



Staff Report for Committee of the Whole Meeting

Date of Meeting: September 17, 2018

Report Number: SRPRS.18.184

Department: Planning and Regulatory Services

Division: Development Planning

Subject: SRPRS.18.184 - Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Cal-Leslie Developments Inc. – Town Files D02-17026 and D03-17006

Owner:

Cal-Leslie Developments Inc.
51 Roysun Road, Unit 8
Woodbridge, Ontario
L4L 8P9

Agent:

KLM Planning Partners Inc.
64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3

Location:

Legal Description: Part of Lot 4, Concession 2, E.Y.S.
Municipal Addresses: 12826 and 12844 Leslie Street

Purpose:

A request for approval concerning proposed Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development comprised of two semi-detached dwellings and 43 street townhouse dwellings on the subject lands.

Recommendations:

- a) That the revised Zoning By-law Amendment application submitted by Cal-Leslie Developments Inc. for lands legally described as Part of Lot 4, Concession 2, E.Y.S. (Municipal Addresses: 12826 and 12844 Leslie Street),

Page 2

Town File D02-17026, be approved for the reasons outlined in Staff Report SRPRS.18.184, subject to the following:

- (i) that the subject lands be rezoned from Urban (UR) Zone under By-law 128-04, as amended, to Residential Wide Shallow Three (RWS3) Zone and Open Space (O) Zone under By-law 54-15, as amended, with site specific provisions as set out in Appendix B;
 - (ii) that Block 232 on draft approved Plan of Subdivision 19T(R)-03018 be rezoned from Residential Wide Shallow Two (RWS2) Zone to Residential Wide Shallow Three (RWS3) Zone under By-law 54-15, as amended, to facilitate the construction of a street townhouse block on the subject lands;
 - (iii) that pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to recommendation (a)(ii) above; and,
 - (iv) that the amending Zoning By-law be brought forward for consideration and enactment at the September 24, 2018 Council meeting.
- b) That the revised draft Plan of Subdivision application submitted by Cal-Leslie Developments Inc. for lands legally described as Part of Lot 4, Concession 2, E.Y.S. (Municipal Addresses: 12826 and 12844 Leslie Street), Town File D03-17006, be approved for the reasons outlined in Staff Report SRPRS.18.184, subject to the following:
 - (i) that draft approval be subject to the conditions as set out in Appendix C; and,
 - (ii) that prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the Town's Tariff of Fees By-law 79-17, as amended.
- c) That 138 persons equivalent of servicing allocation be assigned to the subject lands, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11, as amended.

Page 3

Contact Person:

Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

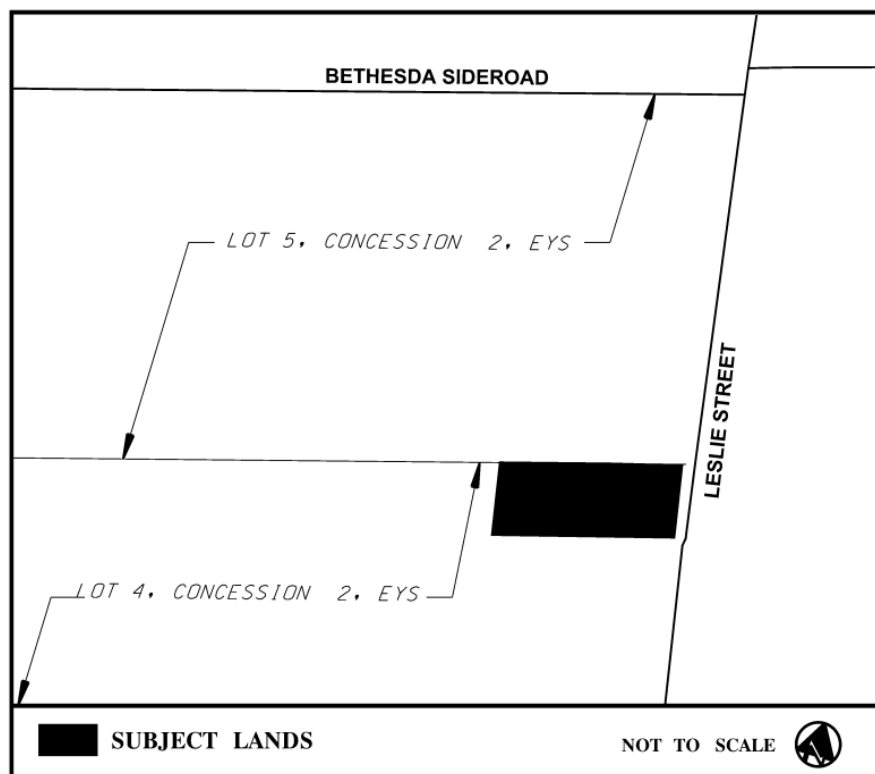
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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.

Location Map:

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



Page 4

Background:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications were considered at a Council Public Meeting held on June 6, 2018, where Council received Staff Report SRPRS.18.097 for information purposes and referred all comments to staff for consideration (refer to Appendix A). The main concerns raised by Council and the public pertained to the proposed built form and density of the development, in addition to the principle of rezoning lands on the Oak Ridges Moraine to facilitate urban development. These comments are addressed in later sections of this report. All other comments from circulated Town departments and external agencies have now been addressed by the applicant. As a result, the purpose of this report is to recommend that Council approve the submitted Zoning By-law Amendment and draft Plan of Subdivision applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the west side of Leslie Street, south of Bethesda Sideroad, and are currently occupied by two single detached dwellings that are proposed to be demolished (refer to Map 1). The lands have 81.737 metres (268.17 feet) of frontage on Leslie Street and a total lot area of 1.644 hectares (4.062 acres).

Surrounding uses include natural heritage features and agricultural uses on lands that are also subject to planning applications to facilitate urban development within the West Gormley Secondary Plan area. In this regard, the abutting lands to the south and west are subject to draft approved Plan of Subdivision 19T(R)-03018 by Dickson 48 Property Inc. which proposes a range of low and medium density residential uses (refer to Map 7). The abutting lands to the north are subject to Zoning By-law Amendment and draft Plan of Subdivision applications (Files D02-16027 and D03-16009) by Sundance (Richmond Hill) Estates Inc., which propose low density residential uses and were approved by the LPAT at a Settlement Hearing on August 28, 2018.

Revised Development Proposal

The applicant is seeking Council's approval of its revised Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate a residential development comprised of 43 street townhouse dwellings and two semi-detached dwellings fronting on a new public street connected to the adjacent draft approved Plan of Subdivision (refer to Maps 5 and 7). The following is a summary outlining the relevant statistics of the applicant's revised development proposal based on the plans and drawings submitted to the Town:

- | | |
|-------------------------------|-------------------------------------|
| • Total Lot Area: | 1.644 hectares (4.062 acres) |
| - Semi-Detached Lot: | 0.067 hectares (0.165 acres) |
| - Townhouse Blocks: | 0.840 hectares (2.076 acres) |
| - Environmental Block: | 0.245 hectares (0.605 acres) |

Page 5

- **Open Space Block:** 0.005 hectares (0.012 acres)
- **Landscape Buffer Block:** 0.049 hectares (0.121 acres)
- **Road Widening Block:** 0.042 hectares (0.104 acres)
- **0.3-metre Reserves:** 0.001 hectares (0.0025 acres)
- **Street:** 0.396 hectares (0.979 acres)

- **Total Number of Units:** 45
 - **Semis:** 2
 - **Townhouses:** 43

- **Proposed Density (Net):** 31.2 units per hectare (12.6 units per acre)

- **Proposed Lot Frontages:**
 - **Semis:** 19.0 metres (62.33 feet)
 - **Townhouses:** 5.8 metres (19.03 feet)

It should be noted that Block 1 on the applicant's draft Plan of Subdivision is proposed to be combined with a future development block on the adjacent draft approved Plan of Subdivision by Dickson 48 Property Inc. in order to facilitate a 6-unit street townhouse block on the subject lands (refer to Block 228 on Map 5 or Block 232 on Map 7).

Planning Analysis:

Richmond Hill Official Plan

The subject lands are designated **Residential Medium Density** and **Oak Ridges Moraine Natural Linkage Area** on Schedule A (Land Use Plan) to the West Gormley Secondary Plan (refer to Map 3). The **Residential Medium Density** designation corresponds to the **Settlement Area** limits established through the *Oak Ridges Moraine Conservation Plan* (ORMCP). The remaining lands designated **Oak Ridges Moraine Natural Linkage Area** are shown in the West Gormley Secondary Plan for contextual reasons only, and remain subject to the policies and restrictions of the ORMCP.

The **Residential Medium Density** designation permits semi-detached dwellings, street townhouses, block townhouses and other low-rise housing forms to a maximum density of 60 units per net residential hectare (24 units per acre) and a maximum building height of 4 storeys. The proposed semi-detached and street townhouse dwellings on the subject lands are contained within the limits of this designation, and the proposed development conforms to the relevant land use, density and height policies.

The **Oak Ridges Moraine Natural Linkage Area** designation permits fish, wildlife and forest management, conservation and flood and erosion control projects, agricultural uses, transportation, infrastructure uses, home businesses and home industries, bed and breakfast establishments, on-farm diversified uses, low intensity recreational uses, unserviced parks, mineral aggregate operations and wayside pits, and agriculture-related uses pursuant to the relevant policies of the Official Plan and the ORMCP. No

Page 6

development is proposed in this designation, which will retain its existing zoning and be contained within the limits of Block 8 on the draft Plan of Subdivision.

The policies of the West Gormley Secondary Plan also provide that lands designated **Oak Ridges Moraine Natural Linkage Area**, including required buffers from natural heritage and hydrological features, shall be dedicated to a public authority in order to ensure their long term protection. In this regard, Block 8 on the draft Plan of Subdivision contains all natural heritage features and buffers on the subject lands, and will be conveyed to the TRCA as a condition of approval.

Given all of the above, staff is of the opinion that the applicant's development proposal conforms to the Official Plan and the *Oak Ridges Moraine Conservation Plan*.

Zoning By-Law Amendment

The subject lands are zoned **Urban (UR) Zone** and **Oak Ridges Moraine Natural Linkage (ORMNL) Zone** under By-law 128-04 (Oak Ridges Moraine Zoning By-law), as amended (refer to Map 2). The applicant is seeking Council's approval to rezone a portion of the subject lands to **Residential Wide Shallow Three (RWS3) Zone** and **Open Space (O) Zone** under By-law 54-15 (West Gormley Zoning By-law), as amended, in order to facilitate the construction of 43 street townhouse dwellings and two semi-detached dwellings (refer to Appendix B).

Permitted uses in the **Residential Wide Shallow Three (RWS3) Zone** include single detached dwellings, semi-detached dwellings, street townhouse dwellings, home occupations, private home daycares, group foster homes, group homes and private utilities. Permitted uses in the **Open Space (O) Zone** include conservation, forestry, public parks, unserviced parks and stormwater management facilities.

The applicant has also requested the following site specific development standards or exceptions in order to implement the development proposal:

- to reduce the minimum lot frontage requirement for the proposed townhouses from 6.0 metres (19.69 feet) to 5.8 metres (19.03 feet);
- to reduce the minimum lot area requirement for the proposed townhouses abutting the **Oak Ridges Moraine Natural Linkage (ORMNL) Zone** from 150 square metres (1,614.6 square feet) to 140 square metres (1,506.9 square feet). The requested relief appears to affect two lots within Block 6 on the draft Plan of Subdivision;
- to reduce the minimum rear yard setback requirement for the proposed semi-detached dwellings from 7.0 metres (22.97 feet) to 5.0 metres (16.4 feet);
- to reduce the required flankage yard setback for one corner townhouse dwelling unit from 2.4 metres (7.87 feet) to 2.0 metres (6.56 feet); and,

Page 7

- to increase the maximum height of porches which may encroach into the minimum yards from 4.5 metres (14.76 feet) to 5.0 metres (16.4 feet).

The proposed **Residential Wide Shallow Three (RWS3) Zone** on the subject lands implements the **Residential Medium Density** designation in the West Gormley Secondary Plan and is the same zone category as the adjacent lands to the south which are approved to be developed with a mix of single detached and street townhouse dwelling units (refer to Maps 2 and 7). The requested site specific exceptions serve to implement the submitted draft Plan of Subdivision and Conceptual Site Plan, and are largely due to the unusual limits of development in the ORMCP and the need to align the road precisely with the adjacent draft approved Plan of Subdivision (refer to Maps 5 to 7). The applicant is proposing to comply with the majority of typical development standards, including maximum lot coverage, minimum front and interior side yard setbacks, and maximum building height.

The applicant is also proposing to rezone a future development block on the adjacent draft approved Plan of Subdivision by Dickson 48 Property Inc. (refer to Block 228 on Map 5 or Block 232 on Map 7) from **Residential Wide Shallow Two (RWS2) Zone** to **Residential Wide Shallow Three (RWS3) Zone**. This block will be merged with Block 1 on the applicant's draft Plan of Subdivision in order to facilitate a 6-unit street townhouse block on the subject lands. As this request was not contained in the original Zoning By-law Amendment application, the applicant has submitted a justification letter and obtained written authorization from the adjacent landowner to rezone this block (refer to Appendix E). Staff supports the applicant's request for the following reasons:

- the future development block on the adjacent draft approved Plan of Subdivision is already required to be developed in conjunction with the subject lands;
- the proposal represents a minor expansion to the lands affected by the applicant's proposed Zoning By-law Amendment application;
- the number of dwelling units contemplated on the combined blocks (1) has not changed, simply the intended built form from a single detached to townhouse dwelling unit;
- the proposal does not affect the statutory notification/circulation requirements under the *Planning Act*; and,
- Staff Report SRPRS.18.097 already discussed this matter and there has been full transparency throughout the planning process.

Section 34(17) of the *Planning Act* provides that where a change is made in a proposed by-law after the statutory public meeting, Council shall determine whether any further notice is to be given in respect of the proposed by-law, and that determination is final and not subject to review in any court irrespective of the extent of the change made in

Page 8

the proposed by-law. Staff recommends that no further notice be required with respect to this change in the proposed by-law.

Given all of the above, staff is of the opinion that the proposed Zoning By-law Amendment application implements the submitted draft Plan of Subdivision, conforms to the Official Plan and the *Oak Ridges Moraine Conservation Plan*, and represents good planning.

Draft Plan of Subdivision

The submitted draft Plan of Subdivision proposes to facilitate a residential development comprised of two semi-detached and 43 street townhouse dwelling units, the extension and completion of a public street approved in the adjacent draft Plan of Subdivision, and blocks for environmental (Block 8), open space (Block 9), landscape buffer (Block 10) and road widening (Block 11) purposes (refer to Map 5). Block 8 will be conveyed to the TRCA and Block 11 will be conveyed to York Region. Blocks 9 and 10 will be conveyed to the Town and will contain municipal storm and sanitary sewer infrastructure to service lands in West Gormley. Block 1 on the draft Plan of Subdivision is proposed to be combined with a future development block on the adjacent draft approved Plan of Subdivision in order to facilitate a 6-unit street townhouse block on the subject lands.

Subject to the conditions of draft approval contained in Appendix C attached hereto, staff is of the opinion that the draft Plan of Subdivision application conforms to the Official Plan and the *Oak Ridges Moraine Conservation Plan*, and has appropriate regard for the criteria under Section 51(24) of the *Planning Act*.

Council and Public Comments

At the Council Public Meeting held on June 6, 2018, members of Council raised a number of questions which were verbally addressed by staff related to the potential for grading impacts on environmental lands, the purpose of the landscape buffer along Leslie Street, the merging of Block 1 with the adjacent future development block to the west, and the requested minimum rear yard setback for the semi-detached dwellings.

No members of the public spoke to the applications, however, written correspondence was received in advance of the meeting from Wendy and Scott Gibson of 12853 Leslie Street (refer to Appendix D). The main concerns raised pertained to the proposed density of development and maintaining the current **Urban (UR) Zone** and **Oak Ridges Moraine Natural Linkage (ORMNL) Zone** boundaries and categories.

As discussed in this report, no changes to the current **Oak Ridges Moraine Natural Linkage (ORMNL) Zone** boundaries are being proposed, and these lands (along with additional environmental lands) will be conveyed to the TRCA as a condition of draft approval in order to ensure their long term protection. The current **Urban (UR) Zone** on the subject lands reflects the **Settlement Area** designation limits as approved in the *Oak Ridges Moraine Conservation Plan*, and has acted as a placeholder because the approval of Zoning By-law 128-04 (Oak Ridges Moraine Zoning By-law) pre-dated the

Page 9

completion and approval of the West Gormley Secondary Plan and Zoning By-law. As a result, it is appropriate for these lands to be brought into and appropriately zoned pursuant to By-law 54-15. With respect to concerns about density, staff reiterates that the developable portion of the subject lands is designated for medium density residential uses in the West Gormley Secondary Plan. The applicant's development proposal implements the applicable policy framework and is adjacent to other townhouses in the approved development to the south.

Department and External Agency Comments

All circulated Town departments and external agencies have indicated no objections and/or have provided conditions of draft approval with respect to the proposed Zoning By-law Amendment and draft Plan of Subdivision applications, including York Region and the Toronto and Region Conservation Authority, as well as the Town's Development Engineering Division and Park and Natural Heritage Planning Section. The schedule of draft plan conditions is attached as Appendix C.

Interim Growth Management Strategy:

Council has approved and implemented a comprehensive strategy comprised of eight growth management eligibility criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The criteria are as follows:

1. *Providing community benefits and completion of required key infrastructure.*
2. *Developments that have a mix of uses to provide for live-work relationships.*
3. *Developments that enhance the vitality of the Downtown Core.*
4. *Higher-order transit supportive development.*
5. *Developments that represent sustainable and innovative community and building design.*
6. *Completion of communities.*
7. *Small scale infill development.*
8. *Opportunities to provide affordable housing.*

The applicant has submitted a Sustainability Performance Metrics Tool in support of fulfilling the requirements of IGMS Criteria 5 (Sustainable and Innovative Community and Building Design), demonstrating an overall application score of 38 points which represents a "good" score for a draft Plan of Subdivision application. As the submission was filed in 2017, staff will need to complete another review to ensure that it is current and that the proposed sustainability measures are achievable. An updated submission or additional details may be requested of the applicant prior to finalization of a Sustainable Building Design Agreement to secure the works (if necessary) and subdivision registration. Given that the initial submission exceeds the established minimum threshold score, staff recommends that 138 persons equivalent of servicing allocation (2 semi-detached and 44 townhouse dwelling units, which includes the future development block on the adjacent draft Plan of Subdivision to the west) be assigned to the subject lands at this time.

Page 10

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The recommendations of this report are aligned with **Goal One – Stronger Connections in Richmond Hill** in working towards stronger connections of natural corridors and green spaces, **Goal Two – Better Choice in Richmond Hill** in facilitating a range of housing options, and **Goal Four - Wise Management of Resources in Richmond Hill** by protecting green spaces and using land responsibly.

Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the construction of a residential development comprised of two semi-detached dwellings and 43 street townhouse dwellings on the subject lands.

Staff has completed a comprehensive review and evaluation the applicant's development proposal and is of the opinion that the Zoning By-law Amendment and draft Plan of Subdivision applications conform to the Official Plan and *Oak Ridges Moraine Conservation Plan*, are appropriate and represent good planning. On this basis, staff recommends that Council approve the applications, subject to the conditions outlined in this report, and that servicing allocation be assigned to the subject lands.

Page 11

Attachments:

The following attached documents may include scanned images of appendices, 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#19-18 held June 6, 2018
- Appendix B, Draft Zoning By-law
- Appendix C, Schedule of Draft Plan Conditions
- Appendix D, Correspondence from Wendy and Scott Gibson dated May 30, 2018
- Appendix E, Justification Letter from KLM Planning Partners dated August 1, 2018
- Map 1, Aerial Photograph
- Map 2, Existing Zoning
- Map 3, West Gormley Secondary Plan – Schedule A – Land Use Plan
- Map 4, West Gormley Development Concept
- Map 5, Proposed Draft Plan of Subdivision
- Map 6, Proposed Site Plan
- Map 7, Draft Approved Plan of Subdivision 19T(R)-03018

Page 12

Report Approval Details

Document Title:	SRPRS.18.184.docx
Attachments :	<ul style="list-style-type: none">- Appendix A.pdf- Appendix B.pdf- Appendix C.pdf- Appendix D.pdf- Appendix E.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_EXISTING_ZONING_S217026_D03-17006_1.pdf- MAP_3_West Gormley Secondary Plan_Schedule A_Land_Use_1.pdf- MAP_4_WEST_GORMLEY_DEVELOPMENT_CONTECEPT.pdf- MAP_5_PROPOSED_DRAFT_PLAN_SUBDIVISION.pdf- MAP_6_PROPOSED_SITE_PLAN.pdf-MAP_7_DRAFT_APPROVED_PLAN_OF_SUBDIVISION_19T_R_03018.pdf
Final Approval Date:	Sep 4, 2018

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

Gus Galanis - Sep 4, 2018 - 1:53 PM

Kelvin Kwan - Sep 4, 2018 - 2:47 PM

Neil Garbe - Sep 4, 2018 - 2:56 PM