



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** July 3, 2018

**Report Number:** SRPRS.18.186

**Department:** Planning and Regulatory Services  
**Division:** Development Planning

**Subject:** **SRPRS.18.186 – Request for Comments –  
Response to Member Motion Regarding Site  
Plan Control Exemption**

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### **Purpose:**

A request for comments respecting the potential removal of Site Plan control for single detached dwellings on the east side of Yonge Street in the community of Oak Ridges.

### **Recommendation:**

- a) That Staff Report SRPRS.18.186 be received for information purposes and that all comments be referred back to staff for consideration.

### **Contact Person:**

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.

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### Background:

At its meeting of November 14, 2016, Council adopted the following resolution in response to a Member Motion (refer to Appendix A):

***"Whereas pursuant to Section 41 of the Planning Act, the Council of a municipality may designate the whole or part of the lands within the municipality as a Site Plan Control Area;***

***Whereas the development of the lands located on the west side of Yonge Street, in the Oak Ridges area, is not subject to Site Plan Control;***

***Whereas there is a requirement for Site Plan Control for the development of the lands located on the east side of Yonge Street;***

***It is therefore recommended that staff report back on the pros and cons of removing the Site Plan control process for the building of single family homes located on the east side of Yonge Street."***

The purpose of this report is to address the request in the aforementioned motion with respect to removing Site Plan control for single detached dwellings on the east side of Yonge Street in the community of Oak Ridges.

### Overview of Site Plan Control:

Site Plan approval is regulated under Section 41 of the *Planning Act*, which grants Council the authority to pass by-laws that designate the whole or any part of the Town as a Site Plan Control Area and to require certain classes of development to obtain Site Plan approval prior to construction. The purpose of Site Plan control is to ensure that development proposals implement and maintain the Town's various policies, guidelines and standards related to matters such as building design and placement, site servicing, vehicular and pedestrian access, parking and loading facilities, waste management facilities, landscaping, environmental protection, accessibility and sustainable design elements.

The Town currently administers Site Plan control pursuant to By-law 137-09, being the Site Plan Control and Delegation of Approval Authority By-law. This by-law was last updated in 2009 with respect to form and content, and to harmonize a number of older site specific by-laws into one consolidated document. No substantive changes to the Site Plan control areas or process were implemented at that time.

As noted above, Council has requested that staff report back on the pros and cons of removing Site Plan control for single detached dwellings on the east side of Yonge Street in the community of Oak Ridges. In this regard, the two primary

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areas under Site Plan control are the Lake Wilcox and Snively Street areas, as discussed below.

### **Lake Wilcox Site Plan Control Area**

The boundaries of the Lake Wilcox Site Plan Control Area are shown on Map 1. The area north of the Lake Wilcox Channel was brought under Site Plan control in 1988 after the passage of Zoning By-law 256-88 and the installation of sanitary sewers in the area. At that time, Site Plan control was deemed to be applicable to all proposed single detached dwellings, semi-detached dwellings, duplex dwellings and accessory buildings on lots having frontages of less than 15 metres (49.2 feet), and all lots within the established Flood Damage Centre. Site Plan control was imposed in response to the projected residential growth in this area of the community, and the desire to further regulate residential development on smaller existing lots of record and within flood hazard areas.

The area south of the Lake Wilcox Channel was brought under Site Plan control in 2005 and consolidated with the North Lake Wilcox Site Plan Control Area following the adoption of the North Urban Development Area Secondary Plan (OPA 129), the passage of Zoning By-law 313-96 and the approval of the Douglas Road Neighbourhood Infill Study. This broadened the scope of Site Plan control around all of Lake Wilcox (i.e. no longer only applicable to lots having frontages of less than 15 metres and lots within the Flood Damage Centre), in part to control the construction of “monster homes” due to the amount of anticipated infill development and the prospect of having large new homes adjacent to small cottages and older homes. Site Plan control also served to ensure that development proposals abutting Lake Wilcox implement the policies in OPA 129 by demonstrating that:

- buildings and structures are sited and designed so as to protect visual access to the Lake;
- natural areas are preserved and/or integrated into the private open space;
- alterations to the existing topography, natural drainage and vegetation are minimized;
- measures are employed to emphasize the shoreline and the adjacent streetscape through varied setbacks and landscaping; and,
- stormwater best management practices are implemented.

### **Snively Site Plan Control Area**

The boundaries of the Snively Street Site Plan Control Area are shown on Map 2. The Snively Street area was brought under Site Plan control in 1994 following the adoption of the North Urban Development Area Secondary Plan (OPA 129) in order to ensure that development occurs in an environmentally sensitive manner. This area of the community has historically contained a number of vacant buildable lots of record and includes various natural heritage and hydrological features, including Provincially

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Significant Wetlands, Significant Woodlands, Environmentally Sensitive Areas (ESA), Areas of Natural and Scientific Interest (ANSI) and watercourses.

### Member Motion:

Through its motion on November 14, 2016, Council has requested that staff report back on the pros and cons of removing Site Plan control for single detached dwellings on the east side of Yonge Street in the community of Oak Ridges. Outlined below is staff's preliminary response:

#### Pros

The primary advantages of eliminating Site Plan control for single detached dwellings in the Lake Wilcox and Snively Street areas are as follows:

- **Streamlined Approvals and Improved Service Delivery:** Site Plan control is a regulatory process that can increase costs and approval timelines for landowners depending on the scale of their projects and any related issues that may arise (e.g. protection of natural heritage features, tree removal, grading, design, etc.). In this regard, the ability to apply for building and related permits without first having to obtain Site Plan approval would lead to more time and cost certainty for landowners, and potentially an enhanced customer service experience.
- **Increased Resource Capacity and Flexibility:** A significant amount of staff time and resources are spent processing Site Plan applications for single detached dwellings, including attending Pre-submission Meetings and preparing Submission Requirement Letters, processing and evaluating applications and re-submissions, and preparing Site Plan Agreements. Between 2015 and 2017, a total of 147 Site Plan applications for single detached dwellings (or revisions thereto) were submitted to the Town, with 65 applications (43.5%) being filed in the Lake Wilcox and Snively Street areas. In this regard, the elimination of Site Plan control in these areas would reduce staff workloads within certain sections of the Corporation and free up some capacity to better align internal resources with Departmental priorities.

#### Cons

The primary disadvantages of eliminating Site Plan control for single detached dwellings in the Lake Wilcox and Snively Street areas are as follows:

- **Urban and Architectural Design:** Site Plan control is used to ensure that development proposals are consistent with the policies in the Official Plan, the Town-wide Urban Design Guidelines and the Douglas Road Neighbourhood Infill Study Design Guidelines. It is acknowledged that there is a variation of housing around Lake Wilcox, with no consistent theme or style because of the age, condition, and number of replacement homes which have been built. However, the design review function does contribute to ensuring that the massing, placement and

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setbacks of infill development are compatible and appropriate within the context of the street and the neighbourhood.

- **Landscaping, Tree Preservation and Tree Compensation:** The Official Plan seeks to minimize tree removal as a result of development, to increase the Town's overall tree canopy within settlement areas, and to enhance/restore environmental features and their associated minimum buffers. Site Plan control is used to secure and implement landscaping, tree planting and tree compensation as part of the development approvals process.
- **Lake Wilcox Remediation:** The Official Plan sets out remediation strategies to achieve a healthy lake ecosystem, and requires that development on lakefront properties enhance Lake Wilcox by restoring the natural shoreline edge and implementing minimum vegetation protection zones. Site Plan control is used to secure and implement shoreline restoration works and vegetated buffers as part of the development approvals process.
- **Sustainable Design:** The Official Plan sets out policies to implement sustainable development practices and initiatives. In this regard, Site Plan control is used to secure and implement low impact development measures such as permeable pavers that reduce storm water runoff and infiltration galleries that promote natural infiltration of surface water.
- **Natural Heritage Protection:** The Official Plan contains various policies that seek to protect and enhance natural environmental systems, functions and resources over the long term. In this regard, Site Plan control requires the delineation of natural heritage features, the implementation and restoration of buffers, and in some cases the dedication of sensitive lands to a public authority for long term protection.
- **Road Widenings:** The Official Plan sets out various transportation policies including minimum right-of-way widths for municipal streets. Site Plan control allows the Town to request the conveyance of road widenings and daylighting triangles as conditions of approval. In this regard, there are a number of older streets within the community of Oak Ridges, many with substandard road allowance widths and/or inadequate daylighting triangles.
- **Resource Alignment:** As previously noted, one of the pros of potentially eliminating Site Plan control east of Yonge Street is that it would free up staff time and resources in certain areas of the Corporation (e.g. Development Planning, Park Planning, Development Engineering – Site Plans). Conversely, many of the requirements typically captured through the Site Plan approval process (e.g. grading and drainage, servicing, tree removal, architectural) would simply be shifted to the Building Permit approval process. This will have resource implications in other areas of the Corporation (e.g. Building Services).

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- **Lake Wilcox Special Policy Area:** At its meeting of October 10, 2017, Council adopted the recommendations of Staff Report SRPRS.17.103 and gave approval in principle to adopt amendments to the Official Plan and Zoning By-law in order to implement proposed modifications to the Lake Wilcox Special Policy Area. The related documents were sent to the Province for endorsement; however, a response has yet to be provided by the Minister of Municipal Affairs and the Minister of Natural Resources and Forestry. At such time as the Lake Wilcox Special Policy Area policy modifications are endorsed by the Province, Council will be requested to formally adopt the associated Official Plan and Zoning By-law Amendments. This is relevant to the content of the Member Motion since the Official Plan requires development within the Lake Wilcox Special Policy Area to be subject to Site Plan control.

### **Financial/Staffing/Other Implications:**

The recommendation of this report does not have any financial, staffing or other implications.

### **Relationship to the Strategic Plan:**

The recommendation of this report does not have any direct implications with respect to the Town's Strategic Plan. The purpose of Site Plan control in the Lake Wilcox and Snively Street areas of Oak Ridges is aligned with **Goal One: Stronger Connections in Richmond Hill** by improving the function of buildings, streets and neighbourhoods, **Goal Three: A More Vibrant Richmond Hill** by improving the look of buildings, streets and neighbourhoods, and **Goal Four: Wise Management of Resources in Richmond Hill** by serving as a role model for environmental management and the management of natural heritage and water resource systems.

### **Conclusion:**

Council has requested that staff report back on the pros and cons of removing Site Plan control for single detached dwellings on the east side of Yonge Street in the community of Oak Ridges, being the Lake Wilcox and Snively Street areas.

The main advantages to eliminating Site Plan control include streamlined building approvals, improved service delivery, reduced staff workloads and creating capacity to better align internal resources with Departmental priorities. The main disadvantages of eliminating Site Plan control are primarily related to the difficulties in achieving certain Corporate goals and objectives, including compatible infill development, minimizing tree removal and securing tree compensation, shoreline restoration, sustainable development practices, long term protection of natural heritage features, the acquisition of road widenings, staff resource deployment, and the implementation of the Lake Wilcox Special Policy Area.

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Staff recommends that this report be received for information purposes and that all comments be referred back to staff for consideration as part of any future planned modifications to the Site Plan control process and service improvement initiatives.

### **Attachments:**

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 Meeting C#37-16 held on November 14, 2016
- Map 1, Aerial Photograph of Lake Wilcox Site Plan Control Area
- Map 2, Aerial Photograph of Snively Street Site Plan Control Area

### **Report Approval Details**

|                      |   |
|----------------------|---|
| Document Title:      | SRPRS.18.186.docx   |
| Attachments:         | - Appendix A - Extract.pdf<br>- Map 1 - Lake Wilcox Site Plan Control Area.pdf<br>- Map 2 - Snively Street Site Plan Control Area.pdf |
| Final Approval Date: | Jun 26, 2018  |

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

**Gus Galanis - Jun 22, 2018 - 1:01 PM**

**Kelvin Kwan - Jun 22, 2018 - 1:29 PM**

**Neil Garbe - Jun 26, 2018 - 2:46 PM**