



Staff Report for Committee of the Whole Meeting

Date of Meeting: June 5, 2018
Report Number: SRPRS.18.126

Department: Planning and Regulatory Services
Division: Development Planning

Subject: SRPRS.18.126 – Request for Approval – Zoning
By-law Amendment Application – Honglu Lin –
Town File D02-17030

Owner:

Honglu Lin
30 Glenarden Crescent
Richmond Hill, Ontario
L4B 2G6

Agent:

Evans Planning Inc.
8481 Keele Street, Unit 12
Vaughan, Ontario
L4K 1Z7

Location:

Legal Description: Lot 15, Plan 203 and the east part of Leonard Avenue
Municipal Address: 49 Sunset Beach Road

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the creation of one (1) additional building lot on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment application submitted by Honglu Lin for the lands known as Lot 15, Plan 203 and the east part of Leonard Avenue (Municipal Address: 49 Sunset Beach Road), Town File D02-17030, be approved, subject to the following:
 - (i) That the lands be rezoned from Residential Third Density (R3) Zone under By-law 1703, as amended, to Single Detached Six (R6) Zone

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under By-law 313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.126; and,

- (ii) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

Contact Person:

Simone Fiore, Planner I – Subdivisions, phone number 905-771-2479 and/or
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

Report Approval:

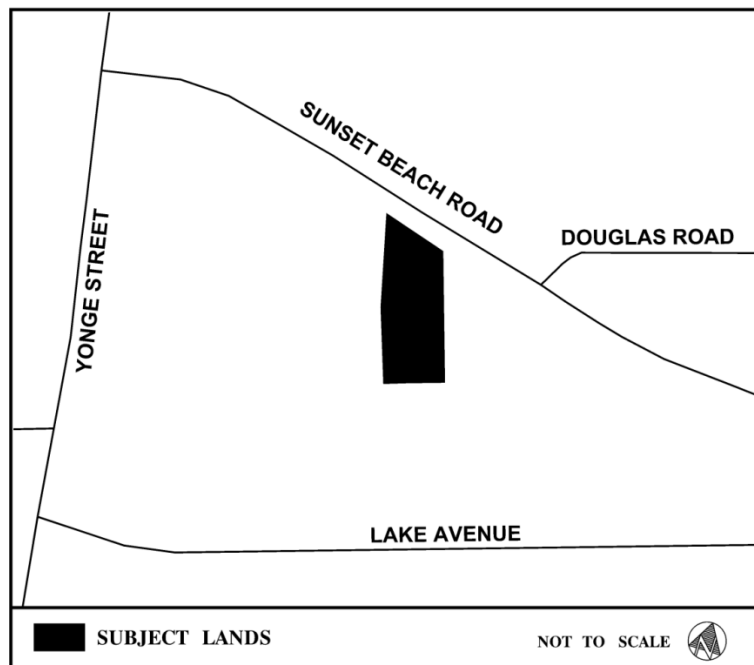
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact Person” above.



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Background:

The subject Zoning By-law Amendment application was presented at a statutory Council Public Meeting on January 24, 2018 wherein Council received Staff Report SRPRS.18.007 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix A). Concerns were raised by Council and members of the public with respect to the applicant's development such as the compatibility of the proposed lot sizes, potential impacts to trees on the subject lands and adjacent properties, and drainage. These matters are addressed in greater detail in the later sections of this report.

All comments from internal departments and external agencies pertaining to the subject proposal have been satisfactorily addressed by the applicant. In this regard, the purpose of this report is to seek Council's approval of the applicant's Zoning By-law Amendment application.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Sunset Beach Road, east of Yonge Street and have a total lot area of 0.153 hectares (0.38 acres). The lands currently support a single detached dwelling which is proposed to be demolished as part of the applicant's development proposal. The lands abut low density residential uses to the east and south, a retirement residence to the west, and Sunset Beach Road to the north (refer to Maps 1 and 2).

Development Proposal

The applicant is seeking Council's approval to rezone the subject lands from **Residential Third Density (R3) Zone** under By-law 1703, as amended, to **Single Detached Six (R6) Zone** under By-law 313-96, as amended, with site specific provisions to facilitate the creation of one (1) additional building lot on its land holdings. The proposed lots are intended to accommodate two (2) new single detached dwellings (refer to Maps 5 and 6).

The applicant submitted a revised development proposal to the Town in February 2018 in response to comments received from Town staff and Council arising from the initial submission of September 2017. The following is a summary table outlining the pertinent statistics of the applicant's revised development proposal based on the plans and drawings submitted to the Town:

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- **Total Lot Area: 0.153 hectares (0.38 acres)**
- **Lot 1**
 - **Lot Frontage: 13.82 metres (45.34 feet)**
 - **Lot Area: 816.58 square metres (8,821.89 square feet)**
 - **Gross Floor Area: 418.81 square metres (4,508.03 square feet)**
 - **Lot Coverage: 25.59%**
- **Lot 2**
 - **Lot Frontage: 13.54 metres (44.42 feet)**
 - **Lot Area: 679.27 square metres (7,311.60 square feet)**
 - **Gross Floor Area: 375.7 square metres (4,044 square feet)**
 - **Lot Coverage: 28.88%**

Planning Analysis:

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (the “Plan”) (refer to Map 3). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”).

Uses permitted within the **Neighbourhood** designation include primarily low-density residential uses, medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. Single detached dwellings as proposed by the subject application are permitted within the **Neighbourhood** designation.

Additionally, in accordance with Section 4.9.2 of the Plan, development shall be compatible with the character of the adjacent and surrounding areas with respect to the predominant building forms and types, massing, general patterns of streets, blocks, and lots, landscaped areas and treatments, and the general pattern of yard setbacks. Staff has evaluated the applicant’s development proposal in relation to the design and compatibility policies of the Plan and is satisfied that the proposal has regard for, and is compatible with, the adjacent area. The proposed lot frontages of 13.82 metres (45.34 feet) and 13.54 metres (44.42 feet) combined with large lot areas of 816.58 square metres (8,821.89 square feet) and 679.27 square metres (7,311.6 square feet) provide for a form of development that will be compatible with the surrounding properties and the character of Sunset Beach Road and Douglas Road, which have varied lot frontages and land uses (i.e. the existing six storey retirement residence immediately to the west of the subject lands, the approved three storey townhouse dwellings north of the subject lands along Sunset Beach Road, and the existing townhouse dwellings southeast of the subject lands along Lake Avenue). Staff is of the opinion that the proposed single detached dwellings are compatible with the predominant building form and type of development in the area.

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The subject lands are also located within the **Settlement Area** of the ORMCP. In accordance with Section 3.2.1.1 (18) of the Plan, all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**.

Given all of the above, Planning staff is of the opinion that the subject Zoning By-law Amendment application conforms to the Plan and ORMCP.

Proposed Zoning By-law Amendment

The subject lands are zoned **Residential Third Density (R3) Zone** under By-law 1703, as amended (refer to Map 3). This zone category permits a single detached dwelling among other uses. The development as proposed does not comply with the majority of the development standards of the **R3 Zone** category. As such, the applicant is seeking Council's approval to rezone the subject lands to **Single Detached Six (R6) Zone** under Zoning By-law 313-96, as amended.

The following table provides a comparison between the development standards of the **R3 Zone** under By-law 1703, as amended, the development standards within the **R6 Zone** under By-law 313-96, as amended, and the applicant's proposed development standards:

Statistic	R3 Zone Standards, By-law 1703, as amended	R6 Zone Standards, By-law 313-96, as amended	Proposed Development
Minimum Lot Area	929.03 square metres (10,000 square feet)	500 square metres (5,381.96 square feet)	816.58 square metres (8,821.89 square feet) (Lot 1) 679.27 square metres (7,311.60 square feet) (Lot 2)
Minimum Lot Frontage	22.86 metres (75 feet)	15 metres (49.21 feet)	13.82 metres (45.34 feet) (Lot 1) 13.54 metres (44.42 feet) (Lot 2)
Minimum Front Yard	17.68 metres (58 feet) from centerline of street	4.50 metres (14.76 feet)	10.22 metres (33.53 feet)
Minimum Side Yard	3.0 metres (10 feet)	1.5 metres (4.92 feet)	1.5 metres (4.92 feet)
Minimum Rear Yard	4.58 metres (15 feet)	7.5 metres (24.61 feet)	27.9 metres (91.55 feet) (Lot 1) 20.78 metres (68.18 feet) (Lot 2)
Maximum Lot Coverage	20%	40%	25.59% (Lot 1) 28.88% (Lot 2)

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Staff has undertaken a comprehensive review of the proposed Zoning By-law Amendment, including the requested site specific provisions and considers them to be appropriate in light of the existing physical context of the subject lands and surrounding area.

Future Site Plan Applications

The area which the subject lands are located is subject to Site Plan control. As such, the applicant will be required to submit Site Plan applications to facilitate the construction of the proposed single detached dwellings. In this regard, the future Site Plan applications will inform and address detailed site design matters, including, but not limited to:

- streetscaping, landscaping, and tree preservation and/or restoration;
- architectural design and compatibility, building height, and building setbacks; and,
- site servicing, grading, and drainage.

Public Meeting Comments:

As noted previously, concerns regarding the subject proposal were raised by Council and the public at the Council Public Meeting held on January 24, 2018. Specifically, concerns were related to compatibility and possible impacts on tree preservation and drainage.

The size of the proposed lots and compatibility with the existing neighbourhood

Residents raised concern that the proposed lot frontages were too small and thus incompatible with those in the surrounding neighbourhood. As noted in the preceding section, staff has evaluated the applicant's development proposal in relation to the design and compatibility policies of the Plan and is satisfied that the proposal has regard for and is compatible with the surrounding and adjacent area. As noted above, the lots provide for a form of development, namely single detached dwellings that will be compatible with the surrounding area. The depth of the proposed lots allows increased flexibility for locating a dwelling and minimizes any impacts of the reduced lot frontages from a streetscape perspective. The proposed dwellings will act as a transition to the adjacent six storey retirement residence immediately west of the lands (12925 Yonge Street) and the approved three storey townhouses to the north of the lands (18 to 26 Sunset Beach Road) (Town Files D02-17009 and D03-17003). Further, concern was raised by the public with respect to the proposed lots not meeting the lot frontage recommendations as indicated in the Douglas Road Infill Study ("Study"). Staff note that the subject lands are not within the Study area and therefore are not subject to the recommendations of the Study.

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The proposed removal of trees

Concern was raised with respect to the removal of mature, large trees as the result of the proposed development of the lands. A Tree Inventory/Preservation Plan and Arborist Report was submitted in conjunction with the subject Zoning By-law Amendment application and will be resubmitted through the Site Plan application process. It should be noted that five large caliper (> 20 centimetre caliper) trees are proposed to be removed, some of which may be located on the adjacent property to the south. It is staff's understanding that the property owner to the south has not given the applicant consent to remove these trees. Therefore, through the Site Plan application process, the applicant shall seek means to preserve these trees and/or redesign the proposed single detached dwelling units to ensure these trees are protected. Further, either on-site tree replanting and/or cash-in-lieu thereof will be required at the Site Plan application stage as compensation for any tree removals to the satisfaction of Park and Natural Heritage Planning staff.

The impact of the new dwellings on drainage and runoff

The submission and approval of Grading and Drainage Plans is required as part of the Site Plan approval process. The applicant will be required to demonstrate that drainage and storm water runoff can be appropriately handled on site to the satisfaction of Development Engineering staff.

Town Department and External Agency Comments:

Development Planning Division

Planning staff has reviewed the applicant's development proposal and is of the opinion that it has appropriate regard for and is consistent with the broader policy direction for this part of the Town as outlined in the Plan. On this basis, it is recommended that the subject Zoning By-law Amendment application be approved for the following reasons:

- the proposed land uses are permitted in the **Neighbourhood** designation;
- the development proposal conforms with the applicable development policies of the *Oak Ridges Moraine Conservation Plan*;
- the proposed site specific zoning provision related to the lot frontage is contextually appropriate and generally in keeping with the lot fabric, existing dwellings, and redevelopment in the area, and therefore constitutes proper and orderly planning; and,
- circulated Town departments and external agencies have no further concerns or comments regarding the subject Zoning By-law Amendment application.

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Other Department and External Agency Comments

The applicant's revised development proposal satisfactorily addresses the comments from Town departments and external agencies. Town departments and external agencies have no further comments or objections with respect to the application.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications.

Relationship to Strategic Plan:

The applicant's development proposal aligns with **Goal Two - Better Choice in Richmond Hill** by providing housing that offers options for people at all stages of life, in addition to **Goal Four - Wise Management of Resources in Richmond Hill** by designing energy efficient dwellings and using land responsibly.

Conclusion:

The applicant is seeking Council's approval of its proposal to facilitate the creation of one (1) additional building lot on the subject lands. Staff is of the opinion that the submitted Zoning By-law Amendment application conforms with the Town's Official Plan, is appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application as outlined and described in this report.

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Appendix Contents and Maps:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, Council Public Meeting Extract C#01-18 held January 24, 2018
- Appendix B, Draft Zoning By-law 56-18
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Official Plan Designation
- Map 4 Existing Zoning
- Map 5 Proposed Site Plan
- Map 6 Proposed Elevation Plans

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Report Approval Details

Document Title:	SRPRS.18.126 - Request for Approval - Zoning By-law Amendment - 49 Sunset Beach Road.docx
Attachments:	<ul style="list-style-type: none">- Appendix A, CPM Extract.pdf- Appendix B, Draft Zoning By-law.pdf- Appendix B, Schedule A.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217030A.pdf- MAP_3_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_4_EXISTING_ZONING.pdf- MAP_5_PROPOSED_SITE_PLAN.pdf- MAP_6_PROPOSED_ELEVATION_PLANS.pdf
Final Approval Date:	May 23, 2018

This report and all of its attachments were approved and signed as outlined below:

Gus Galanis - May 22, 2018 - 4:19 PM

Kelvin Kwan - May 23, 2018 - 7:23 AM

Neil Garbe - May 23, 2018 - 10:50 AM