



Staff Report for Council Public Meeting

Date of Meeting: February 6, 2019

Report Number: SRPRS.19.008

Department: Planning and Regulatory Services

Division: Development Planning

Subject: Request for Comments – Zoning By-law Amendment
Application – Desiree and Ivona Tomanelli – Town File
D02-18010 (Related File D06-18020) (SRPRS.19.008)

Owner:

Desiree Tomanelli and Ivona Tomanelli
116 Lucas Street
Richmond Hill, Ontario
Lot 14, Plan 269

Agent:

Deborah Alexander
72 Herefordshire Crescent
East Gwillimbury, Ontario
L9N 0B6

Location:

Legal Description: Lot 14, Plan 269
Municipal Address: 116 Lucas Street

Purpose:

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

Recommendation:

- a) That Staff Report SRPRS.19.008 with respect to the Zoning By-law Amendment application submitted by Desiree and Ivona Tomanelli for the lands known as Lot 14, Plan 269 (Municipal Address: 116 Lucas Street), Town File D02-18010, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Sarah Mowder, Planner I - Subdivisions, phone number 905-771-5475 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

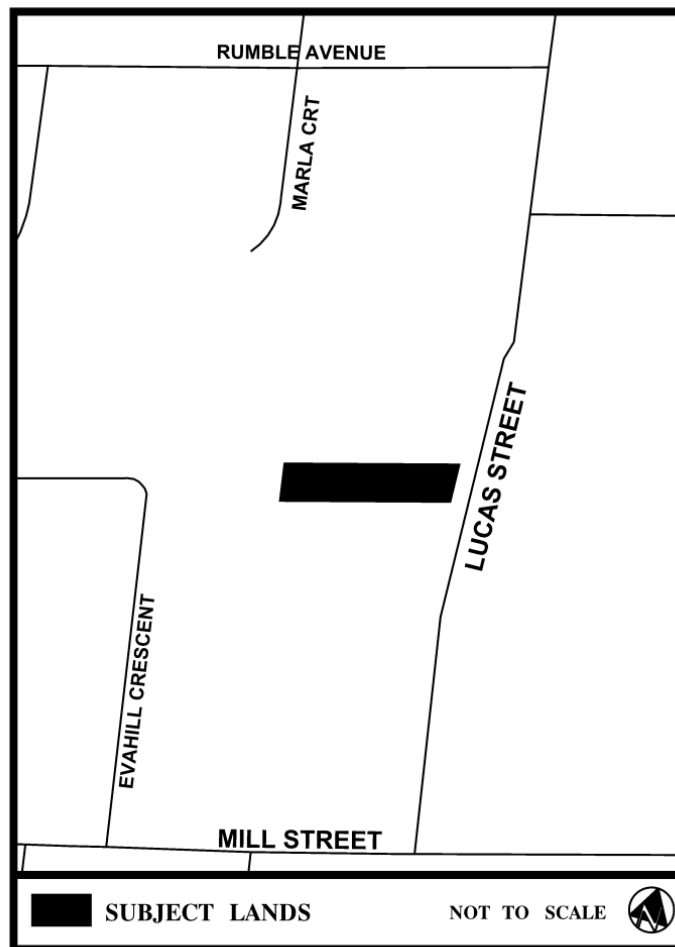
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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” above.



Background Information:

The subject Zoning By-law Amendment application and related Site Plan application (Town File D06-18020) were received by the Town on April 23, 2018 and were deemed complete on June 11, 2018, after Bill 139 received Royal Assent on December 12, 2017. The purpose of this report is to seek comments from Council and the public with respect to the subject applications, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the west side of Lucas Street, south of Rumble Avenue and have a total lot area of 0.104 hectares (0.26 acres) (refer to Maps 1 and 2). The lands are surrounded by a mix of low and medium density residential uses, with double duplex dwellings located on the abutting lands to the north, a single detached dwelling to the south and east, and semi-detached dwellings and townhouse dwellings to the northeast.

Development Proposal

The applicant is seeking Council approval to rezone the subject lands from **Residential Second Density (R2) Zone** to **Residential Multiple First Density (RM1) Zone** under By-law 66-71, as amended, with site specific exceptions to facilitate the construction of two semi-detached dwelling units on its land holdings (refer to Maps 6, 7 and 8). Below is a summary of the pertinent development statistics with regards to the applicant's proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area: 0.104 hectares (0.26 acres)**
- **Total Lot Frontage: 15.3 metres (50.19 feet)**
- **Number of Units: 2**
- **Gross Floor Area: 296.83 square metres (3,195.05 square feet) per unit**
- **Number of Storeys: 3**
- **Building Height: 9.45 metres (31 feet)**

Supporting Documentation/Reports

The applicant has submitted the following documents/information to the Town in support of the proposed development:

- Planning Justification Statement;
- Site Plan;
- Site Grading Plan;
- Elevation Plans;
- Floor Plans;
- Arborist Report;
- Tree Preservation Plan; and,

- Village Core Design Guidelines.

Zoning By-Law Amendment Application

The subject lands are zoned **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended (refer to Map 3). Permitted uses under the **Residential Second Density (R2) Zone** generally include residential, institutional, recreational and home occupation uses. Semi-detached dwellings are not permitted under the **R2 Zone** category, which restricts residential uses to single family detached dwellings. It should be noted that Zoning By-law 66-71, as amended, pre-dates the adoption and approval of the Town’s Official Plan. Accordingly, the applicant is seeking Council’s approval to rezone the subject lands to **Residential Multiple First Density (RM1) Zone** under By-law 66-71, as amended, to permit the construction of a semi-detached dwelling (2 units), with site specific exceptions for reduced minimum lot frontage and reduced minimum side yard setbacks and increase to maximum height and increased maximum Gross Floor Area.

The subject Zoning By-law Amendment application seeks to remove the lands from the provisions of amending By-laws 371-90 and 372-90, which were approved in 1990 to restrict the size of new dwellings on large lots within the Village Core area. The By-laws introduced more restrictive provisions including new standards for minimum side and front yard setbacks, maximum height and maximum Gross Floor Area. The applicant is proposing to construct two semi-detached dwellings, which would result in the creation of two smaller lots with reduced minimum lot frontage. It should be noted that in the case where By-laws 371-90 and 372-90 are no longer applicable to the lands, the site specific exceptions for increased height and Gross Floor Area will no longer be required as the **Residential Multiple First Density (RM1) Zone under By-law 66-71** permits a maximum height of 10.67 metres (35 feet) and does not provide provisions for maximum Gross Floor Area.

The following table provides a summary of the applicable zone standards of the existing and proposed zone categories as they apply to the proposed development.

| Development Standard | “R2” Zone under By-law 66-71, as amended by By-laws 371-90 and 372-90 | Proposed “RM1” Zone under By-law 66-71, as amended by By-laws 371-90 and 372-90 | Proposed Development |
|----------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------|------------------------------------|
| Permitted Residential Uses | Single Family Detached Dwelling | Single Family Detached Dwelling, Semi-Detached Dwelling and Duplex Dwelling | Semi-Detached Dwelling |
| Minimum Lot Area | 464.52 sq. m (5,000 sq. ft) | 278.70 sq. m (3,000 sq. ft) | 516.673 sq. m (5,561.42 sq. ft) |
| Minimum Lot Frontage | 15.24 m (50 ft) | 10.67 m (35 ft/unit) | 7.67 m (25.16 ft) |

| | | | |
|-------------------------------------------|---------------------------------------------------------------------------|---------------------------------------------------------------------------|-------------------------------------------|
| Maximum Lot Coverage | 30% | 35% | 19.06% |
| Minimum Front Yard Setback | 9.1 m (29.85 ft) | 9.1 m (29.85 ft) | 12.16 m (39.89 ft) |
| Minimum Interior Side Yard Setback | 2.74 m (5 ft for 1 storey, 7 ft for 2 storey, 9 ft for 3 storey) | 2.74 m (5 ft for 1 storey, 7 ft for 2 storey, 9 ft for 3 storey) | 1.3 m (4.27 ft) |
| Minimum Rear Yard Setback | 7.62 m (25 ft) | 7.62 m (25 ft) | 36.09 m (118.41 ft) |
| Maximum Height | 8.5 m (27.9 ft) | 8.5 m (27.9 ft) | 9.45 m (31 ft) |
| Maximum Gross Floor Area | 116.58 sq. m (1,254.86 sq. ft) | 116.58 sq. m (1,254.86 sq. ft) | 296.83 sq. m (3,195.05 sq. ft) |

Planning Analysis:

Town of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (refer to Map 4). 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 Town’s Official Plan. In addition, the subject lands are situated within the study area of the Benson Hunt Tertiary Plan approved by Council for this area of Town.

In accordance with Section 4.9.2 of the Plan, development shall be compatible with the character of the adjacent and surrounding areas with respect to the predominant building forms and types, massing, and the general pattern of yard setbacks. Where development is subject to an Infill Plan or Tertiary Plan, development shall be evaluated on the basis of the criteria as set out in the applicable infill plan or tertiary plan approved by Council for the area.

Benson/Hunt Tertiary Plan

The subject lands are located within the study area boundaries of the Benson Hunt Tertiary Plan (“Tertiary Plan”) (refer to Map 5). The Benson Hunt neighbourhood is undergoing considerable development pressures and is generally characterized by mature trees, unique landscaping features, and a blend of older and newer dwellings with a trend towards larger dwellings and higher density residential development. The objective of the Tertiary Plan is to guide intensification of the neighbourhood and to address the appropriate transition from low to medium density built form within the context of the existing development patterns. In addition to providing direction on the appropriate location and design guidelines for medium density residential development, the Tertiary Plan identifies areas of low density development that are to be protected. In accordance with Official Plan Policy 4.9.2(4), development shall conform with the criteria described in the Tertiary Plan approved by Council for the area.

In accordance with Section 4.0 of the Tertiary Plan, the subject lands are located within the “Low-Density Area” (refer to Map 5), which permits single detached dwellings. Semi-detached dwellings are also permitted subject to a Zoning By-law Amendment, which this application seeks to achieve. The “Low-Density Area” allows for a maximum building height of 2 storeys and new buildings are subject to applicable design criteria as set out in Section 5.0 of the Tertiary Plan. In this regard, garage width is limited to a maximum of 50% of the total front facade for semi-detached units. In addition, the front yard setback must reflect the general setbacks of adjacent dwellings and the building height must be compatible with adjacent built form.

Department and External Agency Comments

The subject Zoning By-law Amendment and the associated background studies and reports submitted in support of same have been circulated to various Town departments and external agencies for their review and comment. The following is a summary of the comments received as of the time of writing of this report.

Development Engineering Division

Development Engineering staff has provided preliminary comments to be addressed as part of Site Plan approval, including a road widening requirement.

Urban Design Section

Urban Design staff has recommended that the entrances of the proposed semi-detached dwelling units be centralized, with the garages at the outer edge of the property to provide more opportunity for landscaping and continuous streetscape (refer to Appendix A). In addition, the proposed garage height and number of risers leading to the front door shall be reduced to conform to the Town’s Urban Design Guidelines and the Benson/Hunt Tertiary Plan.

Park and Natural Heritage Planning Section

Park Planning staff has identified conflicts between the proposed grading/swale and tree protection zones along the southerly property line of the subject lands.

Development Planning Division

In consideration of the policies of the Town’s Official Plan which are relevant to the proposed development, staff provides the following preliminary comments:

- the proposed semi-detached dwelling are generally permitted within the **Neighbourhood** designation of the Official Plan and within the **Low-Density Area** of the Tertiary Plan approved by Council;
- the design, massing, setbacks and footprint of the proposed semi-detached dwelling will be assessed on the basis of the guidelines contained within the Tertiary Plan and shall maintain general compatibility with adjacent and surrounding development;
- staff note that the provisions of the Tertiary Plan restrict semi-detached dwellings to a maximum height of 2 storeys within the **Low-Density Area**;
- the proposal is located along the south portion of Lucas Street, which presently consists of various housing types. The abutting lands to the north between the

subject lands and the Rumble Avenue intersection contain medium density dwelling types. The proposed semi-detached dwelling provides for transition between the existing medium density dwelling types to the north and the low density, single detached dwellings to the south;

- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment required to implement the proposal;
- the appropriateness of removing the lands from the provisions of By-laws 371-90 and 372-90 will be assessed, and the site specific provisions related to increased building height and reduced side yard setbacks will be evaluated on their own merits; and,
- the applicant shall satisfactorily address any issues identified by various Town departments and external agencies that have provided or will provide comments as part of the circulation of the development application.

It should be noted that staff have met with the applicant to discuss matters such as the proposed number of storeys and reversing the entrances/driveways. With respect to the Town's Urban Design review, the reduction of the garage height may alleviate the required number of risers to the front door, and may reduce the proposed semi-detached dwelling to 2 storeys. In regards to switching the location of the entrances and driveways, there is opportunity for more front yard landscaping and potential for preserving an existing tree. A subsequent submission of the Site Plan application is required for further review.

A comprehensive review of the subject application will be conducted following the receipt of comments and feedback from Town departments, external agencies, Council and the public. This detailed review will be completed in advance of and addressed as part of a recommendation report to be prepared for a future Committee of the Whole meeting.

Other Town Departments and External Agency Comments

Comments have also been received from Alectra Utilities, the Regional Municipality of York, Enbridge Gas Distribution, Toronto and Region Conservation Authority, the Town's Zoning Section and the Town's Building Services Division. These Town departments and external agencies have no objections to the proposed Zoning By-law Amendment application and/or have provided comments or conditions to be addressed by the applicant during a more detailed implementation stage of the approval process.

Outstanding Town Department and External Agency Comments

As of the writing of this report, comments remain outstanding from Canada Post, Bell Canada, the Town's Financial Services Division and the Town's Fire and Emergency Services Division.

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 do not have any direct implications with respect to the Town's Strategic Plan. An overview of how the subject application is aligned with the goals of the Town's Strategic Plan will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicant's development proposal.

Conclusion:

The applicant is seeking Council's approval of its proposed Zoning By-law Amendment application to permit the construction of one semi-detached dwelling (2 units) on the subject lands. The purpose of this report is to provide Council and the public with an overview of the applicant's development proposal, and to discuss the regulatory regime governing the evaluation of this planning application. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration.

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.

- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Benson Hunt Tertiary Plan Boundary
- Map 6 Proposed Site Plan
- Map 7 Proposed Front Elevation
- Map 8 Proposed Rear Elevation
- Appendix A – Memorandum from the Town’s Urban Design Section dated September 18, 2018

Report Approval Details

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| Document Title: | SRPRS.19.008 - Zoning By-law Amendment - Desiree Tomanelli and Ivona Tomanelli - 116 Lucas Street.docx |
| Attachments: | <ul style="list-style-type: none"> - Map 1 Aerial Photograph.pdf - Map 2 Neighbourhood Context.pdf - Map 3 Existing Zoning.pdf - Map 4 Official Plan Designation.pdf - Map 5 Benson Hunt Tertiary Plan Boundary.pdf - Map 6 Proposed Site Plan.pdf - Map 7 Proposed Front Elevation.pdf - Map 8 Proposed Rear Elevation.pdf - Appendix A - Memo from Town's Urban Design Section.pdf |
| Final Approval Date: | Jan 28, 2019 |

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

Gus Galanis - Jan 26, 2019 - 11:38 AM

Kelvin Kwan - Jan 28, 2019 - 9:30 AM

Neil Garbe - Jan 28, 2019 - 12:16 PM