



Staff Report for Committee of the Whole Meeting

Date of Meeting: June 5, 2018
Report Number: SRPRS.18.127

Department: Planning and Regulatory Services
Division: Development Planning

Subject: SRPRS.18.127 – Request for Approval – Zoning
By-law Amendment Application – Jun Ping –
Town File D02-17032

Owner:

Jun Ping
70 Claver Avenue
Toronto, Ontario
M6B 2W2

Agent:

JKO Planning Services Inc.
27 Fieldflower Crescent
Richmond Hill, Ontario
L4E 5E9

Location:

Legal Description: Lots 35 and 36, Plan 133
Municipal Address: 13157 Bathurst Street

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the construction of a two-storey single detached dwelling on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment application submitted by Jun Ping for the lands known as Lots 35 and 36, Plan 133 (Municipal Address: 13157 Bathurst Street), Town File D02-17032, be approved, subject to the following:
 - (i) That the lands be rezoned from the provisions of the former Township of King By-law 986, as amended, to Single Detached Five (R5) Zone under By-law 313-96, as amended, with site specific development standards as outlined in Staff Report SRPRS.18.127; and,

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- (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:

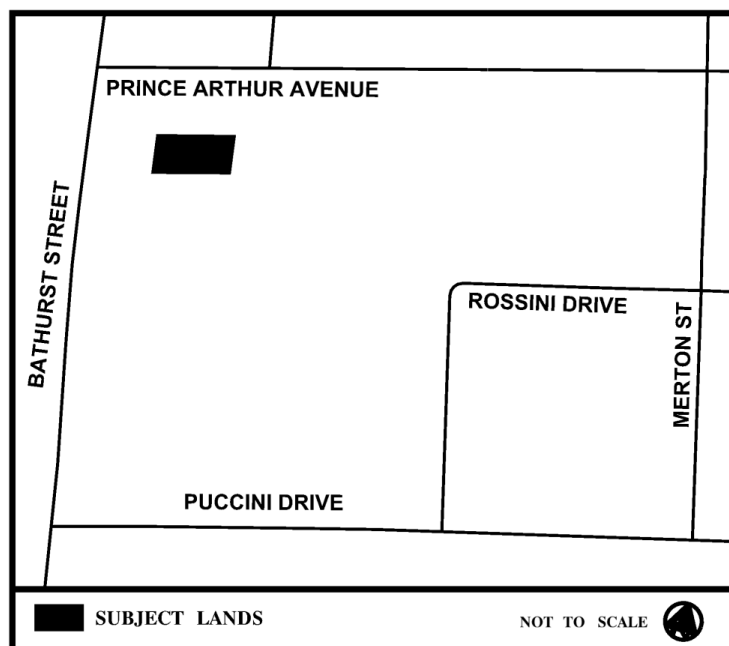
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 February 7, 2018 wherein Council received Staff Report SRPRS.18.017 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). A concern was raised pertaining to the proposed rear yard setback which is addressed in a later section of this report.

All comments from internal departments and external agencies pertaining to the subject proposal have been satisfactorily addressed by the applicant. Accordingly, 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 east side of Bathurst Street, south of Prince Arthur Avenue, and have a total lot area of 0.046 hectares (0.11 acres). The lands form an existing building lot and support a one-storey single detached dwelling that is proposed to be demolished. The lands abut existing low density residential uses to the north and east, medium density residential uses to the south and Bathurst Street to the west (refer to Maps 1 and 2).

Revised Development Proposal

The applicant is seeking Council’s approval to remove the subject lands from the provisions of the former Township of King By-law 986 and rezone them to **Single Detached Five (R5) Zone** under By-law 313-96, as amended, with site specific development standards to facilitate the construction of a two-storey single detached dwelling on its land holdings (refer to Map 5).

The applicant submitted a revised development proposal to the Town in April 2018 in response to comments received from Town staff and Council arising from their initial submission of September 2017. The revised proposal incorporates an increased rear yard setback from 2.89 metres (9.48 feet) to 6.04 metres (19.82 feet) to create better compatibility with adjacent properties and rear yard amenity space. 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:

- **Existing Lot Area: 461.23 square metres (4,964.64 square feet)**
- **Proposed Lot Area (after road widening): 414.68 square metres (4,463.55 square feet)**
- **Lot Frontage: 15.24 metres (50 feet)**
- **Total Gross Floor Area: 316.71 square metres (3,409.04 square feet)**
- **Lot Coverage (after road widening): 45.8%**
- **Building Height: 8.21 metres (26.94 feet)**

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Planning Analysis:

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

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, Section 4.9.2.4 of the Plan states that development shall be compatible with the existing character of the adjacent and surrounding area. Staff is of the opinion that the proposed single detached dwelling is compatible with the predominant building form and type of development in the area which is predominantly single detached dwellings.

The subject lands are located within the **Settlement Area** of the Oak Ridges Moraine as defined in accordance with the ORMCP. In accordance with Section 3.2.1.1 (18) of the Town’s Official 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 **Neighbourhood** policies of the Plan.

Hughey West Infill Study

As indicated above, the subject lands are located within the Hughey West Infill Study area (“Study”) that was approved by Council in 2007. This Study applies to the area bounded by Bathurst Street to the west, Prince Arthur Avenue to the south, Verdi Road to the east and the valley and conservation lands of the East Humber River to the north and east. The Study was prepared as an update to the Bathurst Street Neighbourhood Infill Study (“Bathurst Study”) approved by Council in 1998. The primary objectives of the Study were to build upon the recommendations of the Bathurst Study, while providing more comprehensive direction for the future development of the neighbourhood, including a more connected and functional street network and opportunities for a variety of residential forms of development. In addition to guiding the general pattern of infill development within the neighbourhood, the Study contains Urban Design Guidelines that provide direction for the architectural design and treatment of dwellings.

Among the recommendations of the Study is the closure of Bathurst Street accesses for a number of alternate streets, including Prince Arthur Avenue, Laurier Avenue, and Lowther Avenue (“interior streets”). Portage Avenue and Madison Avenue are to remain open as “entrance” streets and in addition to the extension of Verdi Road to Bathurst Street, are to facilitate permanent access into the neighbourhood. As noted above, the subject lands are bounded by Prince Arthur Avenue to the north and Bathurst Street to the west. Further, the recommendations of the Study provide design guidelines for lots

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fronting onto primary streets such as Bathurst Street. The recommendations speak to articulated elevations and dwellings that enhance and create an active streetscape.

Staff are satisfied that the proposed single detached dwelling conforms to the Hughey West Infill Study guidelines.

Proposed Zoning By-law Amendment

The subject lands are subject to the provisions of former Township of King By-law 986, as amended, which contains general land use provisions with no site specific zoning categories (refer to Map 4). In this regard, the applicant is seeking Council's approval to rezone the subject lands to **Single Detached Five (R5) Zone** under By-law 313-96, as amended, with site specific provisions. The following table outlines the proposed **R5 Zone** standards relative to the standards requested by the applicant with site specific provisions depicted in bold:

Development Standards	R5 Zone Standards, By-law 313-96, as amended	Proposed Development
Minimum Lot Area (Interior)	450 square metres (4,843.76 square feet)	414.68 square metres (4,463.72 square feet)*
Minimum Lot Frontage (Interior)	13.5 metres (44.29 feet)	Complies – 15.24 metres (50 feet)
Minimum Front Yard Setback	4.5 metres (14.76 feet)	Complies – 4.83 metres (15.85 feet)*
Minimum Interior Side Yard Setback	1.5 metres (4.92 feet)	1.21 metres (3.97 feet)
Minimum Rear Yard Setback	7.5 metres (24.61 feet)	6.04 metres (19.82 feet)*
Maximum Building Height	11 metres (36.09 feet)	Complies – 8.21 metres (26.94 feet)
Maximum Lot Coverage	40%	45.8%

*for purposes of demonstrating conformity with the **R5 Zone**, the proposed development standard is calculated/measured based on the lot after the road widening conveyance to the Regional Municipality of York.

In addition to the site specific provisions noted above, staff recommend that an increased front yard setback of 8 metres (26.25 feet) be implemented into the By-law to ensure appropriate siting of the proposed dwelling from the original property line, not the future property line created through the road widening along Bathurst Street. It is noted that at such time the road widening is taken along this portion of Bathurst Street, the proposed development will meet the required 4.5 metres (14.76 feet) front yard setback as demonstrated in the table above.

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Further, the applicant is seeking approval to increase the permitted deck encroachment to allow for the proposed rear deck to encroach 3 metres (9.84 feet) into the minimum required rear yard whereas 2 metres (6.56 feet) is currently allowed. Staff consider this encroachment to be minor and therefore appropriate. Adequate amenity area can still be provided on the subject property and the proposed encroachment will not adversely impact the neighbouring properties.

Based on the foregoing, 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 based on the existing physical context of the subject lands and surrounding area.

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 proposal conforms to the **Neighbourhood** policies of the Plan and the **Settlement Area** policies of the ORMCP;
- the proposed development is consistent with development standards applied to other newer single detached homes constructed in the immediate area. In this regard, properties located within the Hughey West Infill Study area have also been rezoned under By-law 313-96, as amended;
- the applicant has revised its development proposal to accommodate for an increased rear yard setback to improve compatibility with adjacent properties and rear yard amenity space;
- as noted in the Hughey West Infill Study, Prince Arthur Avenue is considered an 'interior street' and is intended to be closed at Bathurst Street in the future. Through approval of Town File D03-08002, a crescent at Samba Street and Prince Arthur Avenue was contemplated. As a result, there is no impact on the subject lands; and,
- circulated Town departments and external agencies have no further concerns or comments regarding the subject Zoning By-law Amendment application.

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.

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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 an energy efficient dwelling and using land responsibly.

Conclusion:

The applicant is seeking Council's approval of its proposal to facilitate the construction of a two-storey single detached dwelling on the subject lands. The submitted Zoning By-law Amendment application conforms with the Town's Official Plan, it is considered appropriate in the context of the surrounding neighbourhood and therefore is considered to represent 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#04-18 held February 7, 2018
- Appendix B, Draft Zoning By-law 57-18
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Official Plan Designation
- Map 4 Existing Zoning
- Map 5 Proposed Site Plan

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Report Approval Details

Document Title:	SRPRS.18.127 - Request for Approval - Zoning By-law Amendment - 13157 Bathurst Street.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- Appendix B, Schedule B.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217032A.pdf- MAP_3_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_4_EXISTING_ZONING_S217032A.pdf- MAP_5_PROPOSED_SITE_PLAN.pdf
Final Approval Date:	May 25, 2018

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

Gus Galanis - May 22, 2018 - 4:17 PM

Kelvin Kwan - May 23, 2018 - 7:21 AM

Neil Garbe - May 25, 2018 - 3:18 PM