses lawfully in existence before October 20, 2024.</u>
7	<u>Accessory outdoor storage shall only be permitted in accordance with the following:</u> <u>e. on a lot in an EA zone located south of Elgin Mills Road East, north of Crosby Avenue, east of Yonge Street and west of Newkirk Road and does not have frontage onto Elgin Mills Road East;</u> <u>f. shall not be located within a rear yard or side yard abutting a Centre and Corridor or Neighbourhoods zone;</u> <u>g. shall have a maximum height the lesser of 14 metres or the building height of the main building; and,</u> <u>h. shall be screened from view from a front lot line, a flankage lot line, and a rear lot line / side lot line abutting a Centre and Corridor or Neighbourhoods zone with a minimum screening height of 1.8 metres.</u>
8	<u>Expansion of a use, building or structure lawfully in existence before October 20, 2024 that is otherwise not permitted under Table 7.1A shall not be permitted.</u>

The Corporation of the City of Richmond Hill
By-law 93-25

Table 7.2A Employment Zone Standards

<u>Zone</u>	<u>Min. Lot Frontage</u>	<u>Max. Lot Coverage</u>	<u>Min. Front Yard Setback</u>	<u>Min. Rear Yard Setback</u>	<u>Min. Side Yard Setback</u>	<u>Min. Flankage Yard Setback</u>	<u>Min. Daylighting Triangle Setback</u>	<u>Min. and Max. FSI</u>	<u>Building Height</u>
<u>EA</u>	<u>20 m</u>	<u>60%</u>	<u>3 m</u>	<u>2 m ⁽¹⁾</u>	<u>3 m ⁽¹⁾</u>	<u>3 m</u>	<u>0 m</u>	<u>See Schedule "B"</u>	<u>LRB: Max. 4 storeys and 14 m ⁽²⁾</u> <u>MRB: Max. 10 storeys and 30.5 m ⁽²⁾⁽³⁾</u>

Table 7.2B Employment Zone Standards Special Provisions

<u>Special Provision Number</u>	<u>Description of Special Provision</u>
<u>1</u>	<u>Notwithstanding the required yard setback in Table 7.2A, the portion of a yard abutting a lot in a Centre and Corridor, Neighbourhood, Institutional, GNC, MUOS or ORMCO zone shall have the minimum required setback increased to 6 metres.</u>
<u>2</u>	<u>Notwithstanding Table 7.2A, for a use lawfully in existence before October 20, 2024 that would otherwise not be permitted under Table 7.1A, the maximum building height shall be the height of the building lawfully in existence before October 20, 2024.</u>
<u>3</u>	<u>Notwithstanding Table 7.2A, the maximum building height for a permitted use excluding associated or ancillary office shall be 5 storeys and 17 metres.</u>

Section 8.0 Business Commercial

8.1 Zones

Uses which are permitted in the **zones** are identified in following Tables:

	<u>Zone</u>	<u>Table</u>
<u>Business Commercial Zones Permitted Uses</u>	BC1 BC2	<u>Table 8.1A</u>
<u>Business Commercial Zones Permitted Uses Special Provisions</u>		<u>Table 8.1B</u>
<u>Business Commercial Zones Standards</u>		<u>Table 8.2A</u>
<u>Business Commercial Zones Standards Special Provisions</u>		<u>Table 8.2B</u>

Permitted uses in a **zone** are noted by the symbol '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 specifically apply where referred to in the Permitted Uses Tables; and,
- ii. the special provisions shall specifically apply where referred to in the Standards Tables.

One or more uses prescribed in Table 8.1A may be permitted on one **lot**.

8.2 General Provisions for Business Commercial Zones

Notwithstanding Section 3.9 to the contrary, a **landscaped strip** shall be provided for a **lot** in a BC1 or BC2 **zone** within the minimum required portion of a **yard**.

Table 8.1A Business Commercial Zones Permitted Uses

<u>Uses</u>	<u>BC1</u>	<u>BC2</u>
<u>Commercial, including Adult Care Centre</u>	<u>X</u> <u>(A)</u>	<u>X</u> <u>(A)</u>
<u>Office</u>	<u>X</u>	<u>X</u>
<u>Major Office</u>	<u>X</u>	<u>X</u>
<u>Retail</u>	<u>X</u>	<u>X</u>
<u>Major Retail</u>		<u>X</u>
<u>Manufacturing, Processing or Assembly within wholly enclosed buildings</u>		<u>X</u>
<u>Warehouse, including Data Storage Facility</u>		<u>X</u>
<u>Child Care Centre</u>	<u>X</u>	<u>X</u>
<u>Place of Worship</u>	<u>X</u>	<u>X</u>
<u>Private School</u>	<u>X</u>	<u>X</u>
<u>Social Services uses</u>	<u>X</u>	<u>X</u>

The Corporation of the City of Richmond Hill
 By-law 93-25
 Page 82

<u>Specified Accessory Uses</u>	<u>BC1</u>	<u>BC2</u>
<u>Outdoor Display and Sales</u>	<u>X</u> <u>(B)</u>	<u>X</u> <u>(B)</u>
<u>Outdoor Patio</u>	<u>X</u> <u>(C)</u>	<u>X</u> <u>(C)</u>
<u>Transportation Terminal associated with Manufacturing, Processing or Assembly and Warehouse</u>	<u>X</u>	<u>X</u>

- (A) See use-specific standards in Section 3.22 Automobile Service Stations.
- (B) See use-specific standards in Section 3.23 Outdoor Display and Sales.
- (C) See use-specific standards in Section 3.16 Outdoor Patio.

Table 8.1B Business Commercial Zones Permitted Uses Special Provisions

<u>Special Provision Number</u>	<u>Description of Special Provision</u>
<u>1</u>	<u>[Intentionally Left Blank]</u>

The Corporation of the City of Richmond Hill
By-law 93-25

Table 8.2A Business Commercial Zones Standards

<u>Zone</u>	<u>Applicable Building Typology</u>	<u>Min. Lot Frontage</u>	<u>Max. Lot Coverage</u>	<u>Min. Front Yard Setback</u>	<u>Min. Rear Yard Setback</u>	<u>Min. Side Yard Setback</u>	<u>Min. Flankage Setback</u>	<u>Min. Daylighting Triangle Setback</u>	<u>Min. Front Yard Setback – Tower</u>	<u>Min. Rear Yard Setback – Tower</u>	<u>Min. Side Yard Setback – Tower</u>	<u>Min. Flankage Yard Setback – Tower</u>	<u>Min. Daylighting Triangle Setback – Tower (m)</u>	<u>Max. First Storey Height</u>	<u>Min. and Max. FSI</u>	<u>Building Height</u>
<u>BC1</u>	<u>HRB</u>	<u>30 m</u>	<u>n/a</u>	<u>3 m</u>	<u>3 m ⁽¹⁾</u>	<u>3 m ⁽¹⁾</u>	<u>3 m</u>	<u>0 m</u>	<u>6 m</u>	<u>12.5 m</u>	<u>12.5 m</u>	<u>6 m</u>	<u>3m</u>	<u>6.5 m</u>	<u>Schedule “B”</u>	<u>Max. 20 storeys</u>
	<u>MRB</u>												<u>Max. 10 storeys</u>			
	<u>LRB</u>												<u>Max. 4 storeys</u>			
<u>BC2</u>	<u>MRB</u>	<u>30 m</u>	<u>60%</u>	<u>3 m</u>	<u>3 m ⁽¹⁾</u>	<u>3 m ⁽¹⁾</u>	<u>3 m</u>	<u>0m</u>					<u>6.5 m</u>	<u>Schedule “B”</u>	<u>Max. 10 storeys</u>	
	<u>LRB</u>														<u>Max. 4 storeys</u>	

Table 8.2B Business Commercial Zones Standards Special Provisions

<u>Special Provision Number</u>	<u>Description of Special Provision</u>
<u>1</u>	<u>Notwithstanding the required yard setback in Table 8.2A, the portion of a yard abutting a lot in a Neighbourhood zone or GNC zone shall have the minimum required setback increased to 6 metres.</u>

Section **98.0** Greenway System

89.1 Provisions applicable to lands within the Oak Ridges Moraine Conservation Plan Area with a zone symbol starting with “ORM”

98.1.1 ~~Area of High Aquifer Vulnerability Zone~~Highly Vulnerable Aquifers within the— Oak Ridges Moraine Conservation Plan Area

- (1) Notwithstanding any other provision of this By-law, except for existing uses, **buildings** and **structures**, the following uses are prohibited ~~within an area of on lands containing~~ Highly Vulnerable Aquifers ~~Vulnerability~~ as shown on Overlay “G”:
 - a) generation or storage of **hazardous waste** or **liquid industrial waste**;
 - b) waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
 - c) underground or above-ground **bulk storage tanks** that are not equipped with a secondary containment device; and,
 - d) the use, creation, handling or storage of **hazardous waste** as identified in Regulation 347 of the Revised Regulations of Ontario, 1990.
- (2) Notwithstanding (1), agricultural uses and agricultural related uses are regulated under the Nutrients Management Act, 2002 and complies with such Act.

89.1.2 Rapid Infiltration Basins and Columns

The use of rapid infiltration basins and columns are prohibited.

98.1.3 Landform Conservation Areas

The following provisions shall apply to the ORMNC, ORMNL, ORMCO, ORMH, ORMOS, ORMOS1 AND ORMKNF Zones:

- (1) Landform Conservation Area – Category 1

An application for **development** or **site alteration** shall:

- a) limit the portion of the **net developable area** of the site that is disturbed to not more than 25% of the total area of the site; and,
- b) limit the portion of the **net developable area** of the site that has **impervious surfaces** to not more than 15% of the total areas of the site.

- (2) Landform Conservation Area – Category 2

An application for **development** or **site alteration** shall:

- a) limit the portion of the **net developable area** of the site that is disturbed to not more than 50% of the total area of the site; and,
- b) limit the portion of the **net developable area** of the site that has **impervious surfaces** to not more than 20% of the total area of the site.

- (3) Notwithstanding Section 8.1.3 (1) and (2), no **development** or **site alteration** shall occur beyond the limits of the **development envelope** for lots developed for a **detached dwelling**.

89.2 Zones

a) Uses which are permitted in the **zones** are identified in following Tables:

	Zone	Table
Rural		
Oak Ridges Moraine Rural Zone Permitted Uses	ORMCO	Table 8.1A
Oak Ridges Moraine Rural Zone Permitted Uses Special Provisions		Table 8.1B
Oak Ridges Moraine Rural Zone Standards		Table 8.2A
Oak Ridges Moraine Rural Zone Standards Special Provisions		Table 8.2B
Oak Ridges Moraine Rural Settlement Area Zone Permitted Uses	ORMH	Table 8.1A
Oak Ridges Moraine Rural Settlement Area Zone Permitted Uses Special Provisions		Table 8.1B
Oak Ridges Moraine Rural Settlement Area Zone Standards		Table 8.2A
Oak Ridges Moraine Rural Settlement Area Zone Standards Special Provisions		Table 8.2B
Oak Ridges Moraine Pit Zone Permitted Uses	ORMP	Table 8.1A
Oak Ridges Moraine Pit Zone Permitted Uses Special Provisions		Table 8.1B
Oak Ridges Moraine Pit Zone Standards		Table 8.2A
Oak Ridges Moraine Pit Zone Standards Special Provisions		Table 8.2B
Environmental Zones		
Oak Ridges Moraine Natural Core Zone Permitted Uses	ORMNC	Table 8.1A
Oak Ridges Moraine Natural Core Zone Permitted Uses Special Provisions		Table 8.1B
Oak Ridges Moraine Natural Core Zone Standards		Table 8.2A
Oak Ridges Moraine Natural Core Zone Standards Special Provisions		Table 8.2B
Oak Ridges Moraine Natural Linkage Zone Permitted Uses	ORMNL	Table 8.1A
Oak Ridges Moraine Natural Linkage Zone Permitted Uses Special Provisions		Table 8.1B
Oak Ridges Moraine Natural Linkage Zone Standards		Table 8.2A

	Zone	Table
Oak Ridges Moraine Natural Linkage Zone Standards Special Provisions		Table 8.2B
Oak Ridges Moraine Open Space Zone Permitted Uses	ORMOS	Table 8.1A
Oak Ridges Moraine Open Space Zone Permitted Uses Special Provisions		Table 8.1B
Oak Ridges Moraine Open Space Zone Standards		Table 8.2A
Oak Ridges Moraine Open Space Zone Standards Special Provisions		Table 8.2B
Oak Ridges Moraine Open Space One Zone Permitted Uses	ORMOS1	Table 8.1A
Oak Ridges Moraine Open Space One Zone Permitted Uses Special Provisions		Table 8.1B
Oak Ridges Moraine Open Space One Zone Standards		Table 8.2A
Oak Ridges Moraine Open Space One Zone Standards Special Provisions		Table 8.2B
Oak Ridges Moraine Key Natural Feature Zone Permitted Uses	ORMKNF	Table 8.1A
Oak Ridges Moraine Key Natural Feature Zone Special Provisions		Table 8.1B
Oak Ridges Moraine Key Natural Feature Zone Standards		Table 8.2A
Oak Ridges Moraine Key Natural Feature Zone Standards Special Provisions		Table 8.2B

- b) Permitted uses in a **zone** are noted by the symbol '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 specifically apply where referred to in the Permitted Uses Tables; and,
 - ii. the special provisions shall specifically apply where referred to in the Standards Tables.
- c) One or more uses prescribed in Table 8.1A may be permitted on one **lot**.

The Corporation of the City of Richmond Hill
 By-law 93-25
 Page 87

Table 89.1A Oak Ridges Moraine Rural and Environmental Zones Permitted Uses

Zone	ORMCO	ORMH	ORMP (5)	ORMNC	ORMNL	ORMOS (7)(12)	ORMOS1 (10)(12)	ORMKNF (8)(9)(12)
Use								
Agriculture Agricultural Uses (3)	X (3)			X (3)	X (3)			
Detached Dwelling (1)(6)	X	X		X	X	X	X	X
Agricultural related uses	X (3)	X (3)		X (13)	X (13)			
Conservation projects and flood and erosion control projects	X	X	X	X	X	X	X	X
Fish, wildlife and forest management	X	X	X	X	X	X	X	X
On-farm Diversified Uses	X (3)			X (13)	X (13)			
Home Businesses (2)	X	X		X	X		X	X
Home Occupation (3)	X (3)			X (13)	X (13)			
Home Industry (2)	X			X	X		X	X
Bed and Breakfast Establishment (2)	X	X		X	X		X	X
Low intensity recreational uses including, but not limited to non-motorized trail use, natural heritage appreciation and unserviced camping (4)		X						
Mineral Aggregate Operations and Wayside Pits			X					

The Corporation of the City of Richmond Hill
By-law 93-25
Page 88

Zone	ORMCO	ORMH	ORMP (5)	ORMNC	ORMNL	ORMOS (7)(12)	ORMOS1 (10)(12)	ORMKNF (8)(9)(12)
Unserviced Park		X		X (11)				
Public Authority <u>uses</u> (6)	X	X	X	X	X	X	X	X
Uses, buildings or structures accessory to the above permitted uses	X	X	X	X	X		X	X

Table 98.1B Oak Ridges Moraine Rural and Environmental Zones Permitted Uses Special Provisions

Special Provision Number	Description of Special Provision
1	A detached dwelling is permitted on lots of record if the use, erection and location would have been permitted by the applicable zoning by-law existing on November 15, 2001 and shall be contained within the development envelope and the dwelling does not exceed 500 m ² ground floor area.
2	Uses are permitted only within building or structures that existed on November 15, 2001 and additions thereto.
3	Agricultural uses, agricultural related uses and buildings and structures to these are permitted on lots of record existing on November 15, 2001 and shall be contained within the development envelope and the dwelling does not exceed 500 m ² gross floor area .
4	Unserviced camping is permitted on public and institutional lands.
5	For greater clarity, the existing uses shall include, but not be limited to one hot mix asphalt batching plant and an open storage yard for road building contractors' materials and/or equipment within that area as shown on Schedule "A", provided that a strip of land not less than 1.5 metres in width inside and abutting the frontage of the said lands shall not be used for any purpose other than landscaping, but this shall not prevent the provision of entrances and exists to the subject lands.
6	Expansion of existing buildings or structures shall be contained within the area as shown on Schedule "A".

The Corporation of the City of Richmond Hill
 By-law 93-25
 Page 89

Special Provision Number	Description of Special Provision
7	The ORMOS Zone as shown on Schedule “A1” shall be maintained in their natural state and all buildings or structures are prohibited other than those required for conservation projects, flood and erosion control projects and transportation, infrastructure and utilities and as permitted in Special Provision (1).
8	All lands within the ORMKNF Zone as shown on Schedules “A1” shall be maintained in their natural state and all buildings or structures are prohibited other than those required for conservation projects, flood and erosion control projects and transportation, infrastructure and utilities and as permitted in Special Provision (1).
9	All lands within 30 metres of a defined key natural heritage feature shall be maintained in their natural state and all buildings or structures are prohibited other than those required for conservation projects, flood and erosion control projects, fence posts and transportation, utilities and public works and as permitted in Special Provision (1).
10	All lands within 90 metres of an Open Space Zone of a defined key natural heritage feature shall be maintained in their natural state and all buildings or structures are prohibited other than those required for conservation projects, flood and erosion control projects, fence posts and transportation, utilities and public works and as permitted in Special Provision (1).
11	Notwithstanding any other provision to the contrary, an unserved park is permitted.
12	Notwithstanding any other provision to the contrary, Schedule “A1” does not apply to the lands within the West Gormley Community as shown on Schedule “A”.
<u>13</u>	<u>Notwithstanding Table 9.1B Special Provision 3, agricultural uses, agricultural related uses and on-farm diversified uses, and buildings and structures of these uses are permitted on lots located east of Leslie Street, west of Highway 404, north of Bethesda Sideroad and south of Bloomington Road as shown on Overlay “H”.</u>

Table 89.2A Oak Ridges Moraine Rural and Environmental Zones Standards

	ORMCO	ORMH	ORMP	ORMNC	ORMNL	ORMOS	ORMOS1	ORMKNF
Use	All							
Standard								

The Corporation of the City of Richmond Hill
By-law 93-25

	ORMCO	ORMH	ORMP	ORMNC	ORMNL	ORMOS	ORMOS1	ORMKNF
Min. Lot Frontage (m)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Min. Lot Area (m)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Min. Require Front Yard (m)	3 (2)	7.5 (2)	7.5	3 (2)	3 (2)	3 (2)	3 (2)	3 (2)
Min. Required Side Yard (m)	3 (2)	3 (2)	3	3 (2)	3 (2)	3 (2)	3 (2)	3 (2)
Min. Required Flankage Yard (m)	6 (2)	3 (2)	3	6 (2)	6 (2)	6 (2)	6 (2)	6 (2)
Min. Required Rear Yard (m)	7.5 (2)	7.5 (2)	3	7.5 (2)	7.5 (2)	7.5 (2)	7.5 (2)	7.5 (2)
Max. Coverage		20%						
Max. Height (m)	11	11	(1)	11	11	11	11	11

Table 98.2B Oak Ridges Moraine Rural and Environmental Zones Special Provisions

Special Provision Number	Description of Special Provision
1	Existing means lawfully in existence on November 15, 2001.
2	Expansion of existing buildings or structures , and/or new buildings , structures and accessory uses shall be contained within a development envelope , which shall be limited to a maximum of 40% of the lot .

98.3 Provisions applicable to the Greenway System within the urban areas and outside of the lands within the Oak Ridges Moraine Conservation Plan Area subject to Section 8.1 of this By-law

98.3.1 Zones

a) Uses which are permitted in the **zones** are identified in following Tables:

	Zone	Table
Greenway System		
Greenway Natural Core Zone Permitted Uses	GNC	Table 8.3A
Greenway Natural Core Zone Permitted Uses Special Provisions		Table 8.3B
Greenway Natural Core Zone Standards		Table 8.4A
Greenway Natural Core Zone Standards Special Provisions		Table 8.4B
Major Urban Open Space Zone Permitted Uses	MUOS	Table 8.3A
Major Urban Open Space Zone Permitted Uses Special Provisions		Table 8.3B
Major Urban Open Space Zone Standards		Table 8.4A
Major Urban Open Space Zone Standards Special Provisions		Table 8.4B
Protected Countryside Zone Permitted Uses	PC	Table 8.3A
Protected Countryside Zone Permitted Uses Special Provisions		Table 8.3B
Protected Countryside Zone Standards		Table 8.4A
Protected Countryside Zone Standards Special Provisions		Table 8.4B
Greenway Natural Linkage Zone Permitted Uses	GNL	Table 8.3A
Greenway Natural Linkage Zone Permitted Uses Special Provisions		Table 8.3B
Greenway Natural Linkage Zone Standards		Table 8.4A
Greenway Natural Linkage Zone Standards Special Provisions		Table 8.4B

- b) Permitted uses in a **zone** are noted by the symbol '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 specifically apply where referred to in the Permitted Uses Tables; and,
 - ii. The special provisions shall specifically apply where referred to in the Standards Tables.
- c) One or more uses prescribed in Table 8.3A may be permitted on one **lot**.

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The Corporation of the City of Richmond Hill
 By-law 93-25
 Page 93

Table 89.3A Greenway System Zones Permitted Uses

Zone	GNC	GNL	PC	MUOS
Existing residential, commercial and institutional uses, buildings and structures (1)	X	X		X
Detached Dwelling			X (3)	
Private park		X	X	X
Conservation projects and flood and erosion control projects	X	X	X	X
Fish, wildlife and forest management	X	X	X	X
Low intensity recreational uses including, but not limited to non-motorized trail use, natural heritage appreciation and unserviced park	X	X	X	X
Public Authority	X	X	X	X
Agricultural uses			X (3)	
Agricultural related uses			X (3)	
Kennel and veterinarian establishment			X (3)	
Cemetery			X (3)	X (2)
Place of Worship			X (3)	
Medical clinic			X (3)	
Secondary School				X (4)
Elementary School				X (4)
Arts and Cultural Facility				X (4)
Uses, buildings or structures accessory to the above permitted uses	X	X		X

Table 89.3B Greenway System Zones Permitted Uses Special Provisions

Special Provision Number	Description of Special Provision
1	Notwithstanding any other provision to the contrary, uses, buildings or structures lawfully in existence which comply with all zoning by-laws in force and effect on the day before the day that this By-law is passed by Council shall be permitted. A home occupation is permitted.
2	Notwithstanding any other provision to the contrary, cemetery, columbarium and crematorium uses are only permitted within the lands located at the southeast corner of Leslie Street and Elgin Road East as shown on Schedule "A".
3	Notwithstanding any other provision to the contrary, uses are permitted within the North Leslie Community shown on Schedule "A". For lands zoned PC, frontage shall be deemed to be along Highway 404. A home occupation is permitted.
4	Notwithstanding any other provision to the contrary, uses are only permitted within the lands as shown on Schedule "A" within the David Dunlap Observatory Area.

Table 98.4A Greenway System Zones Standards

	GNC	GNL	PC	MUOS
Use	All			
Standard				
Min. Lot Frontage (m)	(1)	(1)	(1)	(1)
Min. Lot Area (m)	(1)	(1)	(1)	(1)
Min. Require Front Yard (m)	3	7.5	7.5	
Min. Required Side Yard (m)	3	3	3	
Min. Required Flankage Yard (m)	6	3	3	
Min. Required Rear Yard (m)	7.5	7.5	7.5	
Max. Height (m)	11	11	11	Canadian Geodetic Datum elevation of 249.2 m (2)

Table 89.4B Greenway System Zones Standards Special Provisions

Special Provision Number	Description of Special Provision
1	Notwithstanding any other provision to the contrary, uses, buildings or structures lawfully in existence which comply with all zoning by-laws in force and effect on the day before the day that this By-law is passed by Council are permitted.
2	The maximum height for new buildings or structures shall be measured to the peak of a pitched roof (having a slope equal to or greater than 1:6 ratio) or to the top of a flat roof (having a slope less than 1:6 ratio) and that no portion of a building or structure such as mechanical equipment, chimneys and transmission antennae shall exceed the maximum height.

Section 910.0 Utility Corridor

910.1 Zones

- a) Uses which are permitted in the **Utility Corridor zone** are identified in the following Tables:

	Zone	Table
Utility Corridor Zone Permitted Uses	UC	Table 9.1A
Utility Corridor Zone Permitted Uses Special Provisions		Table 9.1B
Utility Corridor Zone Standards		Table 9.2A
Utility Corridor Zone Standards Special Provisions		Table 9.2B

- b) Permitted uses in a **zone** are noted by the symbol '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 specifically apply where referred to in the Permitted Uses Tables; and,
 - ii. the special provisions shall specifically apply where referred to in the Standards Tables.
- c) One or more uses prescribed in Table 9.1A may be permitted on one **lot**.

Table 910.1A Utility Corridor Zone Permitted Uses

Non-Residential Uses	UC
Public Authority	X
Automotive service station, Motor vehicle washing establishment and retail associated with an automotive service station	X (1)
Agriculture, Horticultural nursery	X
Auto Campus for the sale, leasing, rental, service, storage and repair of automobiles and trucks	X
Commercial uses limited to: Fast food restaurant, Take-out restaurants, Restaurants, Garden centre and nursery sales, and Places of entertainment.	X
Private Park	X
Recreational uses	X
Parking area	X
Uses, buildings or structures accessory to the above permitted uses	X

Table 910.1B Utility Corridor Zone Permitted Uses Special Provisions

Special Provision Number	Description of Special Provision
1	[An Automotive service station use shall only be permitted on lands as shown on Schedule "A". Deleted (xx-26)]

Table 910.2A Utility Corridor Zone Standards

	UC
Use	All
Min. Lot Frontage (m) (1)	60 m
Min. Lot Area (ha) (1)	0.8 ha
Min. Required Front Yard (m) (1)	12
Min. Required Side Yard (m) (1)	6 (2)(3)(4)
Min. Required Flankage Yard (m) (1)	6 (2)(3)(4)
Min. Required Rear Yard (m) (1)	12 (2)(3)(4)
Max. Height (m) (1)	40

Table 910.2B Utility Corridor Zone Special Provisions

Special Provision Number	Description of Special Provision
1	Notwithstanding any other provision to the contrary, the development standards apply to buildings or structures within the Provincial Utility Corridor and not to the CNR or the TCPL right-of-way.
2	Buildings or structures within any zone abutting the CNR right-of-way shall have a minimum setback of 30 metres.
3	Buildings or structures within any zone abutting the TCPL right-of-way shall have a minimum setback of 7 metres.
4	The minimum required setback to the TCPL right-of-way applies to buildings, structures, parking areas, loading spaces, parking spaces , stacking lane spaces, bicycle parking spaces, aisles, or driveways.

Section **110.0** Automobile Parking, Bicycle Parking and Loading Provisions

101.1 Location

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

101.2 Deficiencies

- (1) Where an existing use is deficient in the required minimum number of **parking spaces** or exceeds the permitted maximum number of **parking spaces** of this By-law, it shall be deemed that the minimum and maximum number of required **parking spaces** shall be the 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 space** 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 the day this By-law is passed by **Council**, and the new use is deficient in the required minimum number of **parking space** requirements of this By-law, it shall be deemed that the **parking space, visitor parking space, loading space and stacking lane space** requirements of this By-law shall apply to the new use.

101.3 Access

- (1) A **parking space or loading space** shall have direct access to a driveway, **drive aisle, street or lane**. Where access to a **parking space or loading space** is provided by a driveway or aisle, the driveway or aisle shall have direct access to a **street or lane**.
- (2) A **parking space, loading space, bicycle parking space, driveway or drive aisle** shall be used and maintained for such purposes.
- (3) A **parking space, loading space, bicycle parking space, driveway or drive 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 **drive aisle** from providing mutual access between two **lots**, provided that the total width of the mutual driveway or **drive aisle** complies with the requirements of this By-law. This provision does not apply to **neighbourhood zones**.

110.4 Reductions

Any reduction to the **parking space** requirements of this By-law shall not apply to a required **loading space, bicycle parking space or stacking lane space**.

101.5 Calculation of Parking Spaces

If the calculation of required **parking spaces**, bicycle parking spaces, **loading spaces**, **electric vehicle parking spaces** or stacking lane spaces results in a fraction, the applicable requirement shall be rounded up to the next whole number.

101.6 Automobile Parking Space Provisions

110.6.1 Provisions Applying to All Automobile Parking Spaces

- (1) The provisions in Section 10.6 apply to all **parking spaces** and driveways to **lots** that are regulated by this By-law.
- (2) Automobile **parking spaces** must be provided collectively for each use on a **lot** in an amount that complies with the provisions in Section 10.7 of this By-law.

Table 1011.1A Minimum Dimensions of Various Types of Automobile Parking Spaces Provisions

Automobile Parking Space Type	Length (m)	Width (m)	Vertical Clearance (m)
Perpendicular parking space	5.7	2.7	2.0
Perpendicular compact parking space (Type A) (1)(6)(7)	5.2	2.6	2.0
Perpendicular compact parking space (Type B) (2)(6)(7)	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 101.1B Minimum Dimensions of Various Types of Automobile Parking Spaces Special Provisions

1	A maximum of 40% of the residential parking spaces provided for dwelling units , for uses other than detached dwelling , semi-detached dwelling , street townhouse dwelling , block residential dwellingdevelopment , or back-to-back dwelling , excluding facilities used exclusively for visitor parking, may be in the form of Type A compact parking spaces .
2	A maximum of 10% of the residential parking spaces provided for apartment dwellings and block residential dwellingsdevelopment that share a parking facility, excluding facilities used exclusively for visitor parking may be in the form of Type B compact parking spaces .
3	Stacking lane spaces shall be setback a minimum of 15 metres from a neighbourhood zone and shall not be located in a front yard .
4	Stacking lane spaces shall not be included in the calculation of required parking spaces .
5	The minimum number of stacking lane spaces shall be required in accordance with Table 10.2A
6	Visitor parking spaces and parking spaces provided for non-residential uses shall not be in the form of Type A or Type B compact parking spaces .
7	Type A and Type B compact parking spaces are permitted within a site development.

Table 1011.2A Minimum Stacking Lane Space Provisions

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

(3) 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 2.7 metres and a minimum length of 5.7 metres.

(4) The width of a **drive aisle** shall comply with the following:

- a) The width of a **drive aisle** permitting two directions of **motor vehicle** traffic shall be a minimum of 6 metres.
- b) The width of a **drive aisle** permitting one direction of **motor vehicle** traffic shall comply with the following provisions:
 - i. **drive aisles** with **parking spaces** angled greater than 70 degrees and up to 90 degrees, to the **aisle** shall have a minimum width of 6 metres;
 - ii. **drive aisles** with **parking spaces** angled greater than 50 degrees and up to 70 degrees, to the **aisle** shall have a minimum width of 5.5 metres; and,
 - iii. **drive aisles** with **parking spaces** angled at or less than 50 degrees to the **aisle** shall have a minimum width of 4 metres.

~~(5) A parking structure shall only be located below established grade.~~

~~(6) Notwithstanding Section 10.6.1 (5), a parking structure may be permitted above established grade within the KDA-YB Zone and where located within a high water table area as shown on Overlay "C" and subject to the requirements of Section 10.6.3.~~

~~(7)~~(5) For a **detached dwelling, semi-detached dwelling, street townhouse dwelling, block residential dwelling development, back-to-back dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, or 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 5.7 metres to such **reserve**.

~~(8)~~(6) Tandem **parking spaces** shall not be permitted for **non-residential** uses in a parking structure or **parking area**. For residential **low-rise buildings, mid-rise buildings** and **high-rise buildings**, tandem **parking spaces** shall not contribute to the minimum **parking space** requirements.

~~(9)~~(7) For a **high-rise building, mid-rise building** or **low-rise building**, the following provisions shall apply:

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

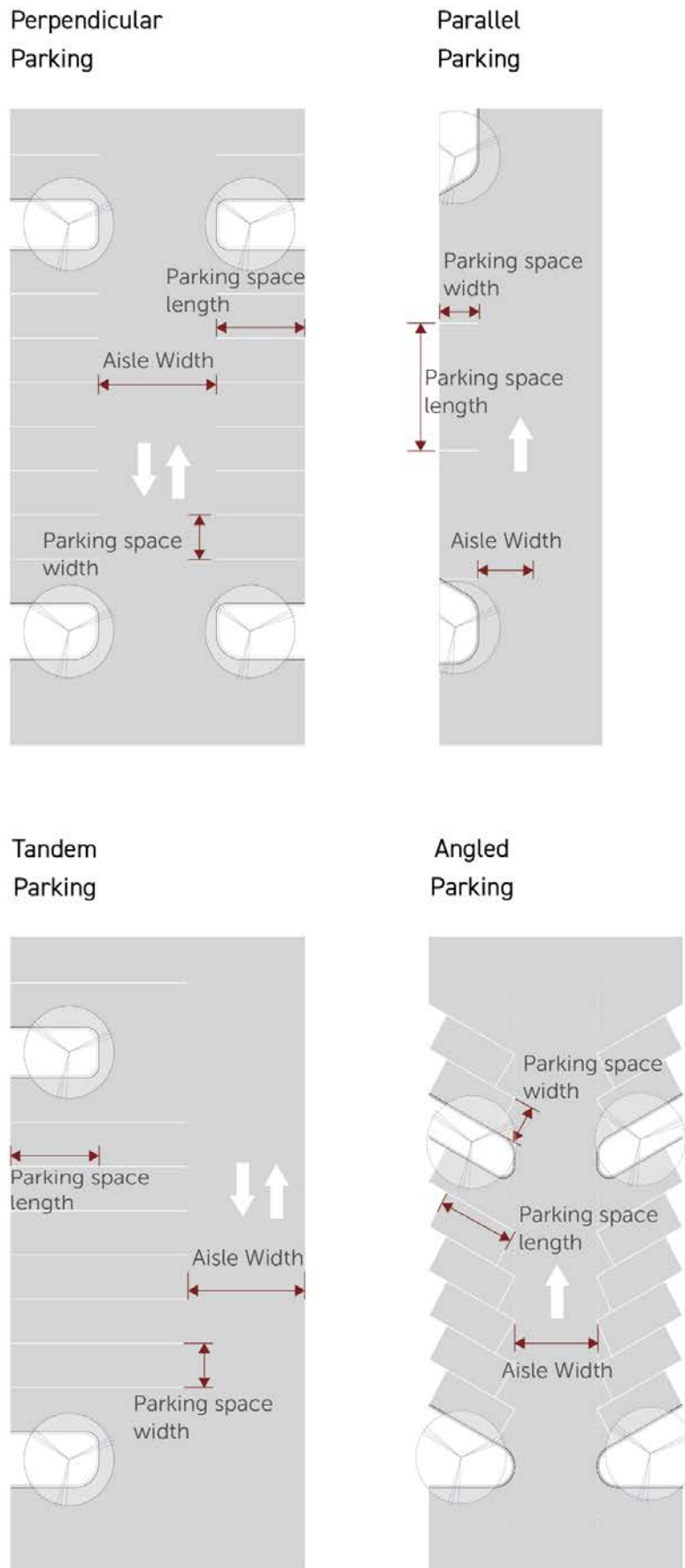


Figure 12: Section 101.6.1 – Automobile Parking Space Provisions

1011.6.2 Obstruction of a Parking Space

- (1) The side of a **parking space** is obstructed if any part of a fixed object such as a wall, column, bollard, **fence** or pipe is situated within 0.3 metres of the side of the **parking space**, measured at right angles, and more than 1 metre from either end of the **parking space**. Light standards that are located at the centre corners of 4 adjoining **parking spaces** are not considered an obstruction.

- (2) Where a **parking space** is obstructed on one or both sides in accordance with this By-law, the minimum width of the **parking space** must be increased by 0.3 metres.

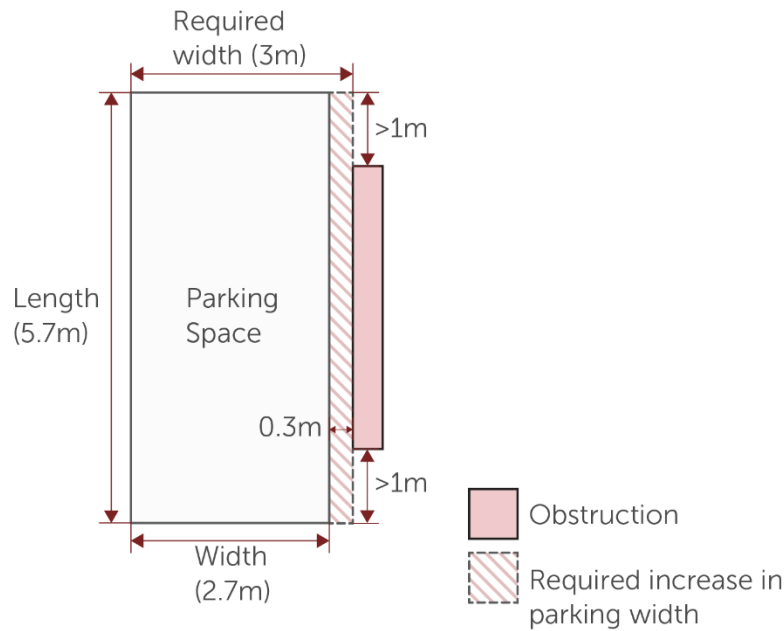


Figure 13: Section 101.6.2 – Obstruction of a Parking Space

4011.6.3 Automobile Parking Structures

- (1) An above-grade parking structure abutting an arterial or collector street as shown on Overlay “H” shall contain residential, commercial and/or community uses within the structure along its main wall fronting onto the street.
 - (2) An above-grade parking structure abutting a local street as shown on Overlay “H” or a lot within a Neighbourhoods zone shall have the parking use screened from view from the street or the abutting Neighbourhoods zone lot line by architectural screening and/or incorporation of residential, commercial and/or community uses within the structure along its main wall.
 - (3) Notwithstanding Section 3.10.2 (1) and (2), a parking structure provided on a lot zoned RHC and a parking structure provided for a mid-rise building or a high-rise building on a lot zoned NA within the North Leslie Community Area as shown on Schedule “A” shall be located below grade, except for portions of these lands subject to a feature shown on Overlay “G”.
 - (4) Notwithstanding Section 3.10.2 (1) and (2), a parking structure provided on a lot zoned KDA-YB shall be an integrated part of a podium of a mid-rise building or high-rise building.
 - a) Where a podium is not required for a mid-rise building on a lot zoned KDA-YB, a setback is required for any portion of the mid-rise building used for motor vehicle parking located above grade.
- ~~(1) For any high-rise building, mid-rise building or low-rise building, the following provisions shall apply:~~
- a) ~~any portion of an attached parking structure that is above established grade, shall comply with the provisions for the main building on the lot in accordance with this By-law;~~
 - b) ~~an attached parking structure that is above established grade is prohibited to locate in the first storey of a building within the first 10 metres of the depth of the building measured in from the building main wall along a street line abutting any active-at-grade frontages; and,~~

~~e) a parking structure that is above established grade shall be integrated into the rear or side of the podium of a mid-rise building or high-rise building. A standalone parking structure shall not be permitted.~~

1011.6.4 Parking and Storage of Commercial Vehicles

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 **neighbourhood zone** unless parked entirely within a wholly enclosed **building** or carport. Notwithstanding, a **school bus** may be parked on a **lot** containing an **elementary school** or **secondary school**.
- 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 96 hours prior to commencement and 96 hours after the completion of said construction, landscaping or excavation on that **lot**.
- c) Notwithstanding the provisions of Sections 10.6.4(a) and (b), parking on a **lot** for not more than 24 hours of a maintenance, service or delivery vehicle in the course of its normal maintenance, service or delivery duty is permitted.

1011.6.5 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**;
 - b) have a minimum **setback** of 0.3 metres from the **side lot line**;
 - c) no **parking area** shall be permitted within a required **front yard** or required **flankage yard** except on a driveway; and,
 - d) the parking of a **motor vehicle** in a **soft landscaped** area is prohibited.
- (2) A driveway may have a **setback** of zero 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 dwelling**, **block residential dwelling development**, **back-to-back dwelling**, **rear lane townhouse dwelling**, **stacked townhouse dwelling** or **multiplex dwelling**.
- (3) Driveways leading to a **parking area** for a **high-rise building**, **mid-rise building**, **low-rise building**, and **dwelling units** with frontage onto a **lane**, shall have a minimum width of 4 metres for one-way **motor vehicle** traffic and 6 metres for two-way **motor vehicle** traffic.
- (4) Circular driveways are permitted on **lots** having a minimum **lot frontage** of 18 metres, provided that the **main building** on the **lot** is set back from the **front lot line** a minimum of 9 metres and provided that the minimum distance between the two driveway entrances, measured along the **front lot line**, is greater than 7.6 metres.
- (5) Number of driveways permitted on a **lot**:

- a) On **lots** having less than 18 metres of **lot frontage**, only one driveway is permitted.
- b) On **lots** having between 18 metres and 25 metres of **lot frontage**, a maximum of two driveways are permitted.
- c) On **lots** having more than 25 metres of **lot frontage**, a maximum of three driveways are permitted.

4011.7 Automobile Parking Rates

Section 4011.7 applies to the Parking Strategy Area as shown on Schedule “D”.

- (1) Automobile **parking spaces** must be provided for every **building** or **structure** erected or enlarged, in accordance with Table 10.3A.
- (2) The rates in Table 10.3A are based on the number of **parking spaces** per **dwelling unit** for **residential uses** and on the number of **parking spaces** for every 100 m² of **gross floor area** for **non-residential uses**, unless otherwise noted in Table 10.3A.

Table 10.3A Minimum and Maximum Automobile Parking Space Provisions

Parking Strategy Area	PSA 1 (1)	PSA 2	PSA 3	PSA 4
Rate Range	Min/Max	Min/Max	Min/Max	Min/Max
Residential Uses (parking spaces per dwelling unit)				
Apartment Dwelling				
Bachelor unit	0.00/0.80	0.65/0.80	0.80/1.00	0.90/0.00
1 bedroom unit	0.00/0.95	0.75/0.95	0.90/1.15	1.00/0.00
2 or more bedroom unit	0.00/1.05	0.85/1.05	1.00/1.25	1.20/0.00
Block residential dwelling development	0.00/2.00	1.00/2.00	1.00/2.00	1.50/0.00
Back-to-back dwelling (3)	0.00/2.00	1.00/2.00	1.00/2.00	1.50/0.00
Rear lane townhouse dwelling (3)	0.00/2.00	1.00/2.00	1.00/2.00	1.50/0.00
Stacked townhouse dwelling (3)	0.00/2.00	1.00/2.00	1.00/2.00	1.50/0.00
Live-work unit	0.00/2.00	1.00/2.00	1.00/2.00	2.00/0.00
Street townhouse dwelling	0.00/0.00	1.00/0.00	1.00/0.00	2.00/0.00
Multiplex dwelling	0.00/0.00	1.00/0.00	1.00/0.00	1.00/0.00
Detached dwelling (3)	0.00/0.00	1.00/0.00	1.00/0.00	2.00/0.00
Semi-detached dwelling (3)	0.00/0.00	1.00/0.00	1.00/0.00	2.00/0.00
Duplex dwelling	0.00/0.00	1.00/0.00	1.00/0.00	1.00/0.00
Independent seniors living residence / Seniors citizen dwelling	0.00/0.60	0.33/0.60	0.33/0.60	0.50/0.00
Long-term care home (2)(4)	0.00/0.60	0.25/0.60	0.25/0.60	0.25/0.00
Assisted living residence (4)	0.00/0.60	0.25/0.60	0.25/0.60	0.25/0.00
Non-Residential Uses (parking spaces per 100 m ² unless otherwise noted)				
Arts and cultural facility	0.00/5.30	4.25/5.30	4.70/5.90	6.00/0.00

Parking Strategy Area	PSA 1 (1)	PSA 2	PSA 3	PSA 4
Rate Range	Min/Max	Min/Max	Min/Max	Min/Max
Auto body repair shop	0.00/3.75	3.00/3.75	3.00/3.75	3.00/0.00
Repair shops for internal combustion engines	0.00/3.75	3.00/3.75	3.00/3.75	3.00/0.00
Automotive service station	0.00/3.50	3.00/3.75	3.00/3.75	3.00/0.00
Vehicle washing establishment per bay	0.00/1.25	1.00/1.25	1.00/1.25	1.00/0.00
Automotive service station – accessory commercial	0.00/3.75	3.00/3.75	3.00/3.75	3.00/0.00
Automotive service station – restaurant	0.00/3.50	2.80/3.50	3.10/3.90	6.00/0.00
Commercial uses	0.00/3.15	2.50/3.15	3.00/3.75	4.30/0.00
Major retail	0.00/3.15	2.50/3.15	3.00/3.75	4.30/0.00
Child care centre	0.00/2.20	1.75/2.20	2.25/2.80	2.50/0.00
Hospital and healthcare centre and ancillary commercial uses	0.00/3.15	2.50/3.15	2.50/3.15	2.50/0.00
Hotel / Motel				
per 100 m ² of conference space	0.00/5.30	4.50/3.15	4.45/5.30	5.00/0.00
in addition, per room	0.00/0.80	0.65/0.80	0.70/0.80	0.80/0.00
Major office	0.00/2.50	2.00/2.50	2.20/2.75	2.80/0.00
Place of worship	0.00/5.30	4.25/5.30	4.70/5.90	6.40/0.00
Private school				
per classroom	0.00/3.40	2.70/3.40	3.00/3.75	3.80/0.00
Social services	0.00/5.30	4.25/5.30	4.70/5.90	6.00/0.00
All other Community uses	0.00/3.75	3.00/3.75	4.00/5.00	4.50/0.00
Manufacturing	0.00/0.90	0.70/0.90	0.70/0.90	0.70/0.00
Assembly of manufactured goods and materials	0.00/1.40	1.10/1.40	1.10/1.40	1.10/0.00
Warehouse	0.00/0.90	0.70/0.90	0.70/0.90	0.70/0.00

Table 4011.3B Minimum and Maximum Automobile Parking Space Special Provisions

1	The provisions of Section 10.7 do not apply to PSA1 save and except for 10.9. Where a parking space , stacking lane space, loading space , tandem parking space , stacked parking space , driveway or drive aisle is provided on lands located within PSA 1, such shall be in accordance with provisions of 10.6 and 10.10.
2	The parking space requirement for a long-term care home is calculated on total number of beds.
3	Notwithstanding Table 10.3A, one parking space per dwelling unit is required on lands located within a Greenway System zone as shown on Schedules “A” and “A1”.

4	Notwithstanding Table 10.3A, one parking space per four beds is required on lands located within a Greenway System zone as shown on Schedules “A” and “A1”.
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Table 4011.3C Minimum and Maximum Visitor Automobile Parking Space Provisions

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	0.15/0.20	0.20/0.00
Block residential dwelling <u>development</u>	0.00/0.20	0.15/0.20	0.15/0.20	0.20/0.00
Stacked townhouse dwelling	0.00/0.20	0.15/0.20	0.15/0.20	0.20/0.00

4011.8 Automobile Parking Space Exemptions

4011.8.1 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**. This provision does not apply to PSA 1.
- (2) Where there is one or more uses on a **lot**, the minimum required **parking spaces** and the portion thereof shall be applied to each of the uses listed in Tables 10.3A and 10.3C.

4011.8.2 Mixed-Use Development Shared Parking Reduction

- (1) Where visitor **parking spaces** and **parking spaces** provided for **non-residential** uses within a mixed-use development on a **lot** are shared, a 10% reduction to the minimum required **parking spaces** for these **non-residential uses** shall be permitted, provided that all shared **parking spaces** provided for visitors and the **non-residential** uses must be accessible and available for use by **non-residential** uses and visitors.
- (2) The reduction identified in Section 10.8.2 (1) shall not be applicable to any uses or the required **parking spaces** for uses that are not located on the same **lot**.

4011.9 Bicycle Parking Space Provisions

4011.9.1 Provisions 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** in accordance with Table 10.4B, unless otherwise permitted by this By-law.
- (2) The provisions in Section 10.9 apply to all required bicycle parking spaces to **lots** that are regulated by this By-law.
- (3) Bicycle parking spaces must be provided collectively for each use on a **lot** in an amount that complies with the provisions in Section 10.9.
- (4) Minimum dimensions of various types of bicycle parking spaces are set out in Table 10.4A.

- (5) Bicycle parking spaces must be provided for every **building** or **structure**, erected or enlarged in accordance with Table 10.4B.
- (6) The rates in Table 10.4B are based on the number of bicycle parking spaces per **dwelling unit** for **residential uses** and on the number of bicycle parking spaces for every 100 m² of **gross floor area** for **non-residential** uses, unless otherwise noted in Table 10.4B.

Table 4011.4A Minimum Dimensions of Various Types of Bicycle Parking Spaces Provisions

Bicycle Parking Space Type	Length (m)	Width (m)	Vertical Clearance (m)
Bicycle parking space (horizontal)	1.8	0.6	1.9
Bicycle parking space (vertical)	1.2	0.6	1.9
Bicycle parking space (stacked)	1.8	0.6	1.2

The Corporation of the City of Richmond Hill
By-law 93-25

Table 4011.4B Minimum Bicycle Parking Space Provisions

	PSA1	PSA1	PSA2	PSA2	PSA3	PSA3	PSA4	PSA4
	Min. Long-Term Bicycle Parking Spaces	Min. Short-Term Visitor Bicycle Parking Spaces (1)(2)(3)	Min. Long-Term Bicycle Parking Spaces	Min. Short-Term Visitor Bicycle Parking Spaces (1)(2)	Min. Long-Term Bicycle Parking Spaces	Min. Short-Term Visitor Bicycle Parking Spaces (1)(2)	Min. Long-Term Bicycle Parking Spaces	Min. Short-Term Visitor Bicycle Parking Spaces (1)(2)
Apartment dwelling (4)	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 residential dwellingdevelopment Rear lane townhouse dwelling		0.045 bicycle parking space per dwelling unit		0.03 bicycle parking space per dwelling unit		0.03 bicycle parking space per dwelling unit		0.03 bicycle parking space per dwelling unit
Stacked townhouse 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
Non-residential use (4)	0.20 bicycle parking space per 100 m ² of GFA	0.23 bicycle parking space per 100 m ² of GFA	0.13 bicycle parking space per 100 m ² of GFA	0.15 bicycle parking space per 100 m ² of GFA	0.13 bicycle parking space per 100 m ² of GFA	0.15 bicycle parking space per 100 m ² of GFA	0.13 bicycle parking space per 100 m ² of GFA	0.15 bicycle parking space per 100 m ² of GFA

Table 4011.4C Minimum Bicycle Parking Space Special Provisions

1	Short-term visitor bicycle parking spaces shall be located at-grade or within the first storey of a building or in combination thereof.
2	A minimum of 50% of the required short-term bicycle parking spaces shall be located in a covered area.
3	A minimum of 6 public bicycle parking spaces are required in addition to the short-term bicycle parking spaces .
4	All required bicycle parking areas shall be located at-grade, no more than one level below or above grade , on any other parking level adjacent to an elevator shaft or in combination thereof.

4011.10 Loading Space Provisions

4011.10.1 Provisions Applying to All Loading Spaces

- (1) The provisions in Section 10.10 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 provisions in Section 10.10.2.
- (3) A **loading space** shall be paved and free and clear of any encroachments, including any overhead encroachments. A required **loading space** shall have a width of not less than 4 metres and a length of not less than 13 metres with a minimum of 6.5 metres overhead clearance. The minimum overhead clearance applies to the area of the **loading space**. No structural or other encroachments may impinge on the vertical clearance of 6.5 metres above the entire loading space.
- (4) A **loading space** shall not be located in any **yard** abutting 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.
- (5) Notwithstanding Section 10.10.1(4), a **loading space** shall not be permitted in a **yard** abutting an **active-at-grade frontage**.
- (6) **Drive Aisles** and driveways leading to a **loading space** shall not be used for the temporary parking or storage of 1 or more **motor vehicles**.
- (7) Section 10.10 does not apply on lands located within a Greenway System **zone** as shown on Schedules “A” and “A1”.

4011.10.2 Loading Space Rates

- (1) **Loading spaces** must be provided for every **building** or **structure** erected or enlarged in accordance with Table 10.5A.
- (2) The rates in Table 10.5A are based on **dwelling unit** ranges for **residential uses** and on **gross floor area** ranges for **non-residential** uses, unless otherwise noted in the Table 10.5A.

Table 10.5A Minimum Loading Spaces Provisions

	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	2
Buildings containing non-residential uses	
Gross floor area less than 500 m ²	0
Gross floor area of between 500 to 2322 m ²	1
Gross floor area of between 2323 to 9290 m ²	2
For every additional 9290 m ² above 9290 m ²	1 additional

110.11 Provisions for Loading Spaces for Automotive Service Stations

The following provisions apply to **automotive service station** uses:

- a) A minimum of 1 **loading space** for a gas bar convenience retail store, having a width of not less than 3.5 metres and a length of not less than 13 metres and located adjacent to the gas bar convenience retail store is required.

101.12 Electric Vehicle and Electric Bicycle Provisions

101.12.1 Electric Vehicle Parking Space Provisions

- a) **Parking spaces** shall be provided in the form of **electric vehicle ready parking spaces** and **electric vehicle parking spaces** in accordance with Table 10.6A.
- b) Notwithstanding the requirements of Section 10.12.1(a), **electric vehicle ready parking spaces** and **electric vehicle parking spaces** are not required for **parking spaces** provided for the following:
 - i. visitor **parking spaces** for **residential uses**; and,
 - ii. **additional residential units**.

Table 101.6A Minimum Electric Vehicle and Electric Bicycle Parking Space Provisions

Use	Minimum Number of Required Electric Vehicle Ready Parking Spaces	Minimum Number of Required Electric Vehicle Parking Spaces
Residential Uses		
Apartment dwelling Stacked townhouse dwelling within a building with a parking structure	100% of the total provided parking spaces	None
Stacked townhouse dwelling within a building without a parking structure (1) Detached dwelling (1) Semi-detached dwelling (1) Street townhouse dwelling (1) Block residential dwelling development (1) Rear lane townhouse dwelling (1) Back-to-back dwelling (1) Duplex dwelling (1) Triplex dwelling (1) Quadruplex dwelling (1) Multiplex dwelling (1)	1.0 space per dwelling unit	None
Non-Residential Uses		
Major office	10% of the total provided parking spaces or 1.0 space, whichever is greater	5% of the total provided parking spaces
Commercial uses	5% of the total provided parking spaces or 1 space, whichever is greater	2.5% of the total provided parking spaces
Major retail	5% of the total provided parking spaces or 1 space, whichever is greater	2.5% of the total provided parking spaces

Table 10.6B Minimum Electric Vehicle and Electric Bicycle Parking Space Special Provisions

1	This special provision does not apply to developments containing 10 dwelling units or less.
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101.12.2 Permitted Electric Vehicle Supply Equipment within a Parking Space

Electric vehicle charging stations are permitted to encroach 0.3 metres into a required **parking space** provided that the encroachment is not located further than 1 metre from either end of the **parking space**.

Section 142.0 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, **building** or **structure** 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 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 **street** or collector **street** as specified in this By-law.

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~~ Centre

Means a facility which provides supervised daytime care for adults. Such use constitutes a **commercial** use.

Agricultural Uses

Means farm-related commercial and industrial uses that:

- (1) growing crops, including nursery, biomass and horticultural crops;
- (2) raising livestock and other animals, including poultry and fish, for food, ~~and~~ fur and fibre;
- ~~(3)~~ (3) aquaculture;
- ~~(3)(4)~~ (4) apiculture; ~~and~~;
- ~~(5)~~ (5) agro-forestry and maple syrup production; and;
- ~~(6)~~ (6) uses associated with on-farm buildings and structures, including:
 - i. livestock facilities;
 - ii. manure storage structures;
 - iii. value-retaining facilities; and;
 - iv. accommodations for full-time labour.

Agricultural Related Use

Means farm-related **commercial** and industrial uses that ~~are~~:

- ~~(a)~~ (a) small-scale;

- (a) are directly related to, and compatible with, a farm operations in the surrounding area and do not hinder those farm operations;
- (b) support agriculture; and,
- (c) required benefit from being in close proximity to the farm operations; and,
- (e)(d) provide products or services, or both, directly to farm operations as a primary activity.

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.

Ancillary

Means a use that is secondary and smaller than other principle uses but is not **accessory** to the principle use.

Angular Plane

Means an imaginary inclined plane rising over a **lot**, along a **lot line** or **street line** from a grade and at an angle in accordance with the requirements in this By-law, which together with other requirements of this By-law delineates the maximum **building height** in relations to distance from the **lot line** or **street line**.

Apartment Dwelling

Means a **building** containing 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 **low-rise building**, **mid-rise building** or **high-rise building**. An apartment dwelling includes retirement residences, **assisted living residences** and **independent seniors living residence/senior citizens dwelling**.

Aquifer Vulnerability

Means an aquifer's intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality.

Arts and Cultural Facility

Means **premises**, or **structure**, or any part of any land, **building** or **structure**, used for the programming, 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 **established 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**.

Automotive Service Station

Means a **building** or **structure** or parts thereof, used for the sale of refueling products and automobile accessories and for minor maintenance essential to the actual operation of **motor vehicles**. The use may include 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** or a standalone **motor vehicle washing establishment** is not an **automotive service station**.

Area of Natural and Scientific Interest (Earth Science)

Means an area that has been:

- (a) identified as having earth science values related to protection, scientific study or education; and,
- (b) further identified by the Ministry of Natural Resources using evaluation procedures established by the Ministry.

Area of Natural and Scientific Interest (Life Science)

Means an area that has been:

- (a) identified as having life science values related to protection, scientific study or education; and,
- (b) further identified by the Ministry of Natural Resources using evaluation procedures established by the Ministry.

Back-to-Back Dwelling

Means a **building** or part thereof containing 3 or more **dwelling units** that are **attached** to each other and each of which has **lot frontage** on a **street** or a **lane** but shall exclude an **apartment dwelling**, **stacked townhouse dwelling** or a **townhouse dwelling**. A back-to-back dwelling may take form of a **townhouse dwelling** with zero **rear yard setback**.

Balcony

Means an elevated **structure** above the **first storey** projecting from a wall of a **building** or **structure** that is 4.5 metres or more above the **established grade**.

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.

Bed and Breakfast Establishment

Means an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a detached dwelling that is the principal residence of the proprietor of the establishment.

Block on a Registered Plan

Means a parcel of land that is indicated by a letter "A", "B" or by a number "1", "2", or as the case may be.

Block Residential ~~Dwelling~~Development

Means a group of buildings that may include a **townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back-to-back dwelling, multiplex dwelling, duplex dwelling, semi-detached dwelling, and detached dwelling**, and each **dwelling unit** that has shared amenities and/or vehicular access by means of a common driveway or lane or drive aisle.

Building

Means a **structure** occupying an area greater than 10 m² 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 Height

~~Means:~~

~~(1) For a building that is 5 storeys or greater in height: 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 as shown on Schedule "C" to this By-law.~~

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

- a) the highest point of the roof surface ~~or the parapet, whichever is the greater,~~ of a flat roof (having a slope of less than 1:6 ratio);
- b) the declivity of a mansard roof;
- c) the mean level between eaves and ridge of a gabled, hip or gambrel roof or other type of pitched roof (having a slope equal to or greater than 1:6 ratio). Where a gabled, hip or gambrel roof or other type of pitched roof (having a slope equal to or greater than 1:6 ratio), not containing habitable space, terminates in a flat roof such roof shall be deemed a sloped roof; or,
- d) in case of a **structure** with no roof, the highest point of the said **structure**.

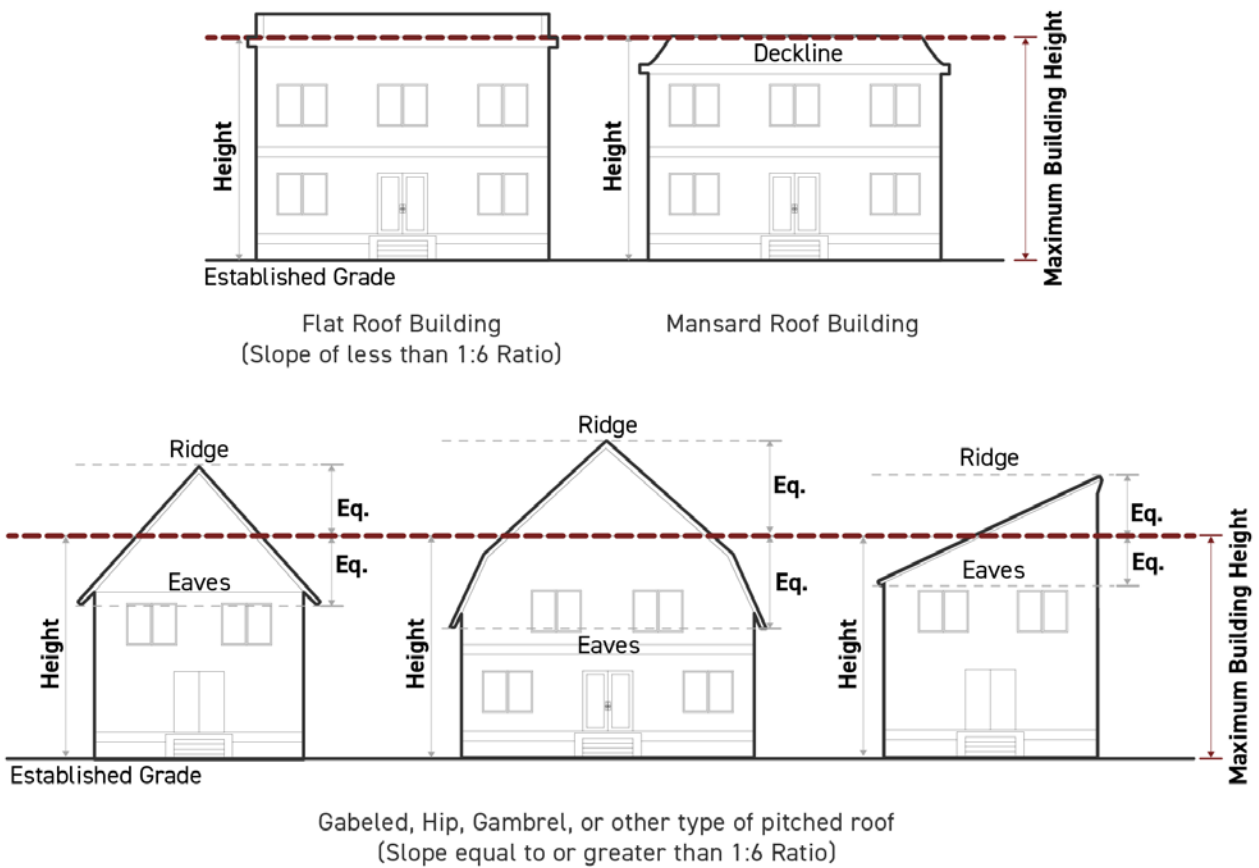


Figure 14: Section 112 – Building or Structure Height ~~of less than 5 Storeys~~

Bulk Storage Tank

Means a tank or container for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane, or flammable liquid or fluid, but does not include a container for flammable liquid, gas or fluid legally and properly kept in a retail store or a tank for storage incidental to some other use of any **premises** where such tank or container is located.

Child Care Centre

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

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. Individual **commercial** uses may be separately defined for purposes of **parking space** requirements but otherwise are deemed to be commercial uses. For the purposes of this By-law, commercial uses shall exclude the following:

- (a) auto body repair shop;
- (b) **automotive service station** that is accessory and not stand alone;
- ~~(c) gas bar;~~

~~(d) gas bar convenience retail store;~~

~~(e)(c)~~ **major office**; and,

~~(f)(d)~~ **major retail**.

Commercial uses shall exclude the following in a standalone format, but may be permitted **accessory** to a permitted **commercial** use:

- (a) **motor vehicle lubrication establishment**;
- (b) **motor vehicle washing establishment**;
- (c) repair shops for internal combustion engines, motorized vehicles or similar uses;
and,
- (d) **public garage** uses.

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**, ~~private utility~~, **private school**, ~~hospital or healthcare centre~~, **place of worship**, arts and cultural facility, child care centre, ~~private~~ **home child care**, **long-term care home**, **adult care centre** 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**;
- (c) the common elements are owned by all of the owners as tenants in common;
and,

(d) condominium does not include a **common element condominium**.

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 centreline 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** 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**.

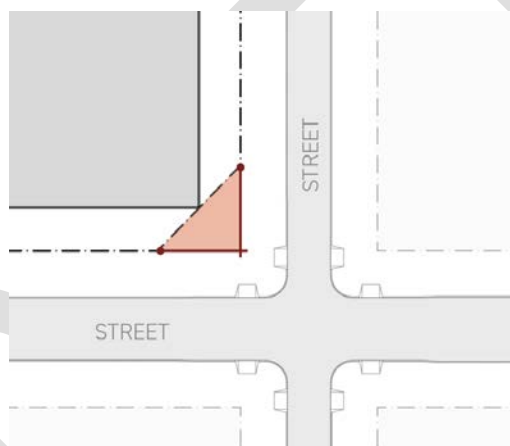


Figure 15: Section 112 – Daylighting Triangle

Data Storage Facility

Means premises, **buildings** or **structures** used principally for the storage and operation of digital data storage or processing; and is deemed to be a **warehouse** use.

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 **established grade**, and which is designed and intended for use as a sun deck but shall not include a landing or stairs.

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**, an **accessory residential building** and an outdoor **swimming pool**.

Detached Dwelling

Means a ~~detached~~ **building containing one principal dwelling unit** that is detached above **established grade**.

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**.

Development (ORMCP)

Means the creation of a new **lot**, a change in land use, or the construction of **buildings** or **structures**, any of which require approval under the *Planning Act*, R.S.O. 1990, ~~the *Environmental Assessment Act*, or the *Drainage Act*~~, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process or identified in provincial standards, or work subject to the *Drainage Act*, R.S.O. 1990, c. D.17, as amended or a predecessor thereof or a successor thereto:

- ~~(a) the construction of facilities for transportation, infrastructure or utilities by a public authority;~~
- ~~(b) the reconstruction, repair or maintenance of a drain approved under the *Drainage Act* in existence on November 15, 2001; or,~~
- ~~(c) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001.~~

Development Envelope (ORMCP)

Means the area of **site alteration** or disturbance within a **lot** which may be used for **development** and includes **buildings** or **structures**, driveways, **garages**, **parking areas**, septic fields, pools, **decks** and hard and soft landscaped areas and any other **accessory** uses, **buildings** or **structures**. The development envelope shall be limited in area and shall not encroach into a **key natural heritage feature** or hydrologic feature.

Drive Aisle

Means a private means of vehicular access through a **lot** to individual **buildings**, units, **parking areas**, **parking spaces**, **parking structures** drop-off areas, **loading spaces** or **private driveways**.

Drive-Through Facility

Means a facility 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.

Duplex Dwelling

Means a **building** containing two **dwelling units** divided horizontally and having an independent entrance either directly to the outside or through a common vestibule.

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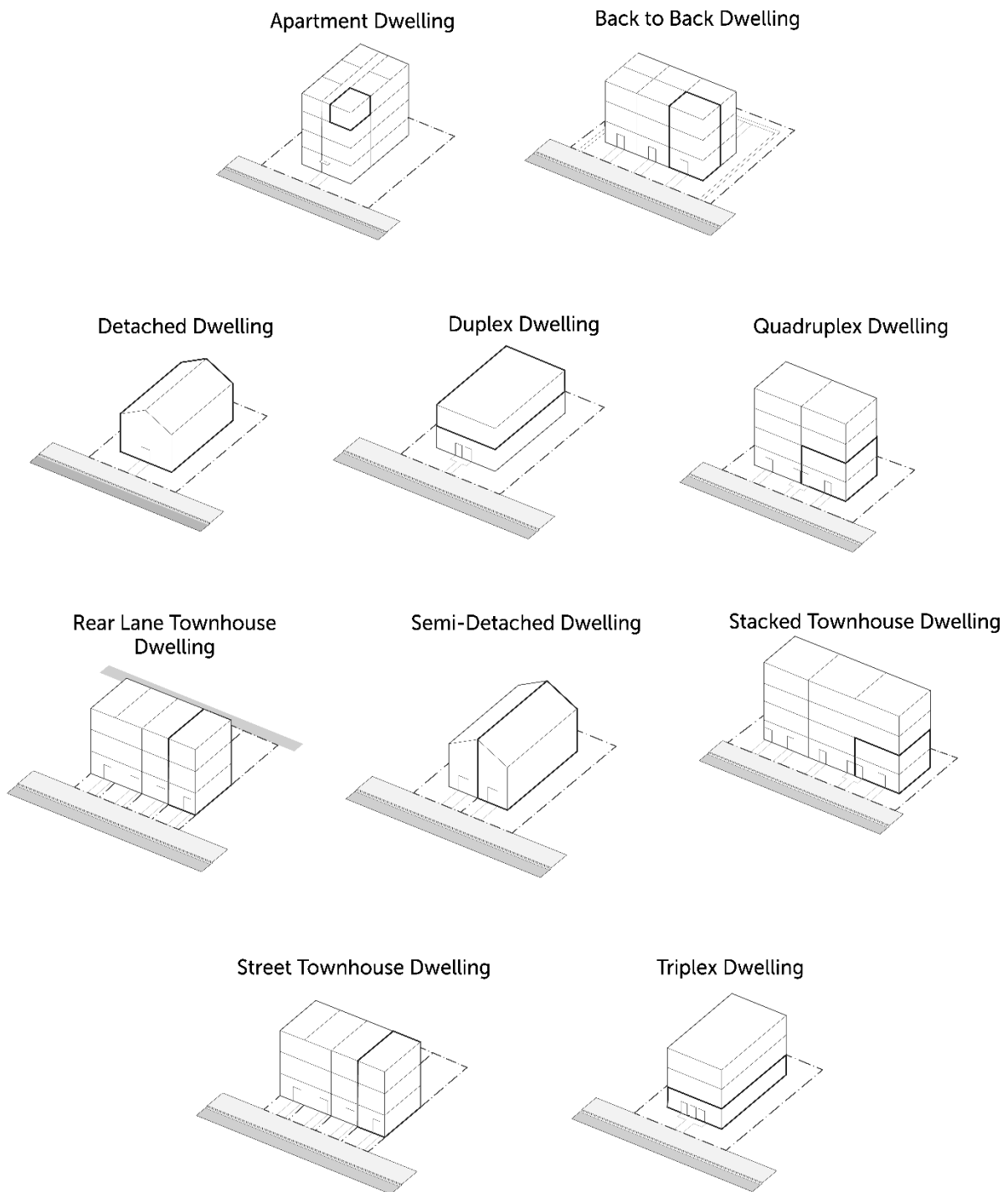


Figure 16: Section 142 – Dwelling Types

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,
- (d) has a means of egress to the outside of the **building**, which may be a means of egress with other shared dwelling units.

Electric Vehicle Supply Equipment

The complete assembly consisting of cables, connectors, devices, apparatus, and fittings, installed for power transfer and information exchange between the branch circuit and an electric vehicle.

Electric Vehicle Parking Space

A **parking space** that contains a minimum of a fully installed **Level 2 Charging Electric Vehicle Supply Equipment** with **energized outlet** that conforms to Section 86 of the Ontario Electrical Safety Code.

Electric Vehicle Ready Parking Space

A **parking space** constructed with an **energized outlet** to be electric vehicle ready, allowing for future installation of a minimum **Level 2 Charging Electric Vehicle Supply Equipment** that conforms to Section 86 of the Ontario Electrical Safety Code.

Elementary School

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

Energized Outlet

A connected point in an electrical wiring installation at which current is taken to supply utilization equipment for electric vehicle charging.

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**, **detached accessory structure**, **detached accessory residential building** 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 established 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.



Figure 17: Section 121 – Established Grade (view from Front Lot Line)

Expropriating Authority

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

Farm Vacation Home (ORMCP)

~~Means an establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a single dwelling that is located on a farm and is the principal residence of the proprietor of the establishment.~~

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 **established 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 side closest point of the main walls of any the main 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**. **Lot area** shall be deemed to be the total **lot area** prior to any conveyance of land to a **public authority** except for any environmental feature and associated buffers shown on Overlay "F" as defined through a *Planning Act*, R.S.O. 1990 application. The term is also referred to in this By-law as the acronym FSI.

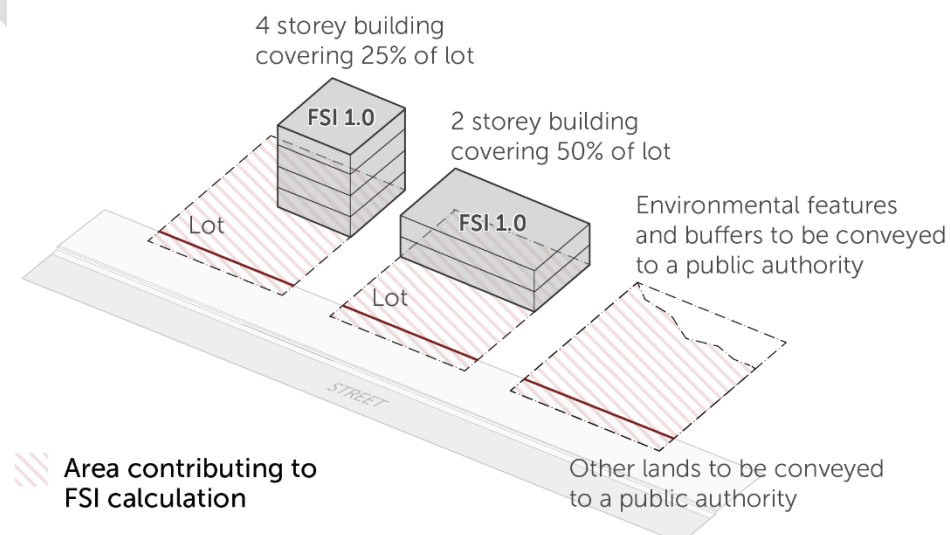


Figure 18: Section 124 – Floor Space Index (FSI)

Forest Management

Means the management of woodlands, including **accessory** uses such as the construction and maintenance of forest access roads and maple syrup production facilities:

- (a) for the production of wood and wood products, including maple syrup;
- (b) to provide outdoor recreation opportunities;
- (c) to maintain, and where possible improve or restore, conditions for wildlife; and,
- (d) to protect water supplies.

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. If a **corner lot** or a **through lot** do not front onto a regional or provincial road or highway then either **lot line** may be the front lot line.

Front Yard

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

Garage

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

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 spaces**, any portion of a **parking structure**, elevator shaft, stairwell, mechanical or electrical rooms, garbage rooms and any space with a floor to ceiling height of less than 1.8 metres.

Gross Leasable Floor Area

Means the total **floor area** occupied by a **commercial** facility for its exclusive use including all seating areas associated with any restaurant use, food court, or eating establishment permitted by this by-law, basements, mezzanines, upper **storey** areas and integral storage areas, but in a shopping centre shall not include public or common areas such as malls, corridors, stairways, elevators, machine or equipment rooms, washrooms, or garbage rooms, or storage areas located below grade.

Group Home

Means a **premise** used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for up to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement.

Hard Landscaping

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

Hazardous lands

Means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes – St. Lawrence River system, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Hazardous Waste

Means the same as meaning in Regulation 347 of the Revised Regulations of Ontario, 1990.

High-Rise Building

Means **buildings** or **structures** with a height of 9-11 storeys or greater.

Home Business (ORMCP)

Means ~~an occupation~~ a business that is not located on a farm and that:

(a) involves providing personal or professional services or producing custom or artisanal products;

(b) if the home is not located on a farm:

i. is carried on as a small-scale use that is secondary to the principal use of the home as a detached dwelling;

ii. provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community, and.

iii. does not include uses such as auto repair or paint shop or furniture stripping, and.

(c) if the home is located on a farm:

i. is carried on as a small-scale use that is secondary to the principal use of the farm as an agricultural operation, and.

ii. may include, but is not limited to, a sawmill, welding or woodworking shop, manufacturing or fabrication shop, equipment repair and seasonal storage of boats or trailers.

~~(b) is carried on as a small-scale accessory use within a single dwelling by one or more of its residents; and,~~

~~(c) does not include uses such as an auto repair or paint shop or furniture stripping.~~

Home Industry (ORMCP)

Means an industry that:

(d) is carried out in the home or in a building ~~on as a small-scale use~~ that is **accessory** to a single dwelling ~~home or, if the home is located on a farm, to the~~ ~~or~~ agricultural operation;

(e) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;

(f) may be carried on in whole or in part in an **accessory building**; and,

(g) does not include uses such as an auto repair or paint shop or furniture stripping.

Home Occupation

Means:

- (1) For lands outside the Greenway System zone within the ORMCP, an economic enterprise operated within a dwelling unit incidental and secondary to the residential use where the dwelling unit is the principal residential residence of the operator(s) of the home occupation; and,
- (2) For lands within the Greenway System zones within the ORMCP, an occupation that is carried out on a farm that,
 - a) involves providing personal or professional services such as those offered at or by a professional office, bookkeeper, land surveyor, art studio, hairdresser, massage therapist, daycare, veterinary clinic, kennel classes or workshops; and,
 - e)b) is carried on as a small-scale secondary use within a single dwelling on the farm.

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*, RSO, 1990 or the *Province of Ontario Private Hospitals Act*, RSO, 1990 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**, part of a **building**, or two 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.

~~Hydrologic Features (ORMCP)~~

~~Means,~~

- ~~(a) permanent and intermittent streams;~~
- ~~(b)(a) wetlands;~~
- ~~(c)(a) kettle lakes and their surface catchment areas;~~
- ~~(d)(a) seepage areas and springs; and,~~
- ~~(e)(a) aquifers and recharge areas.~~

Impervious Surface (ORMCP)

Means a surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, driveway or parking lot.

Independent Seniors Living Residence/Senior Citizens Dwelling

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**.

Inorganic (ORMCP)

Means substances, materials, chemicals or compounds not having a chemical or biological structure of living things, and which are not hydrocarbons or associated derivatives.

Interior Lot

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

Key Hydrologic Features (ORMCP)

Means.

(a) permanent and intermittent streams;

(b) wetlands;

(c) kettle lakes and their surface catchment areas; and,

seepage areas and springs; and,

(d) aquifers and recharge areas.;

Key Natural Heritage Feature (ORMCP)

Means:

(a) wetlands;

(b) ~~significant portions of the~~ habitat of endangered, rare and threatened species;

(c) fish habitat;

~~(e)(d)~~ areas of natural and scientific interest (earth science) and areas of natural and scientific interest (life science);

(e) environmental significant areas;

~~(d)(f)~~ significant valleylands;

~~(e)(g)~~ significant woodlands;

~~(f)(h)~~ significant wildlife habitat (including habitat of special concern species);
and,

~~(g)(i)~~ sand barrens, savannahs and tallgrass prairies.

Landform Features (ORMCP)

Means distinctive physical attributes of land such as slope, shape, elevation and relief.

Landform Conservation Area.

Means a landform conservation area as described in Section 30 of the Oak Ridges Moraine Conservation Plan.

Landscaped Strip

Means as strip of land at the periphery of a lot used for **soft landscaping**, fences, noise attenuation walls, retaining walls or similar **structures** / landforms, and shall including **drive aisles, driveways and walkways that access a lot from a street, a lane or an abutting lot.**

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.

Level 2 Charging

An alternating current charging system operating at a voltage between 208/240V, with a power output of up to 19.2 kW, as recognized by industry standards including SAE J1772.

Liquid Industrial Waste (ORMCP)

Has the same meaning as in Regulation 347 of the revised Regulations of Ontario, 1990.

Live-Work Unit

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

Means a facility that is licensed under the *Fixing Long-Term Care Act*.

Lot

- (1) Means a parcel or tract of land:
 - a) which is a whole lot or a block 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;
 - d) a parcel of tied land; or,
 - e) a landlock parcel of land which has no frontage onto a **street**.
- (2) Notwithstanding anything to the contrary, for lands in ORMNC, ORMNL, ORMCO, ORMH, ORMOS, ORMOS1 and ORMKNF **Zones**, lot means 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 November 15, 2001.
- (3) 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 **Region**

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**.

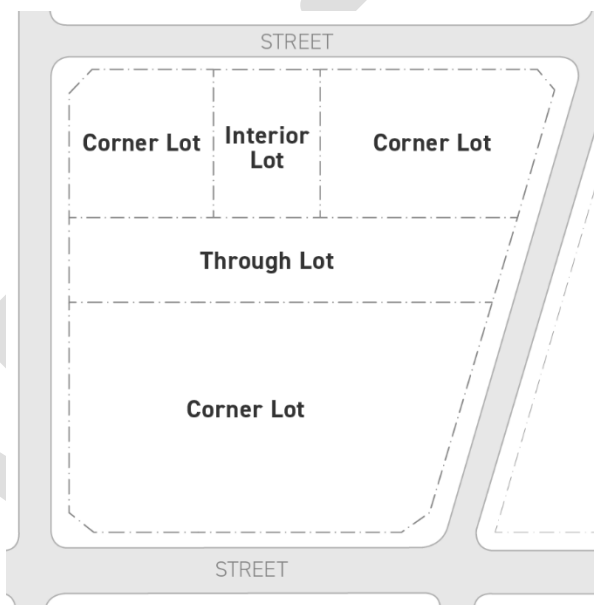


Figure 19: Section 142 – Lot Types

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 **established grade**, a **entry element**, a **porch**, with or without a basement and stairs with foundations, and **barrier-free access ramps**. Within a **neighbourhood zone**, lot coverage for a principal **building** and lot coverage for **detached accessory structures** shall be separately calculated, and the habitable **gross floor area** directly above an **entry element** or **porch**, **detached garages**, and **barrier-free access ramps** shall be excluded from the calculation of lot coverage.

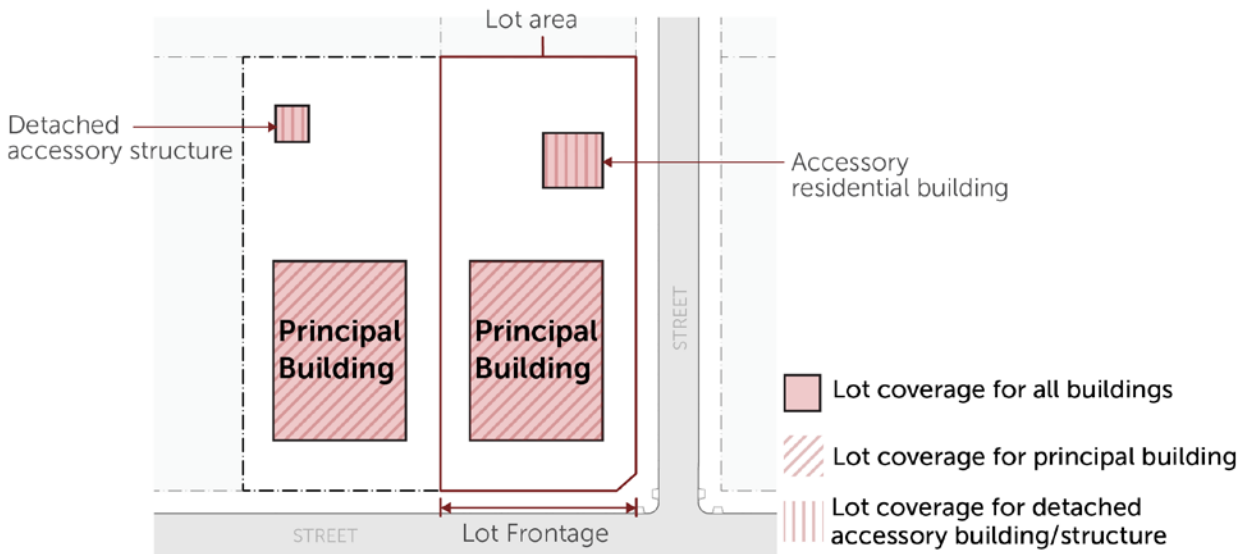


Figure 20: Section 124 – Lot Coverage

Lot Frontage

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

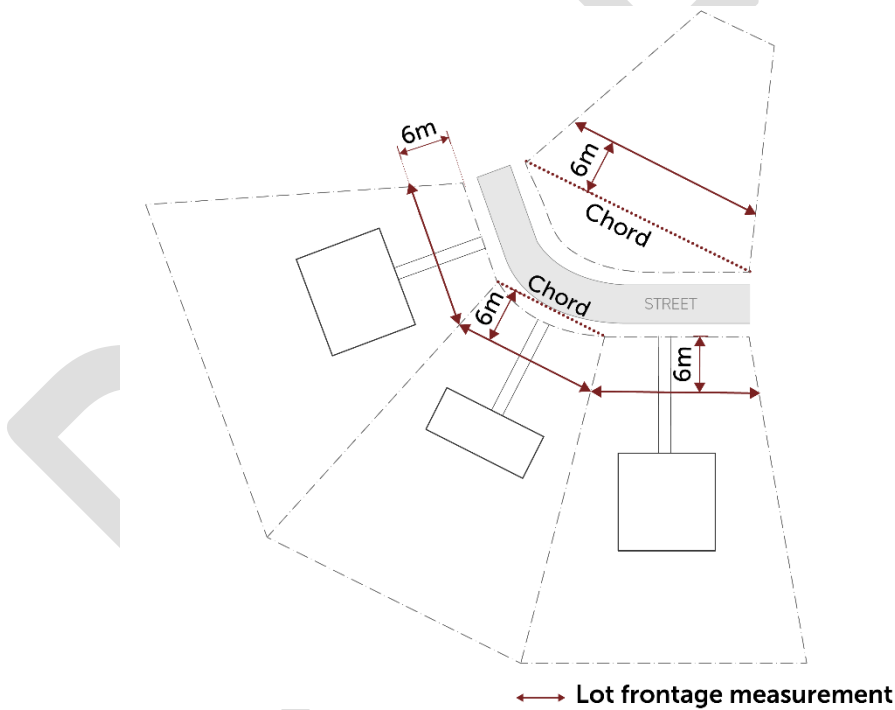


Figure 21: Section 142 – Lot Frontage

Lot Line

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

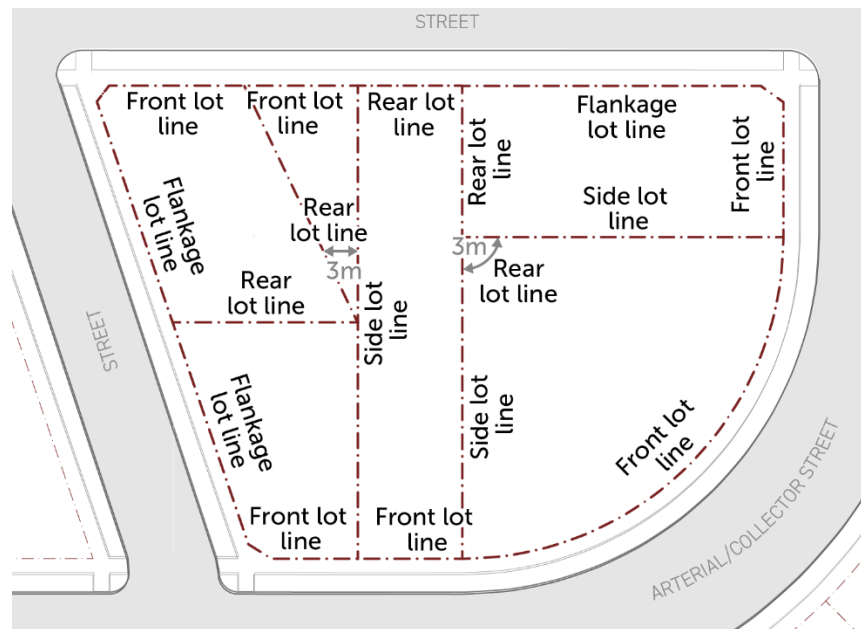


Figure 22: Section 124 – Lot Line

Low-Rise Building

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

Maisonette Dwelling

Means a **building** that is divided into three or more **dwelling units**, each of which has independent entrances, one to a common corridor and the other directly to the outside **yard** area adjacent to the said **dwelling unit**. A **maisonette dwelling** shall not be considered an **apartment 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, flankage or rear wall of a **building** and all structural members essential to the support of a fully enclosed space or roof.

Major Development (ORMCP)

Means **development** consisting of:

- (a) the creation of four or more lots;
- (b) the construction of a **building** or **buildings** with a ground **floor area** of 500 square metres or more; or,
- (c) the establishment of a major use as described in Section 38 of the Oak Ridges Moraine Conservation Plan.

Manufacturing, Processing or Assembly

Means a **building** or **structure** used for the assembly, fabrication, processing, producing, packaging, cleaning alteration or treatment of raw materials or previously produced materials into new products, materials, food, or merchandise, and included associated storage of input materials and produced materials and which may include **ancillary** retail sales of produced merchandise in accordance with the provisions of this By-law.

For the purposes of this By-law, manufacturing, processing or assembly includes indoor vertical farming involving hydroponic growth of produce and artificial meat but does not include other agricultural uses or a slaughterhouse.

Micro Manufacturing

Means a **building** or part thereof used for small-scale manufacturing or production of goods which are also sold and/or consumed on the premises, and which may include shipment for sale at other locations. Without limiting the generality of the foregoing, a micro manufacturing use shall include a micro-brewery, micro-winery or micro-distillery and be deemed as both a **commercial and manufacturing, processing and assembly use**.

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 retail facility (or facilities), such as retail big box stores, retail warehouses and shopping centres which has a **gross floor area** of 10,000 square metres or greater.

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.

Mid-Rise Building

Means **buildings** or **structures** with heights ranging between 5 **storeys** and ~~108~~ **storeys**.

Mineral Aggregate (ORMCP)

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under that Act.

Mineral Aggregate Resources (ORMCP)

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral Aggregate Operation (ORMCP)

Means:

- (a) an operation, other than a **wayside pit**, conducted under a licence or permit under the *Aggregate Resources Act*; and,
- (b) associated facilities used in the extraction, transportation, beneficiation, processing or recycling of **mineral aggregate** or the production of related by-products.

Motel

Means a separate **building** or two or more connected or detached **buildings** designed and used for the purpose of catering to the needs of the traveling public by furnishing sleeping accommodation with or without supplying food and/or other refreshments, and without limiting the generality of the foregoing shall include a motor court, auto court and tourist home.

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 **automotive 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.

Neighbourhood Zone

Means the lands designated "Neighbourhood" under the **City** of Richmond Hill Official Plan.

Net Developable Area (ORMCP)

Means the area of a lot or site, less any area that is within a **key natural heritage feature** or a hydrologic feature.

Non-Complying

Means that which does not comply with the provision(s) of this By-law as of the day that this By-law is passed by **Council**.

Non-Complying Building or Structure

Means a **building** or **structure** that legally existed as of the day that this By-law is passed by **Council** and no longer complies with one or more standards of this By-law. For lands in ORMNC, ORMNL, ORMCO, ORMH, ORMOS, ORMOS1 and ORMKNF **Zones**, **non-complying** means as of November 15, 2001.

Non-Complying Lot

Means a **lot** that legally existed as of this By-law as of the day that this By-law is passed by **Council** that has less than the minimum required **lot frontage** or **lot area** required by this By-law. For lands in ORMNC, ORMNL, ORMCO, ORMH, ORMOS, ORMOS1 and ORMKNF **Zones**, **non-complying** means as of November 15, 2001.

Non-Conforming Use

Means a legally existing use as of the day that this By-law is passed by **Council**, which is not a permitted use in the **zone** in which the said use is situated. For lands in ORMNC, ORMNL, ORMCO, ORMH, ORMOS, ORMOS1 and ORMKNF **Zones**, **non-complying** means as of November 15, 2001.

Non-Residential

Means a **building** that does not contain any **residential uses**.

Oak Ridges Moraine Conservation Plan Area (ORMCP)

Means the lands in ORMNC, ORMNL, ORMCO, ORMH, ORMOS, ORMOS1 and ORMKNF **Zones** and as defined in Ontario Regulation 01/02.

Obnoxious Use

Means an offensive use of trade within the meaning of the *Public Health Act*, RSO. 1990, as amended 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.

On-Farm Diversified Uses

Means, in context and accordance with the **ORMCP**, uses with respect to a farming operation that are secondary to the principal **agricultural use** of the **lot**, that are compatible with and do not hinder the surrounding agricultural operations and that occupy a limited area of the **lot** including:

- (a) **home occupations**;
- (b) **home industries**;
- (c) **agri-tourism uses**; and
- (e) **uses that produce value-added products**.
- (d)

Outdoor Display and Sales

Means an area outside of a principal or **main building** or **structure** on a **lot** used for the display or sales of merchandises **accessory** to a **commercial use**.

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 building** 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 Section 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 **motor 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.

Partial Service (ORMCP)

Means connections linking a **building** to:

- (a) a communal sewage or water service or a full municipal sewage or water service; and,
- (b) an individual on-site sewage or water system.

For greater clarity, partial services do not include a situation where both communal or full municipal sewer and water service is available.

Place of Worship

Means lands or **buildings** used by a bona fide 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*, R.S.O. 1990.

Podium

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

Porch

Means a **structure** abutting a **dwelling unit** having a roof, but with walls that are open and unenclosed to the extent that 50% of the vertical plane of the wall is open to the movement of air and which is used as an outdoor living area. A porch is not a **deck**.

~~**Portable Asphalt Plant (ORMCP)**~~

~~Means a facility:~~

- ~~(a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process; and,~~
- ~~(b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.~~

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. In a multiple tenancy **building**, occupied by more than one business, each business area shall be considered a separate premises.

Private Driveway

Means a surface area on a lot providing direct access from a **street, lane or drive aisle** directly to parking spaces devoted to a **dwelling unit**, including parking spaces within a private garage, carport or within the private driveway.

Private Home Child Care

Means a home child care and home child care agency under the *Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1*, as amended or a predecessor thereof or a successor thereto.

Private School

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

Private Utility

Any energy, telephone or communications utility company of private ownership 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 provisions prescribed for such **zone** or use.

Public Authority

Means any Federal or Provincial government authority, agency, body or department, the **Region**, or The Corporation of the City of Richmond Hill, or any agency, body or department of either of these municipalities, public school and **post-secondary school**.

Public Authority Use

Means any use of lands, **buildings, structures** or part thereof owned or operated by a **public authority**, but shall exclude easements and rights-of-access over privately-owned lands which may be favour of a **public authority** and/or grant rights of public access.

Public Garage

Means a **building** or **structure** or parts thereof including lands appurtenant thereto, used for the sale of refueling products and automobile accessories and for minor running repairs 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 or a standalone **motor vehicle washing establishment** are not an automotive service station.

Quadruplex Dwelling

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

Research and Development

Means premises in connection with a manufacturing use where scientific research, technical study, prototype development or product testing is conducted, and include medical laboratories where medical, biological or forensic testing and experimentation is conducted.

Rear Lane Townhouse

Dwelling

Means a **townhouse dwelling** or **street townhouse dwelling** that is not a **stacked townhouse dwelling** and where vehicular access to a is provided via a driveway located at the rear of the residential dwelling 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 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 walls** of any **main building** or **structure** on the **lot**.

Region

Means The Regional Municipality of York.

Reserve

Means a strip of land 0.3 metres in width or less abutting a **street** and owned by the **public authority** having jurisdiction over 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-Detached Dwelling

Means a **building** that is divided vertically into two **dwelling units** sharing a common wall above the **established grade** and each of which has an independent entrance either directly to the outside or through a common vestibule.

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.

Separation Distance

Means the horizontal distance from a **main wall** of a **building** to the nearest part of any item for which a separation distance is required by this By-law.

Setback

Means the horizontal distance from the **lot line** measured at right angles to such **lot line** to the nearest part of any item for which a setback is required by this By-law.

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. A short-term accommodation shall only be permitted where the short-term accommodations rental operator resides within the principal residence on the same property as a **dwelling unit** used as a short-term accommodation.

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 ~~side closest point of the main walls~~ of the **main building** or **structure** on the **lot**.

Site Alteration (ORMCP)

Means activities such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Site Plan Agreement

Means an agreement entered into pursuant to Section 41 of the *Planning Act*, R.S.O. 1990.

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.

Social Services Use

Means any use of lands, buildings, structures or part thereof owned or operated by a social services organization.

Soft Landscaping

Means an 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**, **outdoor patios**, walkways and **hard landscaping**. For greater clarity, interlocking stone and permeable pavement are not soft landscape.

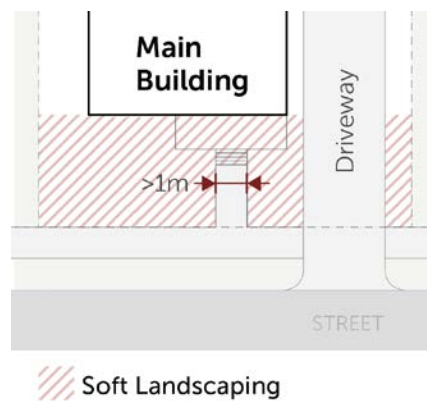


Figure 23: Section 124 – Soft Landscaping

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 3 **dwelling units**, each **dwelling unit** being separated from the other vertically and horizontally and having an independent external access.

~~Stepped Back~~Stepback

Means a portion of building that is horizontally recessed from the main wall of the storey of the building below the horizontal distance measured from the main wall of a building at right angles for a determined distance in metres as required in this By-law 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. A street shall include a **lane** for purposes of a **common element condominium**. Street classifications are shown on Overlay "H".

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 or roof immediately above, provided that any portion of a **building** partly below **established grade** level shall not be deemed a storey unless its ceiling is at least 1.8 metres above **established grade**, and provided that any portion of a storey above the **first storey** exceeding 4.5 metres in **height** shall be deemed an additional storey, unless otherwise specified in this By-law.

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.

Subwatershed (ORMCP)

Means the area including and surrounding a kettle lake or wetland, from which surface runoff drains directly into the kettle lake or wetland.

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, dormitories and **premises**.

Sustainable (ORMCP)

Means the natural resource is able to support a particular use or activity or without being adversely affected.

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**.

Townhouse Dwelling

Means a **building** divided vertically into 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.

Transportation Terminal

Means premises used for parking, storage and/or dispatch of commercial vehicles and transport truck and may include intermodal facilities and accessory servicing or repair within an enclosed building.

Triplex Dwelling

Means a **building** divided horizontally into 3 **dwelling units**.

Unserviced Park (ORMCP)

Means a park that provides recreational opportunities and facilities, including playing fields, but without outdoor lighting, **accessory commercial** facilities, paved parking lots or permanent water or sewer facilities.

Utility Corridor

Means lands, **buildings** or **structures** used for the provision of hydroelectric within the Provincial **Utility Corridor**, TransCanada Pipeline (TCPL), the Canadian National Railway (CNR) and mass transit infrastructure operated or authorized by a **public authority**.

Veterinary

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

Warehouse

Means a **building** or **structure** where wares or goods are stored.

Wayside Pit (ORMCP)

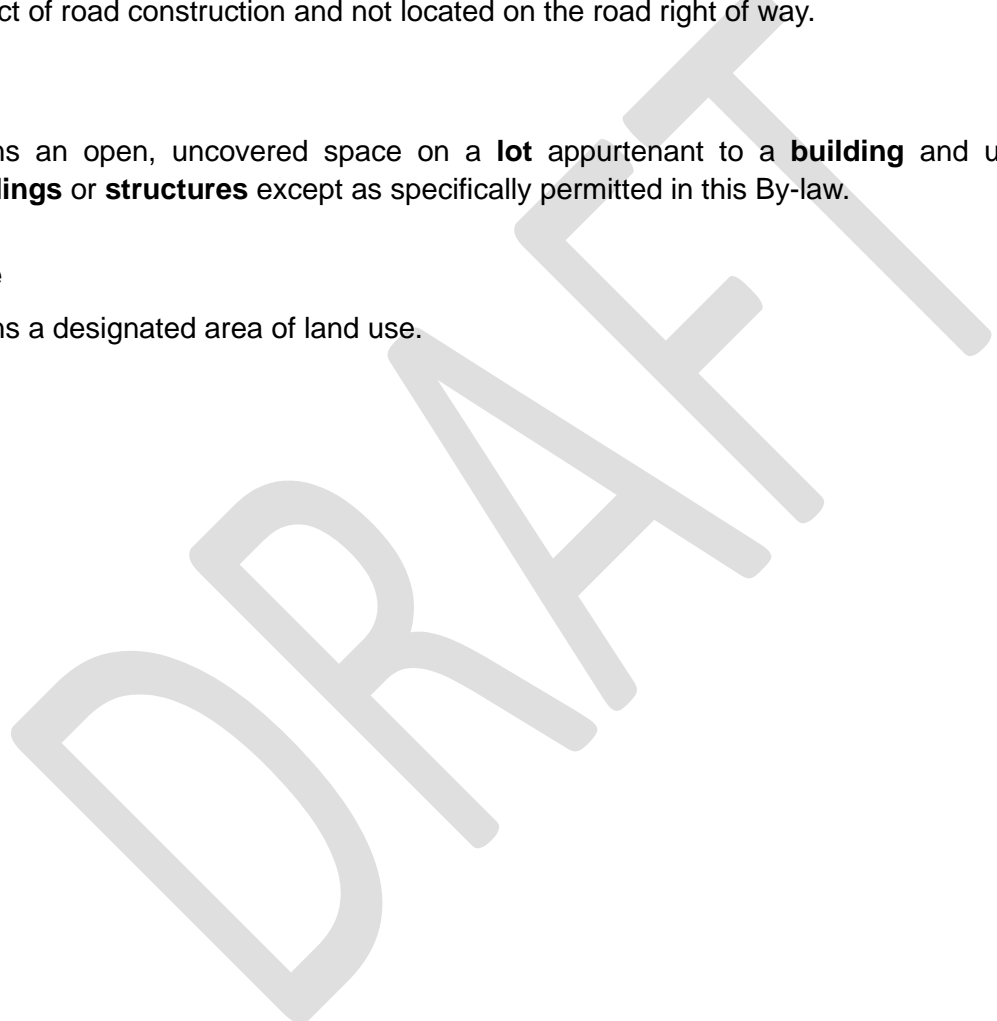
Means a temporary pit opened or used by or for a public body solely for the purpose of a particular project of road construction and not located on the road right of way.

Yard

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

Zone

Means a designated area of land use.



Section ~~12~~13.0 Zoning Schedules and Overlays

123.1 Zoning – Schedule “A” and Schedule “A1”

123.2 Density – Schedule “B”

123.3 Height – Schedule “C”

123.4 Parking Strategy Areas – Schedule “D”

123.5 TRCA Regulation Area and Hazardous Lands – Overlay “E”

123.6 Natural Features – Overlay “F”

123.7 Highly Vulnerable Aquifers Vulnerability and Wellhead Protection Areas – Overlay “G”

123.8 Street Classification (~~Arterial & Collector Streets~~) – Overlay “H”

Section ~~13~~14.0 Exceptions

The following Sections 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. LC-V(1) or LC-V(1)(8), the bracketed numbers refer to Sections in Section 13.0 of this By-law.

- 14.1 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 10909 Yonge Street and **zoned** KDA-YB(H) as denoted on Schedule "A":
- (1) For the purposes of applying Schedule "B", Table 4.1B Special Provision (5), the minimum required **non-residential gross floor area** required shall be 13,953 square metres.
 - (2) For the purposes of Table 4.2A, 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.
 - (3) 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**.
 - (4) For the purposes of Table 4.1B 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.
 - (5) 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**.
 - (6) 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 **established grade** distance between the **main walls** shall be 15.0 metres.
 - (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 **established grade** distance between the **main walls** is 7.5 metres.
 - (7) The definition of amenity space in Section 11.0 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.
 - (8) The definition of street in Section 11.0 shall be amended to include a private **street** for the purpose of applying zoning provisions related to **setbacks**.

- (9) On the southerly 1.15 ha of land located at 10909 Yonge Street:
- a) For the purposes of Table 4.2B Special Provision (5), for the northern **building** no more than 50% of the **podium** shall be permitted with 0 m step backs 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 4.2B Special Provision (13), the maximum **FSI** shall be 3.66.
- 14.2 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 16 Naughton Drive and **zoned** KDA-YB(H) as denoted on Schedule "A":
- (1) For the purposes of Table 4.2B Special Provision (4), a **building main wall** with windows or openings shall be **setback** a minimum of 3 m to the westerly **lot line**. All other requirements of Special Provision 4 shall continue to apply.
 - (2) Notwithstanding the definition of amenity space in Section 11.0, 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.
 - (3) Notwithstanding Section 3.2, a **mechanical penthouse** located on the rooftop of a **building** within the portion of the lands identified on Schedule "C" 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.
- 14.3 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 10481 Yonge Street as denoted on Schedule "A":
- (1) For the lands zoned RMUC-COR1, **block residential dwelling development, street townhouse dwelling, townhouse dwelling, stacked townhouse dwelling, quadruplex dwelling, maisonette dwelling, back-to-back dwelling and rear lane townhouse dwelling** shall not be permitted.
 - (2) For the lands **zoned** NT1, the uses permitted under the NT2 **Zone** are also permitted.
 - (3) Notwithstanding the permitted uses under Section 13.3 (2), for lands **zoned** NT1, no development is permitted until such time as the provisions of Section 3.2.2.5 of the Official Plan have been satisfied.
- 14.4 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 1070 Major Mackenzie Drive East and **zoned** LDA2 as denoted on Schedule "A":
- (1) Notwithstanding anything to the contrary, the development standards contained within Table 4.2A for the RMUC-COR1 **Zone** apply to a **high-rise building** on the subject lands.
 - (2) Permitted uses shall include:
 - a) **apartment dwelling**;

- b) **accessory commercial**; and,
 - c) in addition to the permitted uses identified above, all uses permitted under the LDA2 **Zone** would also be permitted within any building lawfully existing on the day of passing of this By-law.
- (3) Development standards:
- a) Minimum **lot area**: 0.61 ha
 - b) Minimum **front yard** (west): 4.5 m
 - c) Minimum **side yard** (south): 1.5 m
 - d) Minimum **rear yard** (east): 7.5 m
 - e) Maximum **building height**: 9 storeys / 34.5 m
 - f) Maximum **gross floor area**: 19,800 m²
 - g) Maximum **FSI**: 3.06
 - h) Maximum **lot coverage**: 47%
 - i) Maximum coverage of **mechanical penthouse**: 75% of roof surface
 - j) Minimum **parking spaces**: 0.3 spaces per **dwelling unit**
 - k) Minimum bicycle parking spaces: 10 spaces
 - l) Notwithstanding any other provision in this by-law, the **setback** to a **daylighting triangle** to any above or below grade structures is 0.6 metres.
 - m) Notwithstanding any other provisions to the contrary, the minimum building setbacks, the following encroachments beyond the specified **setbacks** shall be permitted:
 - i. Bay windows and sills, railings, cornices, wall-mounted lighting fixtures, awnings, canopies, columns, eaves, guardrails, balustrades, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features, mechanical equipment, mechanical screens and flag poles, **balconies** and columns to a maximum height and projection of 2.5 metres.
 - n) For the purpose of this By-law, Bayview Avenue shall be deemed to be the **front lot line**.
 - o) For the purposes of calculating the maximum **FSI**, the maximum **gross floor area**, and the maximum **lot coverage**, the **lot area** shall be deemed to be 6,499 square metres regardless of any conveyances for road widening purposes, dedications or severances.
 - p) Notwithstanding the maximum building height, the following encroachments above the specified heights shall be permitted:
 - i. **mechanical penthouses**, to a maximum height of 5.5 metres;
 - ii. guardrails, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features, mechanical equipment, mechanical screens and flag poles, to a maximum height projection of 2.5 metres;
 - iii. privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features, to a maximum height of 3.0 metres; and,

iv. exit staircases to a maximum height of 3.2 metres.

- (4) Above grade parking shall not be permitted along the Bayview Avenue or Major Mackenzie Drive East frontages.
- (5) Sections 3.3 and 10.12 of this By-law shall not apply to these lands.
- (6) Notwithstanding Section 3.6 of this By-law, a minimum of 10% of the lot area shall be landscaping.
- (7) No minimum loading requirements for existing buildings on the lands as of the date of the passing of this By-law.

14.5 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Part Lot 6, Concession 2 E.Y.S. and **zoned** ORMNC and ORMNL denoted on Schedule "A":

- (1) Lands subject to Minister's Order dated May 21, 2013: A decision is not made for the lands subject to this exception (Part of Lot 6, Concession 2 E.Y.S. (the Bethesda West Cemetery – Briargreen Sanctuary Park)) as denoted on Schedule "A".
- (2) The minimum **lot frontage** shall be 85 metres for those lands fronting onto Bethesda Sideroad measured from the intersection of Bethesda Road and Leslie Street.
- (3) Cemeteries shall be a permitted use, provided that mausolea, columbaria and crematoria uses and **structures** shall be prohibited;
- (4) One caretaker's residence and cemetery office shall be permitted within each cemetery; and,
- (5) For lands subject to one or more easements in favour of Ontario Hydro Services Company or its predecessor, cemeteries shall not be permitted.

14.6 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Oscroft **Plan of Subdivision** – Part of Lots 33 and 34, Concession 2, E.Y.S. and **zoned** ORMNC and ORMCO as denoted on Schedule "A":

- (1) **Detached dwelling** and uses **accessory** thereto shall be a permitted use.
- (2) The following development standards shall apply to any permitted use:
 - a) Minimum **lot frontage**: 25 m
 - b) Minimum **lot area**: 6000 m²
 - c) Minimum required **front yard**: 7.5 m
 - d) Minimum required **side yard**: 3 m
 - e) Minimum required **flankage yard**: 3 m
 - f) Minimum required **rear yard**: 20 m
- (3) Notwithstanding the minimum required **rear yard setback** above, for any **building** or **structure** the required **rear yard** may be reduced to 10 metres; and,
- (4) Notwithstanding any other provision of this By-law to the contrary, the minimum **setback** to any **building** or **structure** from the Canadian National Railway right-of-way shall be 30 metres.

14.7 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Part of Lot 1, Concession 3.E.Y.S. (more particularly known as Parts 2 and 3, 65R-1173 and municipally known as 1750 Stouffville Road) and **zoned** ORMCO as denoted on Schedule "A":

(1) Permitted uses may include:

- a) Primary use shall be for a **place of worship** and may include **accessory** uses such as an office, **child care centre**, meeting rooms, existing **detached dwelling**, existing storage barn and church manse.

(2) The following development standards shall apply to any permitted use:

- a) Minimum **front yard setback**: 12 m
- b) Minimum west **side yard setback**: 6 m
- c) Minimum north **side yard setback**: 8 m
- d) Minimum east **side yard setback**: 12 m
- e) Minimum **setback** to Hydro Corridor: 6 m
- f) Minimum dimensions of **parking space**: 2.75 m x 5.8 m
- g) Minimum driveway width for fire route: 6 m
- h) Minimum number of **parking spaces**: 6.4 spaces per 100 m² of **gross floor area** or 1 space per 2.4 seats of maximum seating capacity, whichever is greater
- i) Maximum height: 15 metres
- j) Minimum landscaped strip abutting **street**: 6 metres
- k) Minimum **setback** to a buffer **zone**: 6 metres
- l) **Development envelope** on area **zoned** ORMCO: 100%

14.8 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Part of Lot 20, Concession 3, E.Y.S. (municipally known as 9893 Leslie Street) and **zoned** I1 as denoted on Schedule "A":

(1) A **long-term care home** shall be permitted.

(2) The following **commercial** and **community uses** shall be permitted:

- a) life lease units;
- b) medical office;
- c) clinic;
- d) community centre;
- e) office;
- f) pharmacy;
- g) medical laboratory;
- h) child care centre;
- i) rehabilitation centre;
- j) research and innovation;

- k) restaurant;
 - l) **adult day care**;
 - m) hospice; and,
 - n) **social services**.
- (3) The following development standards shall apply to the lands:
- a) The subject lands shall be deemed to be a **lot**.
 - b) Minimum **lot frontage**: 39.27 m
 - c) Minimum **lot area**: 2,900 m²
 - d) Maximum **lot coverage**: 60%
 - e) Minimum **front yard**: 4.0 m
 - f) Minimum **side yard** (north): 5.8 metres
 - g) Minimum **side yard** (south): 5.8 metres
 - h) Minimum **rear yard**: 2.0 metres
 - i) Maximum **building height**: 40.0 metres
 - j) Maximum **FSI**: 5.5
 - k) For the purpose of calculating the maximum **FSI**, the maximum **gross floor area**, and the maximum **lot coverage**, the **lot area** shall be deemed to be 2,931.50 square metres, exclusive of any severances, partitions of lands, divisions for road allowance, conveyance(s) for parkland, road widening or **daylighting triangle** purposes.
 - l) Notwithstanding the maximum **building height**, architectural/decorative elements and **mechanical penthouses** shall be permitted to encroach to a maximum height of 6.2 metres and shall not be included in the **building height** calculation.
- (4) The following provisions shall apply:
- a) A maximum of 124 long-term care units are permitted on the lands.
 - b) A maximum of 36 life lease units are permitted on the lands.
- (5) The following parking and **loading spaces** shall be calculated in accordance with the following standards:
- a) A minimum number of 1 **loading space** shall be provided on the lands;
 - b) Minimum number of **parking spaces**:
 - i. **long-term care home** facility: 0.37 spaces per unit
 - ii. life lease units: 0.4 spaces per unit
 - iii. medical office and clinic: 3.2 spaces per 100 m² of **gross floor area**
 - iv. office: 3.2 spaces per 100 m² of **gross floor area**
 - v. pharmacy: 3.2 spaces per 100 m² of **gross floor area**
 - vi. medical laboratory: 2.5 spaces per 100 m² of **gross floor area**
 - vii. community centre, **adult day care**, hospice, **child care centre**, **social services**, rehabilitation centre, restaurant, research and innovation: 0 spaces

- c) Minimum number of bicycle parking spaces:
 - i. life lease units: 0.36 spaces per unit
 - ii. **long-term care** units: 0.1 spaces per unit.

14.9 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Part of Lot 60, Concession 1, E.Y.S. and **zoned** ORMNC as denoted on Schedule "A":

(1) A **detached dwelling** is permitted on **lots** shown on registered **Plan of Subdivision** 65M-4387.

(2) The following use standards shall apply to a **detached dwelling**:

- a) Minimum required **lot frontage**: 57 metres
- b) Minimum required **front yard**: 7.62 metres
- c) Minimum required **side yard**: 3 metres
- d) Minimum required **flankage yard**: 3 metres
- e) Minimum required **rear yard**: 7.62 metres
- f) Maximum **building height**: 11 metres
- g) Any detached **accessory structure** or **detached garage** shall be erected in the rear yard and shall be at least 0.6 metres from the nearest lot line. No person shall erect any detached **accessory structure** or **detached garage** on a corner lot at a lesser distance from the **street line** on which adjoining residential lots front than the depth of the **front yard** required for a dwelling on the adjoining lots.
- h) All **buildings** and **structures** shall be setback from the centre line of the swale a minimum distance of 37.5 metres.
- i) Individual **lot areas** shall be inclusive of any natural heritage features identified in accordance to Section 13.9 (g).

14.10 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located on Eleanor Circle **zoned** RHC(H) as denoted on Schedule "A":

- a) Permitted uses:
 - i. **detached dwelling** in accordance with the "N3" **zone** in Table 5.1A;
 - ii. **home occupation** in accordance with Section 3.8;
 - iii. **additional residential units** in accordance with Section 3.18; and,
 - iv. **buildings** and **structures accessory** to a **detached dwelling** in accordance with the general provisions of Section 3.0.
- b) The lands **zoned** RHC(H) located on Eleanor Circle as denoted on Schedule "A" shall be subject to the submission of a consolidated development application(s) to the satisfaction of the **City** and applying to the entirety of the lands prior to lifting of the Holding Provision.

14.11 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Part of Lots 69 and 70, Concession 1, E.Y.S., Lots 7 to 15 and 1' Reserve, and Part of Lots 1 to 6 and 16, all of Collingwood Road, Plan 339 in the City of Richmond Hill, Regional Municipality of York (municipally known as 13515 and 13715 Yonge Street and 53 St. Laurent Drive) and **zoned** NT1 and NT2 as denoted on Schedule "A":

- (1) The maximum automobile parking rates requirement in Table 10.3A for **street townhouse dwelling** and **block residential dwelling-development** shall not apply to these lands;
- (2) The maximum visitor automobile parking rates requirement in Table 10.3C for **block residential dwelling-development** shall not apply to these lands; and,
- (3) Sections 10.9 and 10.12 shall not apply to these lands.

14.12 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Part of Lot 46 Concession 1, W.Y.S (municipally known as 190, 210 and 230 Major Mackenzie Drive West and 129, 133, 137, 141, 143 and 147 Arnold Crescent) and **zoned** NA as denoted on Schedule "A":

(1) Definitions

a) Building Height

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

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

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

b) Commercial Use

Means the use of land, **buildings**, or **structures** for the purpose of buying or selling commodities and supplying of services, including personal service and retail uses provided to the public, or where entertainment is offered for gain or profit. However, commercial uses shall exclude **automotive service station**, gas bar, gas bar convenience retail store, motor vehicle/lubrication establishment, automobile washing establishment, auto body repair shop, repair shop for internal combustion engines, motorized vehicles or similar uses, or **public garage**.

c) Established Grade

Means 226.20 metres A.S.L.

d) Floor Space Index (FSI)

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

e) Gross Floor Area (GFA)

Means the aggregate of the floor areas of a **building** above established grade, measured between the exterior faces of the exterior walls of the **building** at each floor level but excluding:

- i. loading areas (enclosed and/or open);

- ii. a room or enclosed area, including its enclosing walls, within the **building** or **structure**, that is used exclusively for the accommodation of mechanical equipment, including the **mechanical penthouse**, heating, cooling, ventilation, electrical equipment, shafts, fire prevention equipment, plumbing or elevator equipment and service and elevator shafts;
 - iii. bicycle storage and parking areas within the **building**;
 - iv. any below grade areas;
 - v. any space with a floor to ceiling height of less than 1.8 metres;
 - vi. unenclosed **balconies** and terraces; and,
 - vii. any openings in floor slabs such as, but not limited to, a two storey atrium, stairway or second floor of **loading space**.
- f) Home Occupation
- Means an economic enterprise operated within a **dwelling unit**, incidental and secondary to the **residential use**.
- g) Multiple Dwelling
- Means a **building** designed, intended and used for occupancy by three or more families living independently of each other but shall exclude an **apartment dwelling**, row-house dwelling, **townhouse dwelling**, **maisonette dwelling**, **triplex dwelling** and double-duplex.
- h) Personal Services
- Means a **building** or part of a **building** in which services involving care of persons or their apparel are performed. Without limiting the generality of the foregoing, personal services include a barber shop, a hair dressing shop, a manicure shop, a shoe repair, a dry-cleaning depot and similar service establishments.
- i) Retail
- Means a use conducted in a **building** or **structure** or part thereof in which good, merchandise, substances or items are displayed, rented or sold directly to the general public.
- j) 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 the floor to ceiling height of a storey shall not exceed 4.5 metres. Any storey with a floor to ceiling height beyond 4.5 metres shall be deemed an additional storey, with the exception of loading areas which shall have a minimum 6.5 metre interior vertical clearance. **Mechanical penthouses** and rooftop constructions that are exempt from the building height calculation shall not be considered a storey.
- k) Street Townhouse Dwelling
- Means a townhouse dwelling composed of **dwelling units** each of which has frontage on a **street**.
- l) Townhouse Dwelling

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

(2) Permitted uses

- a) No **building** or **structure** or part thereof shall be erected or used except for one or more of the following uses:
 - i. **apartment dwelling**;
 - ii. street townhouse dwelling;
 - iii. multiple dwelling;
 - iv. home occupation; and,
 - v. commercial uses.
- b) A **home occupation** shall be subject to the following provisions:
 - i. shall be conducted entirely within an enclosed **building**;
 - ii. shall not detract from the residential character of the **dwelling unit** or the lot on which the home occupation is located;
 - iii. shall not involve the **outdoor storage** or an **outdoor display and sales** area for materials or finished products associated with the home occupation use;
 - iv. shall not occupy more than 25% of the gross floor area of the **dwelling unit**;
 - v. shall not result in the discharge or emission of odorous, noxious or toxic matter or vapors, heat, glare, noise or radiation, or recurrently generated ground vibrations;
 - vi. shall not consist of an occupation that involves the salvage, repair, maintenance or sales of motor vehicles or motor vehicles; engines or parts; and,
 - vii. shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except that telephone or mail order sales of goods may be permitted provided that customers do not enter the premises to inspect, purchase or take possession of the goods.
- c) Commercial uses are only permitted if integrated into a **building** that has frontage on Major Mackenzie Drive.
- d) Outdoor storage of goods, materials, garbage and recycling, machinery or equipment is prohibited.
- e) Only townhouse dwelling units shall be permitted to front onto Arnold Crescent.

(3) Development standards

- a) The following development standards shall apply:

Development Standard	
Minimum commercial gross floor area	339 m ²
Maximum gross floor area	44,200 m ²
Maximum FSI	1.65
Maximum lot coverage	35%
Minimum required front yard	7 m
Minimum required interior side yard	20 m
Minimum required flankage yard	4 m
Minimum required rear yard	30 m
Minimum required setback to daylighting triangle	2 m
Maximum building height:	
a. street townhouse dwelling	3 storeys / 11.5 m
b. multiple dwelling	4 storeys / 14 m
c. apartment dwelling	6 storeys / 21 m
d. apartment dwelling (fronting onto Major Mackenzie Drive)	8 storeys or 31 m, whichever is greater.
Minimum required amenity space	2.0 m ² per dwelling unit
Maximum number of dwelling units	518
Minimum percentage of dwelling units to be 3-bedroom	5%

- b) The lands subject to this exception as denoted on Schedule "A" shall be deemed to be a **lot**.
 - c) For the purposes of calculating the maximum FSI and the maximum **lot coverage**, the **lot area** shall be deemed to be 26,850 square metres regardless of any conveyances for road widening purposes, dedications or severances.
 - d) The southerly **lot line** that abuts Major Mackenzie Drive shall be the **front lot line**.
 - e) Notwithstanding the minimum **interior side yard setback**, multiple dwellings shall be a minimum of 12 metres.
 - f) Notwithstanding the minimum **flankage yard setback**, street townhouse dwellings shall be a minimum of 3 metres to the **flankage lot line**.
 - g) Notwithstanding the minimum **rear yard setback**, street townhouse dwellings and an **accessory structure** used to access an underground parking garage shall be a minimum of 14 metres to the **rear lot line**.
 - h) Notwithstanding any other provisions to the contrary, the maximum **building height** for an **accessory structure** used to access an underground parking garage shall be 3.2 metres.
 - i) Notwithstanding the maximum **building height**, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features on the amenity terraces of the **apartment dwelling buildings**, are permitted to a maximum height of 3 metres.
- (4) Encroachment provisions
- a) Notwithstanding any other provisions to the contrary, the following encroachments are permitted:

- i. Bay windows and sills, railings, cornices, wall-mounted lighting fixtures, awnings, canopies, columns, eaves, guardrails, balustrades, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features, mechanical equipment, mechanical screens and flag poles, **balconies** and columns, to a maximum height and projection of 2.5 metres.
- ii. **Porches** and stairs to a maximum encroachment of 3.0 metres into any required **yard**.
- iii. Notwithstanding the foregoing, no portion of the **building**, either above or below grade, may encroach within the Regional right-of-way without the written permission of the Regional Municipality of York.

(5) Parking standards

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

Use	Minimum Parking Space Standard
Dwelling unit	
1-bedroom	0.9 parking spaces/dwelling unit
2-bedroom	1.0 parking spaces/dwelling unit
3-bedroom	1.1 parking spaces/dwelling unit
Visitor parking	0.15 parking spaces/dwelling unit

- b) Above grade parking shall not be permitted between the **building** and Major Mackenzie Drive West or Arnold Crescent.
- c) The minimum dimension for a drive aisle or driveway shall be 6 metres.
- d) Visitor parking can be used for commercial uses. No additional commercial **parking spaces** shall be required for commercial space that is 339 square metres or less.

(6) Bicycle parking standards

- a) The number of required bicycle parking spaces shall be calculated in accordance with the standards set out below:

Use	Minimum Rate – Bicycle Space	Minimum Rate – Visitor Bicycle Space
Residential use	0.6 bicycle parking spaces/ dwelling unit	5% of the minimum required bicycle parking spaces for residential use

- b) Where bicycles are to be parked on a horizontal surface, a bicycle parking space shall have a width of not less than 0.6 metres, a length of not less than 1.8 metres and a height of not less than 1.9 metres.
- c) Where bicycles are to be parked in a vertical position, a bicycle parking space shall have a width of not less than 0.6 metres, a length of not less than 1.2 metres and a height of not less than 1.9 metres.
- d) 5% of the total required bicycle parking spaces on-site shall be located at grade.

(7) Loading space standards

- a) The number of required **loading spaces** shall be provided in accordance with the standards set out below:
 - i. For Phase 1: 1 **loading space** with minimum dimensions of 4.0 metre width, 13.0 metre length and 6.5 metre vertical clearance.

- ii. For Phase 2: 2 **loading spaces** with minimum dimensions of 4.0 metre width, 13.0 metre length and 6.5 metre vertical clearance.
 - b) No loading or service areas shall be permitted along Major Mackenzie Drive West or Arnold Crescent.
 - (8) Electric vehicle and electric bicycle standards
 - a) Section 10.12 of this By-law shall not apply to these lands.
- 14.13 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as PLAN 65M4335 BLK 176 (municipally known as 0 Riding Mountain Drive) and **zoned** N1(H) as denoted on Schedule "A":
- Where a zone symbol on the attached schedule(s) is followed by the bracketed symbol "H", e.g. (H), the bracketed symbol indicates that the lands to which it applies have been placed in a holding zone in accordance with the provisions of Section 36 of the *Planning Act*, R.S.O. 1990 and the Jefferson Secondary Plan. The holding zone will be removed from the respective lands at such time as:
- a) The securing of a road allowance and permanent access to Nineteenth Avenue by the Town of Richmond Hill, at the inter-section of Linda Margaret Crescent, prior to the registration of draft **Plan of Subdivision** 19T (R)-99021; and,
 - b) The Toronto and Region Conservation Authority has determined that one or more of the lots are not required for the purposes of stormwater management for draft plan of subdivision 19T(R)-99014.
- 14.14 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to lands identified as PLAN 3806 PT LOTS 22 TO 24 63 AND 64 RP 65R38545 PARTS 1 4 7 10 11 16 18 AND 20 (municipally known as 0 Fern Avenue) and **zoned** N2(H) as denoted on Schedule "A":
- (1) No person shall use such lands or erect any buildings or structures until such time as the Holding (H) symbol is removed by amendment to this By-law pursuant to Sections 34 and 36 of the *Planning Act*, R.S.O. 1990.
 - (2) A By-law to remove the Holding (H) symbol from these lands, or part thereof, is subject to authorization has been obtained satisfactory to the **City** from the abutting landowner to the east to remove or injure existing trees located along the mutual property line.
- 14.15 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Part of Lots 10 and 11, Plan 1960 (municipally known as 9131 and 9135 Bathurst Street) and **zoned** N1 as denoted on Schedule "A":
- (1) **Social services** in the form of a community centre shall be permitted.
- 14.16 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands **zoned** NT1 within North Leslie Community as denoted on Schedule "A":
- (1) Area A (shown as Exception 13.16A):
 - a) **Swimming pool** shall not be permitted.
 - (2) Area B (shown as Exception 13.16B):
 - a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 247.5 metres;
 - b) Provision (2)(a) shall not apply to **decks** or their foundations;

- c) Provision (2)(a) shall not apply if the **Commissioner** or their designate, in their absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 247.5 metres shall not result in undue adverse impacts on soil stability; and,
 - d) **Swimming pool** shall not be permitted.
- (3) Area C (shown as Exception 13.16C):
- a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 247.1 metres;
 - b) Provision (3)(a) shall not apply to **decks** or their foundations;
 - c) Provision (3)(a) shall not apply if the **Commissioner** or his or her designate, in his or her absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 247.1 metres shall not result in undue adverse impacts on soil stability: and,
 - d) **Swimming Pools** shall not be permitted.
- (4) Area D (shown as Exception 13.16D):
- a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 246.7 metres;
 - b) Provision (4)(a) shall not apply to **decks** or their foundations;
 - c) Provision (4)(a) shall not apply if the **Commissioner** or his or her designate, in his or her absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 246.7 metres shall not result in undue adverse impacts on soil stability: and,
 - d) **Swimming pools** shall not be permitted.
- (5) Area E (shown as Exception 13.16E):
- a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 246.1 metres;
 - b) Provision (5)(a) shall not apply to **decks** or their foundations;
 - c) Provision (5)(a) shall not apply if the **Commissioner** or his or her designate, in his or her absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 246.1 metres shall not result in undue adverse impacts on soil stability: and,
 - d) **Swimming pools** shall not be permitted.
- (6) Area F (shown as Exception 13.16F):
- a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 245 metres;
 - b) Provision (6)(a) shall not apply to **decks** or their foundations;
 - c) Provision (6)(a) shall not apply if the **Commissioner** or his or her designate, in his or her absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 245 metres shall not result in undue adverse impacts on soil stability: and,
 - d) **Swimming pools** shall not be permitted.
- (7) Area G (shown as Exception 13.16G):

- a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 242.8 metres;
 - b) Provision (7)(a) shall not apply to **decks** or their foundations;
 - c) Provision (7)(a) shall not apply if the **Commissioner** or his or her designate, in his or her absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 242.8 metres shall not result in undue adverse impacts on soil stability: and,
 - d) **Swimming pools** shall not be permitted.
- (8) Area H (shown as Exception 13.16H):
- a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 242.7 metres;
 - b) Provision (8)(a) shall not apply to **decks** or their foundations;
 - c) Provision (8)(a) shall not apply if the **Commissioner** or his or her designate, in his or her absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 242.7 metres shall not result in undue adverse impacts on soil stability: and,
 - d) **Swimming pools** shall not be permitted.
- (9) Area I (shown as Exception 13.16I):
- a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 244.5 metres;
 - b) Provision (9)(a) shall not apply to **decks** or their foundations;
 - c) Provision (9)(a) shall not apply if the **Commissioner** or his or her designate, in his or her absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 244.5 metres shall not result in undue adverse impacts on soil stability: and,
 - d) **Swimming pools** shall not be permitted.
- (10) Area J (shown as Exception 13.16J):
- a) No portion of a permanent **building** or **structure** shall be located below a Canadian Geodetic Datum elevation of 245.5 metres;
 - b) Provision (10)(a) shall not apply to **decks** or their foundations;
 - c) Provision (10)(a) shall not apply if the **Commissioner** or his or her designate, in his or her absolute discretion, is satisfied that the placement of a permanent **building** or **structure** below a Canadian Geodetic Datum elevation of 245.5 metres shall not result in undue adverse impacts on soil stability: and,
 - d) **Swimming pools** shall not be permitted.

14.17 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Plan 65M-4625 BLK 233 (municipally known as 10 William F. Bell Parkway) and **zoned** NA as denoted on Schedule "A":

- (1) NT1, NT2 and NS1 **Zones** permitted uses in Table 5.1A shall also be permitted.
- (2) **Commercial** uses are only permitted within a **building** containing residential.

- 14.18 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands **zoned** NT1 within the West Gormley and North Leslie Communities as denoted on Schedule "A":
- (1) NS2 **Zone** permitted uses in Table 5.1A shall also be permitted.
- 14.19 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands **zoned** NT1 within the North Leslie Community as denoted on Schedule "A":
- (1) NT2 **Zone** permitted uses in Table 5.1A shall also be permitted.
- 14.20 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 49 North Lake Road and **zoned** LC-OR as denoted on Schedule "A":
- (1) A **place of worship** shall also be permitted.
- 14.21 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as PLAN 65M4571 BLK 284 and **zoned** NLC as denoted on Schedule "A":
- (1) The working space component of a **live-work unit** may only be used for a personal service shop, office and medical office (excluding clinic);
 - (2) A place of worship and arts and cultural facility shall not be permitted; and,
 - (3) **Back-to-back townhouse dwellings** are permitted where they do not front an arterial or collector **street**.
- 14.22 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 13572 and 13586 Bayview Avenue and **zoned** NMU as denoted on Schedule "A":
- (1) The maximum permitted density shall be 285 **dwelling units** per hectare based on a **lot area** of 4,738.0 square metres.
- 14.23 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 122, 124 and 126 Cartier Crescent and **zoned** NMU as denoted on Schedule "A":
- (1) The following use shall be permitted: **apartment dwelling**.
 - (2) The maximum density shall be 375 **dwelling units** per hectare based on a lot area of 3713.0 square metres.
- 14.24 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 9593 Bathurst Street and **zoned** NMU as denoted on Schedule "A":
- (1) The maximum density shall be 106 **dwelling units** per hectare based on a **lot area** of 0.123 hectares.
- 14.25 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Part of Lot 29, Concession 2 and **zoned** I2 as denoted on Schedule "A":
- (1) The following uses shall also be permitted:

- a) in NA **Zone: apartment dwelling**;
- b) in NT1 **Zone: back-to-back dwelling, quadruplex dwelling and street townhouse dwelling**;
- c) in NT2 **Zone: block residential dwellingdevelopment**; and,
- d) in NS2 **Zone: detached dwelling**.

14.26 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands **zoned** NT1 within the North Leslie Community as denoted on Schedule "A":

- (1) In addition to permitted uses in NT1 **Zone, apartment dwelling** shall be permitted with the exception of **commercial** uses which shall not be permitted.

14.27 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Block 67 on Plan 65M-4696 and Block 411 on Plan 65M-4685 and **zoned** I3 as denoted on Schedule "A":

- (1) **Detached dwelling, street townhouse dwelling and semi-detached dwelling** are also permitted in accordance with the NT1 and NS2 **Zones** permitted uses and standards in Table 5.1A and Table 5.2A.

14.28 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as WHITCHURCH CON 2 PT LOT 1 RP 65R34689 PARTS 1 & 2 (municipally known as 1380 Stouffville Road) and **zoned** I3 as denoted on Schedule "A":

- (1) Only a **place of worship** and associated recreational uses are permitted.

14.29 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 10533 Leslie Street and **zoned** I1 as denoted on Schedule "A":

- (1) Permitted uses shall only include:
 - (a) one **detached dwelling**;
 - (b) **place of worship** or cemetery;
 - (c) medical clinic; and,
 - (d) **child care centre**.
- (2) The following development standards shall apply:
 - (a) A 6 m strip of land immediately abutting the **street line** shall be used only for landscaped open space except that a driveway perpendicular to the **street line** shall be permitted to cross such landscaped open space.

14.30 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 9301, 9325 and 9335 Yonge Street **zoned** KDA-YC as denoted on Schedule "A":

- (1) Definitions

- a) Apartment Dwelling

Means a building containing 5 or more **dwelling units** all of which have a common external access to the **building** by means of a common corridor system.

b) 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**.

c) Bicycle Maintenance Facility

Means an area having minimum dimensions of 1.8 metres by 2.6 metres for bicycle repairs and maintenance which may include work space, a repair stand and an air pump for inflating bicycle tires.

d) Building Height

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

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

Flagpoles, **mechanical penthouses** and rooftop constructions shall not be included in the calculation of maximum building height.

e) Car-Share

Means a program offering short-term rental service of **motor vehicles** that are owned by a profit or non-profit car-sharing organization.

f) Car-Share Parking Space

Means a **parking space** that is demarcated and reserved exclusively for car-share use.

g) Commercial Use

Means the use of land, **buildings**, or **structures** for the purpose of buying or selling commodities and supplying of services, including personal service and retail uses provided to the public, or where entertainment is offered for gain or profit. However, commercial uses shall exclude **automotive service station**, gas bar, gas bar convenience retail store, motor vehicle/lubrication establishment, automobile washing establishment, auto body repair shop, repair shop for internal combustion engines, motorized vehicles or similar uses, or **public garage**.

h) 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**.

i) Established Grade

Means with reference to a **building** or **structure**, heights are calculated from a Geodetic elevation of 208.9 m A.S.L.

j) Floor Space Index (FSI)

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

k) Grade

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

l) Gross Floor Area (GFA)

Means the aggregate of the floor areas of a building above **established grade**, measured between the exterior faces of the exterior walls of the building at each floor level but excluding:

- i. loading areas (enclosed and/or open);
- ii. a room or enclosed area, including its enclosing walls, within the building or structure, that is used exclusively for the accommodation of mechanical equipment, including the **mechanical penthouse**, heating, cooling, ventilation, electrical equipment, shafts, fire prevention equipment, plumbing or elevator equipment and service and elevator shafts;
- iii. bicycle storage and parking areas within the **building**;
- iv. any below grade areas;
- v. any space with a floor to ceiling height of less than 1.8 metres;
- vi. unenclosed **balconies** and terraces; and,
- vii. any openings in floor slabs such as, but not limited to, a two storey atrium, stairway or second floor of **loading space**.

m) High-Rise

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

n) Home Occupation

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

o) Landscaping

Means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and shall not include **amenity space**, **parking areas**, driveways or ramps.

p) Long-Term Bicycle Parking

Means an area inside of a **building** for the purpose of securing bicycles.

q) 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 or provides linkage between **buildings** above the ground floor.

r) Outdoor Display and Sales Area

Means an area of land used in conjunction with a business located within a **building** or **structure** on the same **lot**, for the display or sales of seasonal produce, new merchandise or the supply of services.

s) Personal Services

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

t) Podium

Means the portion of a **high-rise building** below the **tower** portion of a **building**.

u) Public Bicycle Parking

Means an area outside of a **building** equipped with one or more bicycle racks or posts for the purpose of securing bicycles by members of the public.

v) Retail

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

w) Short-Term Bicycle Parking

Means an area outside of a **building** equipped with one or more bicycle racks or posts for the purpose of securing bicycles.

x) Storey

Means a 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. Any storey with a floor to ceiling height beyond 4.5 metres shall be deemed an additional storey. Notwithstanding this definition, the first storey can have a maximum height of 7.7 metres inclusive of an upper ground floor level limited only to parking and electrical and mechanical rooms. **Mechanical penthouses** and rooftop constructions that are exempt from the building height calculation shall not be considered a storey.

y) Tower

Means all storeys above the fifth storey in a high rise **building**.

z) Tower Floor Plate

Means the total gross floor area of an individual floor within the **building**, located above the fifth storey, measured from the exterior of the main walls.

aa) Work-Share Space

Means an indoor space within a **building** on a **lot** that is communal and available for use by the occupants of the **building** exclusively for work and office use, which includes a minimum of one washroom facility and may include private call or meeting rooms and internet access.

(2) Permitted uses

- a) No **building** or **structure** or part thereof shall be erected or used except for one or more of the following uses:
 - i. apartment dwelling;
 - ii. commercial uses;
 - iii. home occupation; and,
 - iv. work-share space.
 - b) No **dwelling units** shall be permitted to face 16th Avenue on the ground floor of a **building** or **structure**.
 - c) A home occupation shall be subject to the following provisions:
 - i. shall be conducted entirely within an enclosed building;
 - ii. shall not detract from the residential character of the **dwelling unit** or the lot on which the home occupation is located;
 - iii. shall not involve the **outdoor storage** or an outdoor display and sales area for materials or finished products associated with the home occupation use;
 - iv. shall not occupy more than 25% of the gross floor area of the **dwelling unit**;
 - v. shall not result in the discharge or emission of odorous, noxious or toxic matter or vapors, heat, glare, noise or radiation, or recurrently generated ground vibrations;
 - vi. shall not consist of an occupation that involves the salvage, repair, maintenance or sales of motor vehicles or motor vehicles; engines or parts; and,
 - vii. shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except that telephone or mail order sales of goods may be permitted provided that customers do not enter the premises to inspect, purchase or take possession of the goods.
 - d) Commercial uses are only permitted in a high-rise **building** and shall only be permitted on the ground floor and shall permit an outdoor display and sales area.
 - e) Outdoor storage of goods, materials, garbage and recycling, machinery or equipment is prohibited.
- (3) Development standards
- a) The following development standards shall apply:

Development Standard	
Maximum gross floor area	71,080 m ²
Maximum FSI	8.56
Maximum tower floor plate	805 m ²
Maximum lot coverage	76%
Minimum required front yard	1.5 m
Minimum required side yard (east)	1.5 m
Minimum required side yard (west)	2.0 m
Minimum required rear yard	2.5 m
Minimum required setback to daylighting triangle	0.0 m
Maximum building height	45 storeys or 145.0 m, whichever is the lesser.
Maximum podium height	5 storeys or 21.2 m, whichever is the lesser.
Minimum required amenity space	2.0 m ² per dwelling unit
Maximum number of dwelling units	1,057
Minimum percentage of dwelling units to be 3-bedroom	5.5%

- b) The lands subject to this exception as denoted on Schedule "A" shall be deemed to be a **lot**.
 - c) A tower shall be required to provide a minimum separation distance of 25.0 metres from another tower.
 - d) A minimum of 180 square metres of work-share space shall be provided.
 - e) For the purposes of calculating the maximum floor space index and the maximum **lot coverage**, the **lot area** shall be deemed to be 8303.82 square metres regardless of any conveyances for road widening purposes, dedications or severances.
 - f) The southerly **lot line** that abuts 16th Avenue shall be the **front lot line**.
 - g) Notwithstanding the maximum building height, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features on the amenity terrace of the apartment dwelling, are permitted to a maximum height of 3.0 metres.
 - h) The amenity terrace of the apartment dwelling shall require a noise attenuation wall with a minimum height of 2.2 metres.
 - i) Notwithstanding any other provision in this by-law, the setback to below grade **parking structures** is 0.0 metres.
- (4) Projection and encroachment provisions
- a) Notwithstanding any other provisions to the contrary, the following projections and encroachments are permitted:
 - i. Bay windows and sills, railings, cornices, wall-mounted lighting fixtures, awnings, canopies, eaves, guardrails, balustrades, privacy screens, trellises, gazebos, shade structures, screen walls, ornamental and architectural features, landscape structures and features and **balconies**, to a maximum height and projection of 3.0 metres.

- ii. Parapets to a maximum height of 1.4 metres.
- iii. Exit staircases to a maximum height of 3.2 metres.

(5) Landscaping provisions

- a) The following landscaping provisions shall apply:
 - i. A minimum of 10% of the **lot area** must be landscaping, which may be located at grade or on top of a **building** or **structure** and shall not be considered part of an **amenity space**, parking areas, driveways or ramps.
 - ii. A landscaped open space strip not less than 1.5 metres in width abutting the **front lot line** (16th Avenue) shall be provided except that driveways perpendicular to the **street line** shall be permitted to cross such landscaped open space.

(6) Parking standards

- a) Each **parking space** shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres.
- b) Above grade parking shall not be permitted between the **building** and 16th Avenue.
- c) The minimum dimension for a drive aisle or driveway shall be 6.0 metres.
- d) Existing parking as of the date of passing of this By-law shall be permitted in **front yard, rear yard, side yard** and **flankage yard** of a **lot**.
- e) Section 10.12 of this By-law shall not apply to these lands.
- f) The maximum automobile **parking space** provisions in Table 10.3A shall not apply to these lands.

(7) Bicycle parking standards

- a) The number of required bicycle parking spaces shall be calculated in accordance with the standards set out below:

Use	Minimum Long-Term Bicycle Parking Space Requirement	Minimum Short-Term Bicycle Parking Space Requirement
Residential use	0.72 spaces/ dwelling unit	0.045 spaces/ dwelling unit
Commercial use	0.195 spaces/100 m ² of GFA	0.225 spaces/100 m ² of GFA

- b) A minimum of 2 bicycle maintenance facilities shall be provided.
- c) A minimum of 6 public bicycle parking spaces shall be provided at grade. Public bicycle parking spaces shall be located within 5.0 metres of a public right-of-way.
- d) Short-term bicycle parking spaces shall be located at grade or the ground floor level of a building and a minimum of 50% of the spaces shall be in a covered area.
- e) Where bicycles are to be parked on a horizontal surface, a long-term bicycle parking space shall have a width of not less than 0.6 metres, a length of not less than 1.8 metres and a height of not less than 1.9 metres.
- f) Where bicycles are to be parked in a vertical position, a long-term bicycle parking space shall have a width of not less than 0.6 metres, a length of not less than 1.2 metres and a height of not less than 1.9 metres.

(8) Loading space standards

- a) The number of required loading spaces shall be provided in accordance with the standards set out below:
 - i. For **residential use**: 2 **loading spaces** with minimum dimensions of 4.0 metre width, 13.0 metre length and 6.5 metre vertical clearance.
 - ii. For commercial use: 1 **loading space** with minimum dimensions of 4.0 metre width, 13.0 metre length and 4.6 metre vertical clearance.
- b) No loading or service areas shall be permitted along 16th Avenue.
- c) Aisles and driveways leading to a **loading space** shall not be used for the temporary parking or storage of 1 or more **motor vehicles**.
- d) No minimum loading requirements for existing **buildings** on the lands as of the date of the passing of this By-law.

14.31 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands identified as Blocks 332 , 333, 334, and 335 on Plan 65M-4723 and **zoned** NT1 as denoted on Schedule "A":

- (1) Frontage on a public **street** shall not be applicable and the easterly **lot line** that abuts lands identified as Block 391 on Plan 65M-4723 shall be the **front lot line**.

14.32 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 11289 Bayview Avenue and **zoned** NS2 and NT1 as denoted on Schedule "A":

- (1) No permanent **building** or **structure**, except for **accessory structures** and **decks**, shall be located within 7.0 metres from the TransCanada Pipelines right-of-way. **Accessory structures** and **decks** shall have a minimum **setback** of 3.0 metres from the TransCanada Pipelines right-of-way.
- (2) Below grade **swimming pools** shall not be permitted.

14.33 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 11289 Bayview Avenue and **zoned** I2 as denoted on Schedule "A":

- (1) Permitted uses shall only include:
 - a) **child care centre**;
 - b) **place of worship**;
 - c) private park;
 - d) **private school**;
 - e) **social services**; and,
 - f) recreational uses.
- (2) The minimum required **front yard setback** shall be 3 metres.
- (3) No permanent **building** or **structure**, except for **accessory structures** and **decks**, shall be located within 7.0 metres from the TransCanada Pipelines right-of-way. **Accessory structures** and **decks** shall have a minimum **setback** of 3.0 metres from the TransCanada Pipelines right-of-way.

14.34 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 181 and 187 Elgin Mills Road West and **zoned** NMU as denoted on Schedule "A":

- (1) Notwithstanding Table 3.4A, a bay window is permitted to encroach into a minimum required setback at the front and rear of the **building** to a distance of 1 metre over a maximum width of 4.1 metres.
- (2) Notwithstanding Section 3.15(e), a guard up to the height of 1.1 metres above the floor level is permitted.
- (3) Notwithstanding Section 3.15(f), stairs used to access a **deck, porch or entry element**:
 - a) shall be setback at least 1.5m from a **lane**; and,
 - b) may encroach up to 3 metres into the minimum required setback at the rear of the **building**.
- (4) Notwithstanding Table 5.2A, the maximum **building height** of a **block residential dwelling-development** shall be 12 metres.
- (5) Table 5.2B Special Provision (12) shall not apply.
- (6) Notwithstanding Table 5.2B Special Provision 18(b), where a **building** fronts onto a lane, the following setbacks shall be provided to the **lane**:
 - a) 2.6 metres for a **building** that abuts the backs onto the west **side lot line**;
 - b) 2.25 metres for a **building** that abuts the backs onto the east **side lot line**; and,
 - c) 2.85 metres for a **building** that abuts the backs onto the **rear lot line**.
- (7) Notwithstanding Table 5.2B Special Provision 18(f), where a **building** permitted under a **block residential dwelling-development** fronts onto a **street** or a **lane**, a minimum of 5 metres shall be provided at the rear of the **building**.
- (8) Notwithstanding Table 10.3C, the minimum required number of visitor automobile **parking space** for **block residential dwelling-development** shall be 0.18 spaces per dwelling unit.
- (9) Table 10.4C Note (2) shall not apply.

[118-25]

14.35 Notwithstanding any inconsistent or conflicting provisions of this By-law, the following shall apply to the lands located at 99 Lucas Street and **zoned** NS1 as denoted on Schedule "A":

- (1) Notwithstanding Table 5.2A and Table 5.2B Special Provision 12, a minimum **front yard setback** of 6 metres shall be provided.

[131-25]

14.36 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands identified as Lot 24 and Part of Lot 25, Plan 355 (municipally known as 599 Sunset Beach Road) and **zoned** N2 as denoted on Schedule "A":

- (1) Notwithstanding Table 5.2A and Table 5.2B Special Provision 12, a minimum **front yard** setback of 20 metres shall be provided.

[141-25]

- 14.37 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands located at 112 Elgin Mills Road West and **zoned** NMU as denoted on Schedule "A":
- (1) For the purpose of this By-law, the lands shown on Schedule "A" shall be deemed to be one lot.
 - (2) For the purpose of Table 5.2B Special Provision 18 of this By-law, setback shall be deemed as the distance between the **street** and/or **lane** to the **main buildings**.
 - (3) Notwithstanding Table 3.4A, bay windows up to 3.7 metres in width are permitted to encroach 1 metre into the minimum required **yards**.
 - (4) Notwithstanding Table 3.4A, exterior steps including any associated landings shall be permitted to encroach up to the property line into the required **flankage yard**.
 - (5) Notwithstanding Section 3.14(2), the minimum interior width of a double car **attached garage** shall be 5.4 metres.
 - (6) Notwithstanding Table 5.2A:
 - a) the minimum required **flankage yard setback** shall be 2.5 metres;
 - b) the minimum required **rear yard setback** shall be 1.5 metres; and,
 - c) the maximum **building height** of a **block residential dwelling development** shall be 12.5 metres.
 - (7) Table 5.2B Special Provision 18(a) shall not apply.
 - (8) Notwithstanding Table 5.2B Special Provision 18(b) and any other provision contrary to this By-law, where a **building** permitted under a **block residential dwelling development** fronts onto Dickson Street, a minimum distance of 2.5 metres shall be provided from the front **main wall** of the **building** to the fronted **street**.
 - (9) Notwithstanding Table 5.2B Special Provision 18(d), a minimum distance of 1.5 metres shall be provided from the intersection of the exterior side wall and the exterior front or rear wall of a **main building** to the curved portion of a **lane**.
 - (10) Notwithstanding Table 5.2B Special Provision 18(f), where a **building** permitted under a **block residential dwelling development** fronts onto a **street** or a **lane**:
 - a) a minimum distance of 5 metres shall be provided from the rear **main wall** of the **building** to the interior lot line where the rear **main wall** faces the interior lot line;
 - b) where the **building** fronts onto Elgin Mills Road West also backs onto a **lane**; a minimum of 2.5 metres shall be provided from the rear **main wall** of the **building** to the **lane**; and,
 - c) where the **building** fronts onto Dickson Street also backs onto a **lane**; a minimum of 1 metre shall be provided from the rear **main wall** of the **building** to the **lane**.
 - (11) Notwithstanding Table 10.3C, the maximum required number of visitor automobile **parking space** for **block residential dwelling development** shall be 0.25 spaces per **dwelling unit**.
 - (12) Sections 10.9 and 10.12 shall not apply.

[17-26]

14.38 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to lands identified as Concession 2, Part of Lot 31 (municipally known as 11580 Leslie Street) and **zoned** NT2 as denoted on Schedule "A":

- (1) For the purposes of this By-law, the lands shown on Schedule "A" shall be deemed to be one lot.
- (2) For the purpose of Table 5.2B Special Provision 18 of this By-law, setback shall be deemed as the distance between the street and/or lane to the main building.
- (3) Notwithstanding Table 5.2A, the minimum required **rear yard setback** shall be 3 metres.
- (4) Table 5.2B Special Provision 18(a) shall not apply.
- (5) Notwithstanding Table 5.2B Special Provision 18(f), where a **building** permitted under a **block residential dwelling development** fronts onto a **street** or a **lane** and backs onto a **lane**, a minimum of 3 metres shall be provided from the **main wall** of the **building** to the **lane**.
- (6) Notwithstanding Table 5.2B Special Provision 18(d), a minimum distance of 2.5 metres shall be provided from the intersection of the exterior side wall and the exterior front or rear wall of a **main building** to the curved portion of a **lane**.
- (7) Table 10.4C Special Provision 2 shall not apply.
- (8) Sections 10.12 and 10.6.2 shall not apply

[12-26]

14.39 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands located at 1430 Major Mackenzie Drive East and **zoned** NMU as denoted on Schedule "A":

- (1) No more than 205 square metres of **outdoor storage** of goods, material, machinery or equipment shall be permitted.

[15-26]

14.40 [Intentionally Left Blank]

14.41 [Intentionally Left Blank]

14.42 [Intentionally Left Blank]

14.43 [Intentionally Left Blank]

14.44 [Intentionally Left Blank]

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14.50 [Intentionally Left Blank]

14.51 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands identified as Parts 3 to 9, 11 to 18, and 26 to 28 of Plan 65R-41006, Parts of Lot 7 to 10, registered **Plan of Subdivision** 484, Concession 1, W.Y.S. **zoned** NT2 as denoted on Schedule "A":

(1) Only **semi-detached dwellings** are permitted under a **block residential development**.

14.52 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands identified as Parts 1, 2, 174 and 175 of Plan 65R-39514, Parts of Block 1, registered **Plan of Subdivision** 65M-4628, Concession 1, E.Y.S. (municipally known as 1 Credit Lane and 5 Glen Meadow Lane) and **zoned** NT2 as denoted on Schedule "A":

(1) Only **detached dwellings** are permitted under a **block residential development**.

14.53 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands identified as Blocks 1 to 3 of registered **Plan of Subdivision** 65M-4372, Concession 1, E.Y.S. and **zoned** NT2 as denoted on Schedule "A":

(1) Only **detached dwellings** are permitted under a **block residential development**.

14.54 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands identified as Parts 1 to 12 of Plan 65R-35588, Parts of Lot 13, Concession 2, Markham (municipally known as 22, 24, 26 and 28 Briggs Avenue) and **zoned** NT2 as denoted on Schedule "A":

(1) Only **detached dwellings** are permitted under a **block residential development**.

14.55 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands identified as Part Parts 28, 38 and 39, and Parts 40, 41 and 51 of Plan 65R-26621, Parts of Lots 36 and 37, Concession 1, E.Y.S. (municipally known as 5 Red Maple Road) and **zoned** UC as denoted on Schedule "A":

(1) Notwithstanding Table 10.1 A to the contrary, **commercial** uses shall be permitted.

(2) Notwithstanding Table 10.2 A, **commercial** uses except for **automobile service stations** shall be subject to development standards for BC2 zone with the exception of minimum required **front yard, side yard, flankage yard and rear yard setbacks**.

(3) Notwithstanding Table 10.2A and other provisions to the contrary in any other section of this By-law, any **building or structure** within any **zone** abutting lands, **rights-of-way, buildings or structures** used for the **hydroelectricity transmission and storage facilities** shall have a minimum **setback** of 6 metres.

14.56 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands identified as Block 285 of registered **Plan of Subdivision** 65M-4571 (municipally known as 0 John Birchall Road) and **zoned** NLC as denoted on Schedule "A":

(1) Notwithstanding Table 5.1A, only **detached dwelling** shall be permitted.

(2) Notwithstanding Table 5.1B Special Provision 8, a **drive-through facility** shall be permitted.

14.57 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands identified as Block 68 of registered **Plan of Subdivision 65M-4696** (municipally known as 0 Longworth Avenue) and **zoned NLC** as denoted on Schedule "A":

(1) Notwithstanding Table 5.1A to the contrary, only **non-residential** uses are permitted.

(2) Notwithstanding Table 5.2A to the contrary, the maximum building height shall be **2 storeys** and 7.5 metres.

14.58 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands generally north of Lake Wilcox **zoned N2** as denoted on Schedule "A":

(1) Lake Wilcox Special Policy Area shall be deemed to be an area that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development, with the criteria and procedures for approval established by the Government of Ontario.

(2) Notwithstanding Section 3.18, no **additional residential units** are permitted.

(3) Notwithstanding Table 5.1A, only **detached dwelling** is permitted.

(4) Notwithstanding Table 5.2A, the **lot area** and **lot frontage** required is as existing on the day before the day By-law ##-## is passed by Council.

(5) The minimum elevation of any window, door or other exterior openings to a new, or expansion to an existing building or structure located within the Lake Wilcox Special Policy Area shall be the Regulatory Storm Flood elevation; however, in no case shall the minimum elevation be less than the 1:350 storm elevation, as approved by the Toronto and Region Conservation Authority.

14.59 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands generally north of Lake Wilcox **zoned N3** as denoted on Schedule "A":

(1) Lake Wilcox Special Policy Area shall be deemed to be an area that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development, with the criteria and procedures for approval established by the Government of Ontario.

(2) Notwithstanding Section 3.18, no **additional residential units** are permitted.

(3) Notwithstanding Table 5.1A, only **detached dwelling** is permitted.

(4) Notwithstanding Table 5.2A, the **lot area** and **lot frontage** required is as existing on the day before the day By-law #-## is passed by Council.

(5) The minimum elevation of any window, door or other exterior openings to a new, or expansion to an existing building or structure located within the Lake Wilcox Special Policy Area shall be the Regulatory Storm Flood elevation; however, in no case shall the minimum elevation be less than the 1:350 storm elevation, as approved by the Toronto and Region Conservation Authority.

14.60 Notwithstanding any inconsistent or conflicting provisions of By-law 93-25, as amended, the following shall apply to the lands generally north of Lake Wilcox **zoned** GNC as denoted on Schedule "A":

(1) Lake Wilcox Special Policy Area shall be deemed to be an area that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development, with the criteria and procedures for approval established by the Government of Ontario.

(2) The minimum elevation of any window, door or other exterior openings to a new, or expansion to an existing building or structure located within the Lake Wilcox Special Policy Area shall be the Regulatory Storm Flood elevation; however, in no case shall the minimum elevation be less than the 1:350 storm elevation, as approved by the Toronto and Region Conservation Authority.

Section 1415.0 Amendments to this By-law

Amending By-law	By-law Adoption Date	CZBL Exception #	Zone	Affected Properties	Explanatory Note Description	OPA File #	ZBA File #
105-25	10/29/25	/	N2, N3, N4	35, 37, 39 and 41 Edgar Avenue; 20 Scott Drive	Facilitate the creation of 9 single detached lots and the extension of Clinton Drive.	/	ZBLA-24-0009
118-25	11/26/25	13.34	NMU	181, 187 Elgin Mills Road West	Facilitate 16 townhouse dwellings.	/	D02-20013
131-25	12/10/25	13.35	NS1	99 Lucas Street	Facilitate a lot severance and the development of two semi-detached dwellings.	/	ZBLA-24-0014
141-25	12/10/25	13.36	N2, GNL	599 Sunset Beach Road	Facilitate a lot severance and the development of two detached dwellings with environmental buffers.	/	D02-22010
17-26	2/11/26	13.37	NMU	112 Elgin Mills Road West	Facilitate the construction of a residential townhouse development consisting of 15 townhouse units, located within three blocks, and fronting onto a private road on the subject lands.	/	ZBLA-24-0017
12-26	2/25/26	13.38	NT2	11580 Leslie Street	Expand the area subject to By-law 93-25 and facilitate a residential development comprised of 19 block residential townhouse units on the subject lands.	/	D02-18006
15-26	3/11/26	13.39	NMU	1430 Major Mackenzie Drive East	Permit outdoor storage on the subject lands.	/	ZBLA-25-0008

~~Passed this 24th day of September, 2025.~~

~~_____~~

~~David West~~

~~Mayor~~

~~_____~~

~~Stephen M.A. Huycke~~

~~City Clerk~~