



Staff Report for Committee of the Whole Meeting

Date of Meeting: July 3, 2018
Report Number: SRPRS.18.150

Department: Planning and Regulatory Services
Division: Development Planning

Subject: **SRPRS.18.150 – Request for Approval – Zoning
By-law Amendment Application – 2537788
Ontario Inc. – Town File D02-17022**

Owner:

2537788 Ontario Inc.
Thornccliffe Park Drive, Suite #116
Toronto, Ontario
M4H 1L4

Agent:

Armando Barbini
Armando Barbini Planning and Permit Services
30 Brixham Terrace
Toronto, Ontario
M3M 2S1

Location:

Legal Description: Lots 9 to 12, Plan 133
Municipal Address: 0 and 13249 Bathurst Street

Purpose:

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

Recommendations:

- a) **That the Zoning By-law Amendment application submitted by 2537788 Ontario Inc. for lands known as Lots 9 to 12, Plan 133 (Municipal Addresses: 0 and 13249 Bathurst Street), Town File D02-17022, be approved, subject to the following:**

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- (i) That the subject lands be rezoned to Single Detached Four (R4) Zone 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.18.150; and,
- (ii) That the amending Zoning By-law be brought forward to the July 9, 2018 Council meeting for consideration and enactment.

Contact Person:

Philip Liu, Planner I – Site Plans, phone number 905-747-6312 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

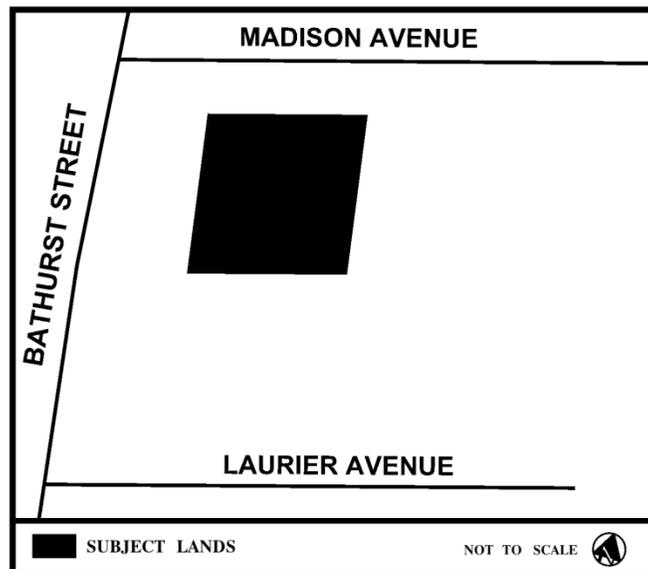
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 considered at a statutory Council Public Meeting held on November 15, 2017 wherein Council received Staff Report SRPRS.17.181 for information purposes and referred all comments back to staff for consideration (refer to Appendix A). Members of the public were in attendance and provided comments and/or concerns with respect to the subject application which are discussed later in 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 at the southeast corner of Bathurst Street and Madison Avenue and have a total lot area of 0.09 hectares (0.21 acres). The lands are comprised of four lots in a deemed Plan of Subdivision that subsequently formed one building lot. The lands are currently vacant and abut residential uses to the east and south, Madison Avenue to the north, and Bathurst Street to the west (refer to Maps 1 and 2).

Revised Development Proposal

The applicant is seeking Council's approval to its Zoning By-law Amendment application to permit the creation of one additional building lot on its land holdings.

The applicant submitted a revised development proposal to the Town in May 2018 in response to comments received from Town staff arising from the initial submission of August 2017. Revisions have been made to accommodate a larger flankage side yard than what was originally proposed while keeping appropriate setbacks and lot sizes. 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 (refer to Map 6):

- **Lot 1 (West Lot)**
 - Proposed Lot Area: 468.68 square metres (5,044.99 square feet)
 - Proposed Lot Frontage: 16.02 metres (52.56 feet)
 - Proposed Lot Coverage: 36.97%
- **Lot 2 (East Lot)**
 - Proposed Lot Area: 383.12 square metres (4,124.00 square feet)
 - Proposed Lot Frontage: 12.52 metres (44.39 feet)
 - Proposed Lot Coverage: 44.45 %

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Planning Analysis:

Town of Richmond Hill Official Plan (2010)

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (the “Plan”) (refer to Map 5). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”), and the Hughey West Infill Study area.

The **Neighbourhood** designation generally permits low-density and medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, as well as automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Town’s Official Plan. It is noted that single detached dwellings are permitted within the **Neighbourhood** designation. In addition, Section 4.9.2.4 of the Plan states that the 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. In this regard, staff is satisfied that the proposed lots are generally in keeping with the existing development in the area and thus compatible with the surrounding neighbourhood.

The subject lands are also 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 Plan, all uses which are otherwise permitted by the Plan shall be permitted within the **Settlement Area**.

Staff has reviewed the applicant’s development proposal and considers it to be consistent with the policies of the **Neighbourhood** designation of the Plan. The proposed single-detached dwellings are a permitted form of low-rise residential dwelling and the proposed building height of two storeys conforms with the maximum permitted height of the **Neighbourhood** designation.

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 (refer to Map 4). 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 are 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

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Urban Design Guidelines that provide direction for the architectural design and treatment of individual units.

Among the recommendations of the Study is the closure of Bathurst Street accesses for a number of alternate streets. Madison Avenue is to remain open as an “entrance street” to facilitate permanent access into the neighbourhood. Infill development comprised of single detached dwellings is generally supported by the Infill Study for “entrance streets”. Single detached dwelling units with a minimum lot frontage of 12 metres (39.37 feet) are contemplated by the Infill Study. It is noted that the proposed single detached lots have frontages of 16.02 metres (52.56 feet) and 12.52 metres (41.08 feet), thus meeting the Study’s recommendation.

In addition to the above guidelines with respect to lot fabric, the recommendations of the Study allow for an appropriate variation in setbacks, with a focus on front yards that enhance the street edge. In addition, the proposed western lot flanking on to Bathurst Street is considered a “gateway lot”. Hence, relevant policies relating to architectural and landscape features including the provision of porches, turrets, and bay windows that wrap around the corner of the house, among other recommendations, would apply. In this regard, the applicant is encouraged to design the proposed dwellings accordingly to ensure conformity with the provisions of the Study at the final design stage through the Consent and Building Permit processes. The Study also recommends a mix of unit types for each block. This proposal, in conjunction with the existing semi-detached dwellings directly to the north, the proposed single detached dwellings directly to the east, and various other townhouses, semi-detached and single detached dwelling proposals in close proximity to the subject lands, fulfills this recommendation.

Given all of the above, staff is satisfied that the proposed single detached lots are appropriate for this specific property and location and that the applicant’s development proposal constitutes good and orderly planning.

Proposed Zoning By-Law Amendment

The lands are currently subject to the provisions of former Township of King By-law 986, as amended, which contains general land use provisions in the absence of specific zoning categories (refer to Map 3). In this regard, the applicant is seeking Council’s approval to rezone the subject lands to **Single Detached Four (R4) Zone** under By-law 313-96, as amended, with site specific provisions for reduced minimum lot area, reduced side and rear yard setbacks, reduced setbacks to arterial roads in residential zones, and reduced setbacks to a daylight triangle. The following table outlines the **R4 Zone** standards relative to the proposed building lots and dwellings:

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Development Standards	R4 Standards, By-law 313-96, as amended	Proposed Lot 1 (West Lot)	Proposed Lot 2 (East Lot)
Minimum Lot Area (Interior)	400.00 square metres (4305.56 square feet)	N/A	383.12 square metres (4,124.00 square feet)
Minimum Lot Area (Corner)	465.00 square metres (5005.22 square feet)	468.68 square metres (5,044.99 square feet)	N/A
Minimum Lot Frontage (Interior)	12.00 metres (39.37 feet)	N/A	12.52 metres (41.08 feet)
Minimum Lot Frontage (Corner)	14.00 metres (45.93 feet)	16.02 metres (52.56 feet)	N/A
Minimum Front Yard Setback	4.50 metres (14.76 feet)	5.89 metres (19.32 feet)	5.89 metres (19.32 feet)
Minimum Side Yard Setback (Interior Yard)	1.50 metres (4.92 feet)	1.22 metres (4.00 feet)	1.22 metres (4.00 feet)
Minimum Side Yard Setback (Flanking Yard)	3.00 metres (9.84 feet)	4.68 metres (15.35 feet)	N/A
Minimum Side Yard Setback (Arterial Road – Residential Zone)	6.00 metres (19.69 feet)		
Minimum Rear Yard Setback	7.50 metres (24.60 feet)	7.37 metres (24.18 feet)	7.30 metres (23.95 feet)
Maximum Height	11.00 metres (36.09 feet)	10.47 metres (34.35 feet)	10.09 metres (33.10 feet)
Maximum Lot Coverage	40%	36.18%	44.45%

Planning staff has undertaken a comprehensive review and analysis of the site specific exceptions as outlined above that are required to facilitate the applicant's revised development proposal, and considers them appropriate for the following reasons:

- the proposed **R4 Zone** category is consistent with many of the new infill developments and approved Zoning By-law Amendment applications in the area;
- the proposed reduced lot area is generally in keeping with surrounding lot sizes and compatible with the existing neighbourhood which features a mix of low-density residential building types and lots. The proposed lot frontages comply with the required minimum lot frontage of the **R4 Zone** category; therefore, the reduced lot area will not have an impact on the streetscape;

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- the requested site specific provision to reduce the permitted interior side yard setback to 1.22 metres (4.0 feet) is in keeping with new development standards applied throughout the Town;
- the requested site specific provision to reduce the permitted minimum side yard setback from an arterial road in a residential zone to 4.68 metres (15.35 feet) is considered appropriate. Staff notes that the requested side yard is greater than the 3.0 metres (9.84 feet) minimum flanking side yard setback permitted in the **R4 Zone** and that the proposed site specific provision is the result of a proposed 2.0 metres (6.56 feet) road widening on Bathurst Street. Therefore, staff is of the opinion that the reduced setback will not have any negative impacts to the streetscape of Bathurst Street or Madison Avenue, and is thus acceptable;
- the requested reduced rear yard setback of 7.3 metres (23.59 feet) is considered appropriate given that adequate amenity areas can still be provided on both lots;
- the requested increased maximum lot coverage of 44.45% is minor in nature and will have no negative impact on the streetscape or character of the neighbourhood; and,
- York Region has noted that a minimum building setback of 0.6 metres (1.97 feet) from the daylighting triangle is acceptable.

Public Meeting Comments

As noted previously, a Council Public Meeting regarding the subject application was held on November 15, 2017 during which time one resident appeared and voiced concerns that construction works would block access to his property. In this regard, it is noted that parking control is outlined in Chapter 1116 of the Municipal Code and can be enforced by the Town. Therefore, the parking of any construction vehicles or equipment for the proposed dwellings must follow all relevant Town by-laws found in the Municipal Code.

Town Department and External Agency

Development Planning Division

Planning staff has reviewed the applicant's development proposal and is of the opinion that it is appropriate and represents good planning. Accordingly, staff recommends that the subject Zoning By-law Amendment application be approved for the following reasons:

- the proposed additional residential lot and new single detached dwellings conform with the **Neighbourhood** designation policies of the Plan;
- the proposed **R4 Zone** category is compatible with much of the redevelopment in the area and the proposed building lots and dwellings are consistent with the lot fabric in the neighbourhood;
- the revised proposal aligns with the recommendations in the Hughey-West Infill Study; and,

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- the proposed site specific zoning provisions related to the reduced lot area, reduced side yard setbacks, setback from arterial road in residential zone, increased lot coverage, and setback from daylight triangle, are contextually appropriate and generally in keeping with the lot fabric, existing dwellings, and redevelopment in the area, and therefore constitutes proper and orderly planning.

Development Engineering Division

Development Engineering Division staff has reviewed the applicant's development proposal and has no objection to the proposed Zoning By-law Amendment. However Engineering staff has provided comments, outlined in Appendix C1, that will need to be addressed at the detailed design stage during the Consent and Building Permit stages.

Park and Natural Heritage Planning Section

Park and Natural Heritage Planning Section staff has reviewed the applicant's development proposal and has no objection to the proposed Zoning By-law Amendment. However staff has provided comments, outlined in Appendix C2, which will need to be addressed at the detailed design stage during the Consent and Building Permit stages.

Urban Design and Heritage Section

Urban Design and Heritage Section staff has reviewed the applicant's development proposal and has provided comments outlined in Appendix C3, which will need to be addressed at the detailed design stage during the Consent and Building Permit stages.

Financial/Staffing/Other Implications:

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

Relationship to the 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 Zoning By-law Amendment application to permit the creation of one additional building lot on its land holdings and to facilitate the construction of two new single detached dwellings. Planning staff is of the opinion that the submitted Zoning By-law Amendment application conforms to the Town's Official Plan. The proposed development is considered appropriate and in keeping with the character of the surrounding area and therefore represents good planning. On the basis of the preceding, staff recommends that Council approve the submitted Zoning By-law Amendment application as outlined and described in this report.

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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 Council Public Meeting Extract C#40-17 Held November 15, 2017
- Appendix B Draft Zoning By-law 77-18
- Appendix C1 Memo from Michael Berger dated June 7, 2018
- Appendix C2 Memo from Shanelle Labrie dated June 1, 2018
- Appendix C3 Memo from Lamyaa Salem dated May 25, 2018
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Hughey West Infill Study Area
- Map 5 Official Plan Designation
- Map 6 Proposed Site Plan

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Report Approval Details

Document Title:	SRPRS.18.150 - 13249 Bathurst Street (2537788 ONTARIO INC).docx
Attachments :	<ul style="list-style-type: none">- Appendix A (Extract).docx- Appendix B (Draft By-law).docx- Schedule A - By-law 77-18.pdf- MAP_1_AERIAL PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217022A.pdf- MAP_3_EXISTING_ZONING_S217022.pdf-MAP_4_HUGHEY_WEST_NEIGHBOURHOOD__INFILL_STUDY_AREA.pdf- MAP_5_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_6_PROPOSED_SITE_PLAN.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 - 3:05 PM

Kelvin Kwan - Jun 20, 2018 - 3:45 PM

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