



## **Staff Report for Council Public Meeting**

**Date of Meeting:** February 20, 2019

**Report Number:** SRPRS.19.035

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** Request for Comments – Zoning By-law Amendment  
Application – Weilu He – Town File D02-18011 (Related  
Files D06-18022 and D06-18023) (SRPRS.19.035)

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### **Owner:**

Weilu He  
262 Douglas Road  
Richmond Hill, Ontario  
L4E 3H7

### **Agent:**

IIArchitecture  
5864 Leaside Crescent  
Mississauga, Ontario  
L5M 5L6

### **Location:**

Legal Description: Part of Lot 9, Plan 163  
Municipal Address: 262 Douglas Road

### **Purpose:**

A request for comments concerning a proposed Zoning By-law Amendment application to permit the construction of two new single detached dwellings on the subject lands.

### **Recommendation:**

- a) That Staff Report SRPRS.19.035 with respect to the Zoning By-law Amendment application submitted by Weilu He for the lands known as Part of Lot 9, Plan 163 (Municipal Address: 262 Douglas Road), Town File D02-18011 (Related Files D06-18022 and D06-18023), 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

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### Report Approval:

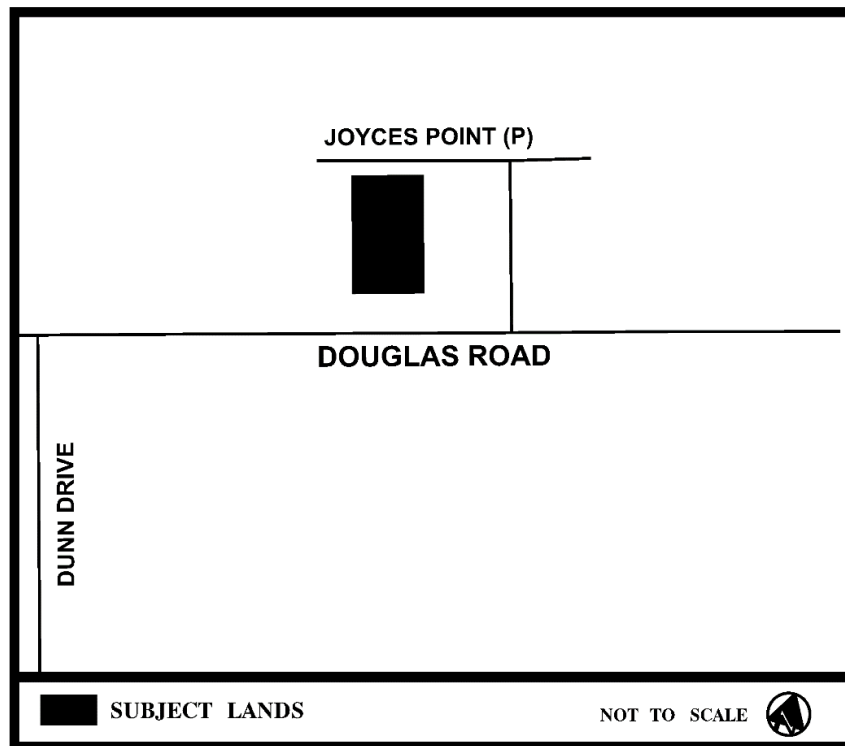
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**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 and related Site Plan applications (Town Files D06-18022 and D06-18023) were received by the Town on April 20, 2018 and deemed complete on July 24, 2018, after Bill 139 received Royal Assent on December 12, 2017. The applications were subsequently circulated to relevant Town departments and external agencies for review and comment. The purpose of this report is to seek comments from Council and the public with respect to the subject Zoning By-law Amendment application, 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 north side of Douglas Road and the south side of Joyces Point Road, east of Dunn Drive and west of Lake Wilcox (refer to Maps 1 and 2). The lands have a total lot area of approximately 0.056 hectares (0.14 acres) and have dual lot frontage of 18.59 metres (60.99 feet) along Douglas Road and Joyces Point Road. The lands currently support one single detached dwelling that is proposed to be demolished to facilitate the applicant's development proposal.

The lands are located within a mature residential neighbourhood which is undergoing infill development. Lands on the north side of Douglas Road, adjacent to Joyces Point Road, consist of a small enclave of existing undersized residential lots relative to the other properties along that street.

The majority of lots within this enclave have smaller lot frontages of approximately 9.2 metres (30.18 feet) to 16.71 metres (54.82 feet) and lot areas ranging from approximately 290 square metres (3,121.53 square feet) to 645.3 square metres (6,945.95 square feet) compared to typical lots along Douglas Road that have lot frontages ranging from approximately 15 metres (49.21 feet) and lot areas of approximately 500 square metres (5,381.96 square feet).

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to facilitate the creation of one additional building lot on its land holdings (refer to Maps 6, 7 and 8). The Zoning By-law Amendment application proposes to rezone the lands from **Residential Third Density (R3) Zone** under By-law 1703, as amended, to **Semi-Detached One (RD1) Zone** under By-law 313-96, as amended, with site specific exceptions to facilitate the proposed development.

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The following is a summary of the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area: 566.92 square metres (6,102.28 square feet)**
- **Total Lot Frontage: 18.59 metres (60.99 feet)**
- **Total Number of Units: 2**
- **Proposed Building Height: 10.97 metres (35.99 feet)**
- **Proposed Lot 1 (West):**
  - **Lot Area: 283.93 square metres (3,056.19 square feet)**
  - **Lot Frontage: 9.3 metres (30.51 feet)**
- **Proposed Lot 2 (East):**
  - **Lot Area: 283.53 square metres (3,051.89 square feet)**
  - **Lot Frontage: 9.29 metres (30.28 feet)**

### Supporting Documentation/Reports

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

- Planning Justification Statement;
- Oak Ridges Moraine Conformity Statement;
- Draft Zoning By-law Amendment;
- Site Plan;
- Elevation Plans;
- Floor Plans; and,
- Arborist Report.

### Zoning By-Law Amendment Application

The subject lands are zoned **Residential Third Density (R3) Zone** under By-law 1703, as amended, and do not meet the current zoning requirements for minimum lot frontage and lot area. The applicant proposes to rezone the subject lands to **Semi-Detached One (RD1) Zone** under By-law 313-96, as amended, with site specific exceptions to facilitate the creation of two single detached dwelling lots and the construction of two new single detached dwellings. It should be noted that By-laws 1703 and 313-96 both pre-date the adoption and approval of the Town of Richmond Hill's Official Plan (the "Plan"). Outlined below are the site specific development standards proposed by the subject application compared to the parent zone standards of the **RD1 Zone** category the applicant is proposing to rezone the lands to. The proposed site specific exceptions are bolded in the table below.

Development Standards	RD1 Zone under By-law 313-96, as amended	Proposed Development
Permitted Use	Single Detached Dwelling Semi-Detached Dwelling Duplex Dwelling	<b>Single Detached Dwelling</b>

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<b>Minimum Lot Area</b>	300 square metres (3,229.17 square feet)	<b>280 square metres (3,013.89 square feet)</b>
<b>Minimum Lot Frontage</b>	9 metres (29.53 feet)	9.2 metres (30.18 feet)
<b>Maximum Lot Coverage</b>	40%	<b>50.31%</b>
<b>Minimum Front Yard Setback</b>	4.5 metres (14.76 feet)	4.8 metres (15.75 feet)
<b>Minimum Side Yard Setback</b>	1.5 metres (4.92 feet)	<b>1.2 metres (3.94 feet)</b>
<b>Minimum Rear Yard Setback</b>	7.5 metres (24.61 feet)	10.32 metres (33.86 feet)
<b>Maximum Height</b>	11 metres (36.08 feet)	10.97 metres (35.99 feet)

### Planning Analysis:

#### Town of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2-Land Use of the Plan (refer to Map 4). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”) and are located within the **Douglas Road Neighbourhood Infill Study** area, as outlined in Section 4.9.1.1.1(n) of the Plan. Uses permitted within the **Neighbourhood** designation include primarily low-density residential uses, in addition to 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 Plan. Based on the aforementioned, single detached dwellings as proposed by the subject application are permitted within the **Neighbourhood** designation.

Section 4.9.2 of the Plan also requires development to 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. As noted previously, the lands are within the Douglas Road Infill Study area and are subject to those guidelines which are discussed in greater detail below (refer to Map 5).

The subject lands are 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 under the Plan shall be permitted within the **Settlement Area**. Therefore, the proposed development is considered to comply with the ORMCP.

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### **Douglas Road Neighbourhood Infill Study**

The subject lands are located within the Douglas Road Neighbourhood Infill Study (the “Study”), approved by Council on July 6, 1998. The Study provides design objectives to guide future infill development along new and existing residential streets. The Study primarily focuses on larger infill developments contemplated within the Study area and provides general guidelines for redevelopment on existing streets. The general intent of the Study is to ensure that new development fits contextually within the existing neighbourhood. The guidelines for infill development along existing streets direct the preservation of existing vegetation and recommend the establishment of minimum lot frontages of 15 metres (49.2 feet). Recommended zoning standards for lots along existing streets includes minimum side yard setbacks of 1.2 metres (3.94 feet), minimum front yard setbacks of 6 metres (19.69 feet) and maximum building heights of 11.5 metres (37.73 feet).

It is important to note that the guidelines of the Study, in particular those that speak to the existing context of Douglas Road, focuses on the larger more typical lots that characterize the majority of the Study area. Therefore, it does not really address the existing undersized lots in the area, being the enclave of small lots on the north side of Douglas Road where the subject lands are located. It should be noted that the primary focus of the Study is larger infill developments. As such, the guidelines do not take into account smaller scale redevelopment on lots such as the ones that are part of the subject applications. Notwithstanding the preceding, the development proposal will be assessed on the basis of conformity with the general intent of the Study.

A more detailed review and evaluation of the submitted applications will be completed following the receipt of comments from Council, the public and Town departments and external agencies.

### **Department and External Agency Comments**

The subject Zoning By-law Amendment and related Site Plan applications, in addition to 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.

### **Building Services Division – Zoning Section**

Zoning staff has recommended that the applicant consider rezoning the lands to Single Detached Two (R2) Zone under By-law 313-96, as amended. The R2 Zone only permits single detached dwellings and has the same development standards as the proposed RD1 Zone for single detached dwellings they are currently requesting. Additional comments were provided regarding the need for the provision of clear site statistics and formatting of the draft by-law.

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### Development Engineering Division

Development Engineering staff has provided comments regarding the need for permission from the owners of the private road (Joyces Point Road) in order to permit the two new proposed driveways. Technical comments have also been provided that are to be addressed during the Site Plan review process.

### Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority has provided preliminary comments with respect to plotting and confirming the Regional Storm Floodplain elevation and the required 10-metre buffer from the Regional Storm Floodplain (refer to Appendix A). Comments have also been provided in relation to the proposed location of the new lot line, the proposed flood mitigation measures, and flood proofing of the proposed garages and dwellings. Technical comments regarding groundwater levels have also been provided.

### Development Planning Division

Development Planning staff has undertaken a preliminary review of the applicant's development proposal, including plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed single detached dwellings are permitted within the **Neighbourhood** designation of the Plan and within the Douglas Road Neighbourhood Infill Study area approved by Council;
- the proposal will be evaluated in accordance with the general intent of the Study and in accordance with the Town-wide Urban Design Guidelines;
- the appropriateness of the proposed lot sizes, architectural design and the detached garages with access from Joyces Point Road is under consideration. The applicant must satisfy the Town's Development Engineering Division comments in this regard;
- the Town does not have any formal road maintenance obligations for Joyces Point Road as this road is privately owned. The Town does however provide winter maintenance and other maintenance operations as required. As such, the appropriateness of establishing two new private accesses from Joyces Point Road must be reviewed;
- the proposed detached garages at the rear of the property will require additional site specific zoning provisions;
- staff note that there are several discrepancies throughout the submitted documents relating to site statistics and proposed development standards. Clarification through the review of the Site Plan applications will be required;
- approval of the associated Site Plan applications is dependent on the approval of the subject Zoning By-law Amendment application and subsequent Consent application becoming final and binding;

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- the applicant must satisfactorily address comments and requirements identified by Town departments and external agencies; and,
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment. The appropriateness of the zoning category and site specific provisions proposed by the applicant will continue to be reviewed with regard to compatibility, design and conformity with applicable planning policy.

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 the Town's Building Services Division, the Town's Urban Design Section, the Town's Financial Services Division, the Town's Fire and Emergency Services Division, the Regional Municipality of York, Enbridge Gas Distribution, and Alectra Utilities. 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 the 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 the Town's Park and Natural Heritage Planning Section, Canada Post, Bell Canada, the York Region District School Board, the York Catholic District School Board and le Conseil Scolaire Catholique MonAvenir.

### **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. 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.



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### **Conclusion:**

The applicant is seeking Council's approval of its proposal to facilitate the creation of one additional building lot 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 Douglas Road Neighbourhood Infill Area
- Map 6 Proposed Development Plan
- Map 7 Proposed Douglas Road Elevation Plans
- Map 8 Proposed Joyces Point Road Elevation Plans
- Appendix A – Letter from the Toronto and Region Conservation Authority dated November 5, 2018

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### Report Approval Details

Document Title:	SRPRS.19.035 - Zoning By-law Amendment - Weilu He - 262 Douglas Road.DOCX
Attachments:	<ul style="list-style-type: none"><li>- Map 1 Aerial Photograph.pdf</li><li>- Map 2 Neighbourhood Context.pdf</li><li>- Map 3 Existing Zoning.pdf</li><li>- Map 4 Official Plan Designation.pdf</li><li>- Map 5 Douglas Road Neighbourhood Infill Area.pdf</li><li>- Map 6 Proposed Development Plan.pdf</li><li>- Map 7 Proposed Douglas Road Elevation Plans.pdf</li><li>- Map 8 Proposed Joyces Point Road Elevation Plans.pdf</li><li>- Appendix A Letter from the TRCA.pdf</li></ul>
Final Approval Date:	Feb 8, 2019

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

**Gus Galanis - Feb 7, 2019 - 4:28 PM**

**Kelvin Kwan - Feb 8, 2019 - 3:23 PM**

**Neil Garbe - Feb 8, 2019 - 3:43 PM**