



Staff Report for Committee of the Whole Meeting

Date of Meeting: February 19, 2019

Report Number: SRPRS.19.031

Department: Planning and Regulatory Services

Division: Development Planning

Subject: SRPRS.19.031 – Request for Approval – Zoning By-law Amendment and Deeming By-law Applications – 2370637 Ontario Ltd. – Town Files D02-18002 and D27-18002

Owner:

2370637 Ontario Ltd.
457 Sunset Beach Road
Richmond Hill, Ontario
L4E 3J3

Agent:

Michael Smith Planning Consultants
19027 Leslie Street
East Gwillimbury, Ontario
L0G 1V0

Location:

Legal Description: Lots 13 and 14, Plan M-1563 and Block 21 and Part of Block 22,
Plan 65M-3372

Municipal Addresses: 56 and 58 Maple Grove Avenue

Purpose:

A request for approval concerning proposed Zoning By-law Amendment and Deeming By-law applications to facilitate the creation of three additional lots on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment and Deeming By-law applications submitted by 2370637 Ontario Ltd. for the lands known as Lots 13 and 14, Plan M-1563 and Block 21 and Part of Block 22, Plan 65M-3372 (Municipal Addresses: 56 and 58 Maple Grove Avenue), Town File D02-18002 and D27-18002, be approved, subject to the following:

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- (i) That the subject lands be rezoned from Residential Urban (RU) Zone under By-law 1275, as amended, to Single Detached Six (R6) 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.19.031; and,
- (ii) That the amending Zoning By-law and Deeming By-law be brought forward to a regular Council meeting for consideration and enactment.

Contact Person:

Simone Fiore, Planner II – Subdivisions, phone number 905-771-2479 and/or
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

Report Approval:

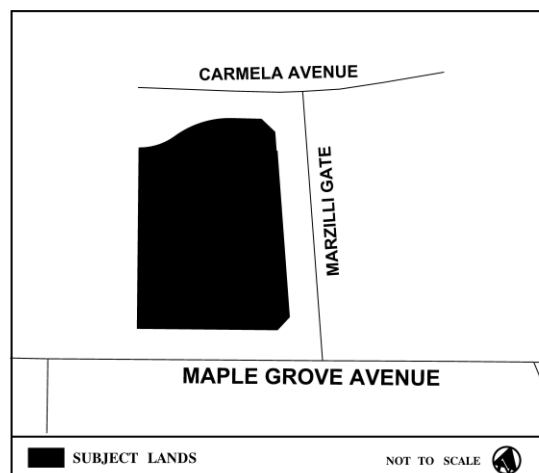
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 presented at a statutory Council Public Meeting held on May 30, 2018 wherein Council received Staff Report SRPRS.18.107 for information purposes and directed that all comments be referred back to staff (refer to Appendix A). No comments or questions were received from either Council or the general public at the public meeting. All comments from internal departments and external agencies pertaining to the subject proposal have been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council's approval of the applicant's Zoning By-law Amendment and Deeming By-law applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the northwest corner of Maple Grove Avenue and Marzilli Gate and have a total combined lot area of 0.337 hectares (0.833 acres) (refer to Maps 1 and 2). The lands are comprised of two existing residential lots (56 and 58 Maple Grove Avenue) fronting on Maple Grove Avenue and two future development blocks fronting on Carmela Avenue (Blocks 21 and 22, Plan 65M-3372). 56 and 58 Maple Grove Avenue currently support two single detached dwellings, which are proposed to be demolished as part of the development proposal. The lands abut Carmela Avenue to the north, Marzilli Gate to the east, Maple Grove Avenue to the south and low-density residential uses to the west. Town-owned lands south of Maple Grove Avenue, opposite the subject lands, contain a tributary of the East Humber River and a wetland.

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to facilitate the creation of three additional building lots on its land holdings. The applicant is proposing two lots with frontage on Maple Grove Avenue and three lots with frontage on Carmela Avenue (refer to Map 5). The new lots will accommodate five single detached dwellings.

It should be noted that the applicant submitted a revised development proposal to the Town in September 2018 in response to comments received from Town staff and external agencies arising from its initial submission of March 2018. The revised proposal incorporates minor revisions to the proposed lot sizes and lot frontages. 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:

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- **Total Lot Area:** 0.337 hectares (0.833 acres)
- **Lot 1: Carmela Avenue**
 - **Lot Frontage:** 15 metres (49.21 feet)
 - **Lot Area:** 448.67 square metres (4,829.44 square feet)
 - **Building Height:** 8.81 metres (29.9 feet)
 - **Lot Coverage:** 38.87%
- **Lot 2: Carmela Avenue**
 - **Lot Frontage:** 15 metres (49.21 feet)
 - **Lot Area:** 550 square metres (5,910.15 square feet)
 - **Building Height:** 8.84 metres (29 feet)
 - **Lot Coverage:** 39.65%
- **Lot 3: Carmela Avenue**
 - **Lot Frontage:** 16.39 metres (53.77 feet)
 - **Lot Area:** 671.29 square metres (7,225.71 square feet)
 - **Building Height:** 8.58 metres (28.15 feet)
 - **Lot Coverage:** 38.97%
- **Lot 4: Maple Grove Avenue**
 - **Lot Frontage:** 23.98 metres (78.67 feet)
 - **Lot Area:** 806.25 square metres (8,678.41 square feet)
 - **Building Height:** 10.01 metres (32.84 feet)
 - **Lot Coverage:** 30.58%
- **Lot 5: Maple Grove Avenue**
 - **Lot Frontage:** 27.99 metres (91.83 feet)
 - **Lot Area:** 896.54 square metres (9,650.28 square feet)
 - **Building Height:** 9.6 metres (31.5 feet)
 - **Lot Coverage:** 36.12%

Planning Analysis:

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (“the Plan”) (refer to Map 3). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”) and the Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study (“Study”) as outlined in Section 4.9.1.1.1(l) of the Plan.

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 Plan. Single detached dwellings are permitted within the **Neighbourhood** designation.

The subject lands are also located within a **Settlement Area** in accordance with Schedule A3 – Settlement Area and **Areas of High Aquifer Vulnerability** in

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accordance with Schedule A5 – ORM Areas of High Aquifer Vulnerability and Wellhead Protection Areas of the Plan. Lands within the **Settlement Area** designation are subject to the policies within Section 3.2.1.1.18 of the Plan, including proximity to Key Natural Heritage Features (“KNHF”) and/or Key Hydrological Features (“KHF”). Staff has reviewed the development proposal with respect to the applicable environmental policies of the Plan and can advise that the proposed development conforms with the relevant policies.

Policy 3.2.1.1.18 (a) of the Plan states that all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**. Given that the proposed single detached dwellings are permitted under the provisions of the Plan, the proposed development is considered to conform with this section of the ORMCP.

Given all of the above, Planning staff is of the opinion that the subject Zoning By-law Amendment application conforms to the Plan.

Elm Grove/Maple Grove/Aubrey Avenue Infill Residential Study

The subject lands are located within the boundaries of the Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study (“the Study”) area approved by Council in 1999. This Study area is generally bounded by Parker Avenue to the west, George Street to the south, the rear lot line of properties west of Yonge Street on the east, and Regatta Avenue to the north. The study prescribes a comprehensive approach to the development and redevelopment anticipated for this area. As such, it contains detailed urban design principles as well as recommended street network layouts, residential housing types and lot sizes, etc.

As per the requirements of the Study, single detached dwellings are permitted throughout the Study area which is consistent with the housing form proposed by the subject applications. Further, the Study identifies minimum lot sizes for single detached lots which are to have a minimum lot frontage of 13.5 metres (45 feet) and a minimum lot area of 450 square metres (4,843.76 square feet). The proposed development is compatible with these development standards.

Given all the above, Planning staff is of the opinion that the subject Zoning By-law Amendment application is consistent with the direction of the Study.

Zoning By-law Amendment Application

The lands at 56 and 58 Maple Grove Avenue are presently zoned **Residential Urban (RU) Zone** under By-law 1275, as amended, while Blocks 21 and 22 on Registered Plan 65M-3372 are zoned **Single Detached Six (R6) Zone** under By-law 313-96, in conjunction with the approval of previous Zoning By-law Amendment and draft Plan of Subdivision applications (Town Files D02-87003 and D03-87002) applicable to these lands.

Both zone categories permit single detached dwellings among other uses; however, the applicant’s development proposal does not meet the majority of the related development standards. Accordingly, the applicant is proposing to rezone the subject

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lands to **Single Detached Six (R6) Zone** under By-law 313-96, as amended, with site specific provisions in order to facilitate the proposed development. The following table outlines the typical **R6 Zone** standards relative to the site specific standards requested by the applicant with the site specific standards highlighted in bold:

Development Standard	R6 Zone Standards, By-law 313-96, as amended	Proposed Standards
Minimum Lot Area (Corner)	565 square metres (6,081.61 square feet)	Complies
Minimum Lot Area (Interior)	500 square metres (5,381.96 square feet)	Lot 1: 448.67 square metres (4,829.44 square feet)
Minimum Lot Frontage (Corner)	17 metres (55.77 feet)	Lot 3: 16.39 metres (53.77 feet)
Minimum Lot Frontage (Interior)	15 metres (49.21 feet)	Complies
Minimum Front Yard	4.5 metres (14.76 feet)	Complies
Minimum Interior Side Yard	1.5 metres (4.92 feet)	Complies
Minimum Flankage Yard	3 metres (9.84 feet)	Complies
Minimum Rear Yard	7.5 metres (24.61 feet)	Lot 4: 5.7 metres (18.7 feet) Lot 5: 6.03 metres (19.78 feet)
Maximum Building Height	11 metres (36.09 feet)	Complies
Maximum Lot Coverage	40%	Complies

Staff notes that the proposed reduced rear yard setback is required in order to accommodate the floodplain and related buffer requirements of the Plan and TRCA regulations. Staff has undertaken a comprehensive review of the applicant's Zoning By-law Amendment application and is satisfied that the development proposal, including the requested site specific provisions, are appropriate and represent good planning in light of the existing physical context of the subject lands and the development in the surrounding area.

Deeming By-law Application

The applicant has submitted a related Deeming By-law application to the Town for approval. The proposed request, if approved, would deem Blocks 21 and 22 on

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registered Plan of Subdivision 65M-3372 and Lots 13 and 14, Plan M-1563 (56 and 58 Maple Grove Avenue) not to be in a Plan of Subdivision. This would have the effect of releasing the lands from Subdivision control, thereby ensuring the subject lands merge on title prior to creating the five building lots proposed by the applicant.

Planning staff has reviewed the applicant's Deeming By-law application and have no objection to its approval. On the basis of the preceding, it is recommended that a by-law be forwarded for Council's enactment to deem Blocks 21 and 22 on registered Plan of Subdivision 65M-3372 and Lots 13 and 14, Plan M-1563 not to be in a registered Plan of Subdivision for the purposes of Section 50(3) of the *Planning Act*.

Town Department and External Agency Comments:

Development Planning Division

Planning staff has reviewed the applicant's development proposal and is of the opinion that it has appropriate regard for and is consistent with the broader policy direction for this part of the Town as outlined in the Official Plan. On this basis, it is recommended that the subject Zoning By-law Amendment application be approved for the following reasons:

- the proposed single detached dwellings are permitted within the **Neighbourhood** designation of the Plan;
- the proposed lot frontages, lot sizes and configuration are generally consistent with the direction in the Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study;
- the proposed development conforms with the provisions of the ORMCP;
- the proposed site specific zoning standards are contextually appropriate and generally in keeping with the redevelopment in the area, and therefore constitute proper and orderly planning;
- future Consent applications will be required for the creation of the five single detached building lots;
- the related Deeming By-law application (Town File D27-18002) must be final and binding prior to any Consent applications required to establish the proposed lots being given final approval; and,
- the applicant has satisfactorily addressed the comments from Town Departments and external agencies.

Financial/Staffing/Other Implications:

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

Relationship to 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 using land responsibly.

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Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment and Deeming By-law applications to permit the creation of five single detached building lots on its land holdings. The submitted Zoning By-law Amendment application conforms with the policies of the Town's Official Plan, is appropriate in the context of the surrounding neighbourhood and therefore represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment and Deeming By-law applications as outlined and described in this report.

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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.

- Appendix A, Extract from Council Public Meeting C#18-18 held May 30, 2018
- Appendix B, Draft Zoning By-law
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Official Plan Designation
- Map 4 Existing Zoning
- Map 5 Original Concept Plan
- Map 6 Proposed Site Plans

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Report Approval Details

Document Title:	SRPRS.19.031 - Request for Approval - 56 and 58 Maple Grove Avenue (D02-18002).docx
Attachments:	<ul style="list-style-type: none">- Appendix A.pdf- Appendix B, Draft Zoning By-law.pdf- 2_18002.pdf- 2_18002B.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S218002_NEW.pdf- MAP_3_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_4_EXISTING_ZONING_S218002_NEW.pdf- MAP_5_PROPOSED_CONCEPT_PLAN.pdf- MAP_6_PROPOSED_SITE_PLANS.pdf
Final Approval Date:	Feb 4, 2019

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

Gus Galanis - Feb 4, 2019 - 3:52 PM

Kelvin Kwan - Feb 4, 2019 - 3:54 PM

Neil Garbe - Feb 4, 2019 - 5:13 PM