



Staff Report for Committee of the Whole Meeting

Date of Meeting: July 3, 2018

Report Number: SRPRS.18.164

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.18.164 - Request for Approval – Zoning By-law Amendment Application – Neuhaus Developments Ltd. - Town File D02-17013**

Owner:

Neuhaus Developments Ltd.
220 King Road
Richmond Hill, Ontario
L4E 2W1

Agent:

Weston Consulting
201 Millway Avenue, Suite 19
Vaughan, Ontario
L4K 5K8

Location:

Legal Description: Part of Lots 86 and 87, Plan 1931
Municipal Addresses: 343, 349 and 355 Elgin Mills Road West

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the creation of six (6) single detached lots on the subject lands.

Recommendation(s):

- a) That the Zoning By-law Amendment application submitted by Neuhaus Developments Ltd. for lands known as Part of Lots 86 and 87, Plan 1931 (Municipal Addresses: 343, 349 and 355 Elgin Mills Road West), Town File D02-17013, be approved, subject to the following:
 - (i) that the subject lands be rezoned from Single Family Six (R6) Zone to Single Family Seven (R7) Zone, under By-law 2523, as amended; and,

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- (ii) that the amending Zoning By-law be brought forward to the July 9, 2018 Council meeting for consideration and enactment.

Contact Person:

Alison Long, Senior Planner – Site Plans, phone number 905-771-5563 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

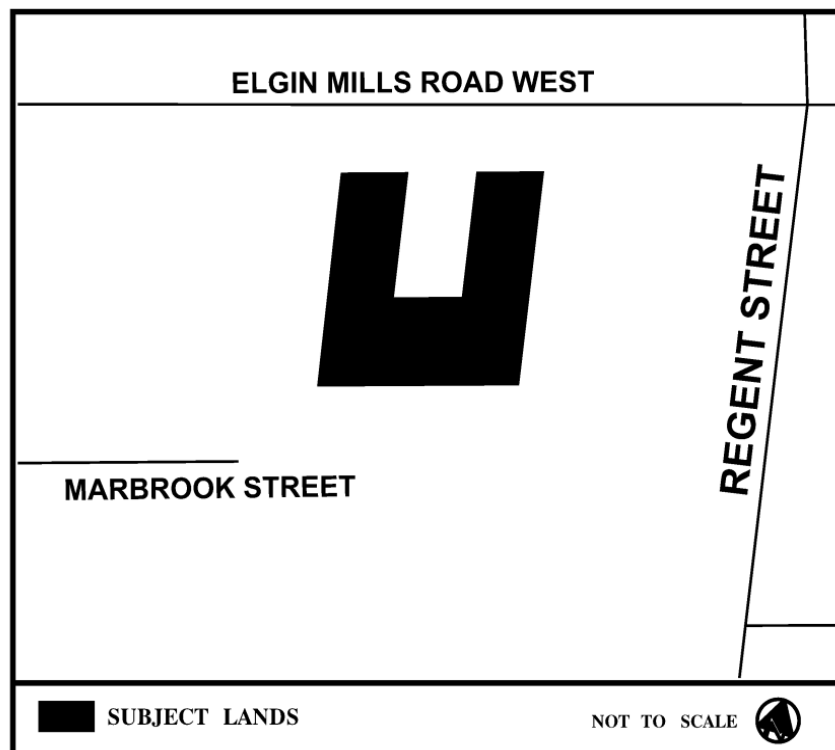
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 Information:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on October 18, 2017, wherein Council received Staff Report SRPRS.17.164 for information purposes and directed that all comments be referred back to staff for further consideration. The extract of this meeting is attached hereto as Appendix A.

At the statutory Public Meeting, inquiries were raised by members of the public with respect to the notice that was given to residents as not all attendees received notice of the meeting. In this regard, notification of the Council Public Meeting was carried out in accordance with the requirements of the *Planning Act*, being circulation to all landowners within 120 metres of the subject lands. Clarification was also requested by members of the public regarding the extension of Marbrook Street, with concerns expressed with respect to child safety, traffic increase, snow clearing operations, and monitoring of construction safety measures when development commences. These matters will be addressed in the later sections of this report.

Staff can advise that 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 to facilitate the creation of six single detached building lots on its land holdings.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Elgin Mills Road West, west of Regent Street, and are comprised of the entirety of 343 and 355 Elgin Mills Road West, in addition to the southern portion of 349 Elgin Mills Road West which was severed as part of an earlier Consent application (Town File D09-16028). The site has a total lot area of 0.28 hectares (0.69 acres), with frontage on Elgin Mills Road West and future frontage on Marbrook Street, by way of a future road extension which was approved under separate draft Plan of Subdivision and Zoning By-law Amendment applications (Town Files D02-15035 and D03-15011). Additional lands from the approved draft Plan of Subdivision immediately to the south will be added to the subject lands in order to form the proposed lots fronting Marbrook Street.

There are two existing single detached dwellings on the subject lands which would be demolished as part of this development proposal. The surrounding area is predominantly low-rise residential in nature (refer to Maps 1 and 2).

Development Proposal

The applicant submitted additional information to the Town in response to comments arising from the initial submission of May 24, 2017. Specifically, the applicant addressed

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comments from the Town's Development Engineering Division with respect to grading, the Town's Urban Design and Heritage Section with respect to architectural expression of the dwellings and the Town's Building Services – Zoning Section with respect to zoning compliance of the proposed lots. Additionally with respect to the concerns raised by the residents at the public meeting, staff can advise that the future road extension of Marbrook Street onto which four of the proposed lots would have frontage was approved under previous draft Plan of Subdivision and Zoning By-law Amendment applications (Town Files D02-15035 and D03-15011). Additional lands from the approved draft Plan of Subdivision immediately to the south will be added to the subject lands in order to form the lots fronting Marbrook Street. The subject development proposal would not facilitate the extension of Marbrook Street and staff is satisfied that the additional vehicular movements as a result of four additional lots, would not cause negative impacts on safety in the surrounding area.

The applicant is seeking Council's approval of its request to amend the Zoning By-law to facilitate the creation of six single detached lots on its land holdings (refer to Maps 5 and 6). Two of the lots would have frontage on Elgin Mills Road West, and the other four lots would have frontage on the approved future Marbrook Street extension. The following is a summary outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area:** 0.28 hectares (0.69 acres)
- **Number of Dwellings:** 6 single detached
- **Lot Frontages:** 12.2 metres (40.02 feet)
- **Building Height:** 2 storeys

Planning Analysis:

Town of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town of Richmond Hill's Official Plan (2010) (the "Plan") (refer to Map 4). Uses permitted within the **Neighbourhood** designation include primarily low and medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service uses, subject to specific policy criteria as defined in Chapter 4 of the Plan. The **Neighbourhood** designation policies also require development to be compatible with the character of the adjacent/surrounding area and have a maximum building height of three storeys.

The lands are located within a Priority Infill Area for low-density residential development, as identified in Policy 4.9.1.1 (c) of the Plan. The **Neighbourhood** designation allows for small-scale infill development that enhances and strengthens the character of the existing area and promotes connectivity and high-quality design. As required by Policy 4.9.1 (3) of the Plan, new infill development must be compatible with the character of the adjacent and surrounding area, in accordance with Policy 4.9.2.4 of the Plan. In

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particular, infill development must be compatible within the predominant building forms and types, massing, the general patterns of streets, blocks, lots and lanes, landscapes areas and treatments, and the general pattern of yard setbacks within an area.

The subject lands are also situated with the **Settlement Area** of the Oak Ridges Moraine, as defined in accordance with the *Oak Ridges Moraine Conservation Plan (ORMCP)*. In accordance with Section 3.2.1.1 (18) of the Plan, all uses, including the creation of new lots 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 with the **Neighbourhood** designation and the broader policy direction for this part of the Town as outlined in the Plan, as well as the **Settlement Area** policies of the *ORMCP*.

Proposed Zoning By-law Amendment:

The subject lands are currently zoned **Single Family Six (R6) Zone** under By-law 2523, as amended (refer to Map 3). This zone category permits single, low-rise detached residential dwellings. However, the development as proposed does not meet the majority of the development standards of the **R6 Zone** category. As such, the applicant has requested Council's approval to rezone the subject lands to **Single Family Seven (R7) Zone** under Zoning By-law 2523, as amended. The **R7 Zone** category was added to Zoning By-law 2523, as amended, in 2012 when the lands to the west were being developed and reflect modern development standards approved in new developments across the Town. The applicant is proposing to rezone their lands to the **R7 Zone** category in order to continue the pattern of development that has started in this area.

The following table provides a summary of the development standards applicable to the **R7 Zone** in comparison to the **R6 Zone** under Zoning By-law 2523, as amended. No site specific exceptions are required to facilitate the subject proposal.

Development Standard	R6 Zone Standard	R7 Zone Standard
Minimum Lot Frontage (Corner)	17.0 metres (55.8 feet)	14.2 metres (46.6 feet)
Minimum Lot Frontage (Interior)	15.0 metres (49.2 feet)	12.2 metres (40.02 feet)
Minimum Lot Area (Corner)	569.0 square metres (6124.7 square feet)	475.0 square metres (5113.0 square feet)
Minimum Lot Area (Interior)	502.00 square metres (5403.48 square feet)	408.00 square metres (4391.68 square feet)
Minimum Front Yard Setback	4.5 metres (14.76 feet)	4.5 metres (14.76 feet)

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Minimum Front Yard Setback – Private Garage (attached) or Detached Garage	6.0 metres (19.69 feet)	6.3 metres (20.7 feet)
Minimum Side Yard Setback	1.5 metres (4.92 feet)	1.2 metres (12.92 feet)
Minimum Flankage Side Yard Setback	3.0 metres (9.84 feet)	3.0 metres (9.84 feet)
Minimum setback to Daylighting Triangle	N/A	0.6 metres (1.97 feet)
Minimum Rear Yard Setback	7.5 metres (24.61 feet)	7.5 metres (24.61 feet)
Maximum Height	11.0 metres (36.09 feet)	11.0 metres (36.09 feet)
Maximum Lot Coverage	40%	45%
Encroachment of a Porch into the Required Front or Rear Yard	N/A	Within 2.0 metres (6.5 feet) of the Front Lot Line or Rear Lot Line
Maximum Encroachment of a Deck having a Height of 0.6 metres (2.0 feet) or greater into the Required Rear Yard	N/A	2.5 metres (8.2 feet)
Maximum Encroachment of a Deck having a Height of less than 0.6 metres (2.0 feet) into the Required Rear Yard	N/A	2.0 metres (6.5 feet) from the Rear Lot Line
Maximum Encroachment of stairwells being used to access a Deck or Porch	N/A	0.45 metres (1.47 feet) from any Lot Line

Planning staff has undertaken a comprehensive analysis of the applicant's development proposal and is satisfied that the proposed **R7 Zone** category is appropriate to facilitate the applicant's development proposal. On the basis of the preceding, it is recommended that the subject Zoning By-law Amendment application be approved.

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Town Department and External Agency Comments:

Development Planning Division

Planning staff has reviewed and evaluated the applicant's development proposal and is recommending approval of its Zoning By-law Amendment application for the following reasons:

- the proposal conforms with the policies of the **Neighbourhood** designation of the Plan and the **Settlement Area** designation of the *ORMCP*;
- the proposed **R7 Zone** category is appropriate as the single detached dwelling lots are compatible with the predominant building form and type of development in the area. Furthermore, Council has approved comparable development standards in adjacent approved Plans of Subdivision;
- the applicant has appropriately addressed the comments raised at the October 18, 2017 Council Public Meeting; and,
- circulated Town departments and external agencies have no further concerns or comments regarding the subject Zoning By-law Amendment application.

Given the above, staff is of the opinion that the applicant's Zoning By-law Amendment request is considered appropriate for the lands and constitutes good planning.

Other Departments/External Agencies

The applicant's 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.

Conclusions:

The applicant is seeking Council's approval of its proposal to facilitate the creation of six single detached lots on its land holdings. The submitted Zoning By-law Amendment application conforms with the Town's Official Plan and staff is of the opinion that the proposed amendment 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 in accordance with the direction outlined 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, Extract from Council Public Meeting, C#34-17, held October 18, 2017
- Appendix B, Draft Zoning By-law 74-18
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Proposed Site Plan
- Map 6 Proposed Elevation Plans

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Report Approval Details

Document Title:	SRPRS.18.164.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.18.164 Appendix A.docx- SRPRS.18.164 Appendix B 343, 349, 355 Elgin Mills Road West Draft By-law.docx- Schedule 2 D02-17013.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217031A.pdf- MAP_3_EXISTING_ZONING_S217031A.pdf- MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_5_PROPOSED_SITE_PLAN.pdf- MAP_6_PROPOSED_ELEVATION_PLANS.pdf
Final Approval Date:	Jun 21, 2018

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

Gus Galanis - Jun 20, 2018 - 10:32 AM

Kelvin Kwan - Jun 20, 2018 - 11:32 AM

Neil Garbe - Jun 21, 2018 - 2:39 PM