



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

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

**Report Number:** SRPRS.19.036

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** Request for Comments – Zoning By-law Amendment  
Application – Anix Developments Inc. – Town File D02-  
18016 (SRPRS.19.036)

---

### **Owner:**

Anix Developments Inc.  
8889 Yonge Street, PO Box 31053  
Richmond Hill, Ontario  
L4C 0V3

### **Agent:**

JKO Planning Services Inc.  
27 Fieldflower Crescent  
Richmond Hill, Ontario  
L4E 5E9

### **Location:**

Legal Description: Lots 981, 982, 983 and 984, Plan 133  
Municipal Address: 0 Lowther Avenue

### **Purpose:**

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

### **Recommendation:**

- a) That Staff Report SRPRS.19.036 with respect to the Zoning By-law Amendment application submitted by Anix Developments Inc. for the lands legally known as Lots 981, 982, 983 and 984, Plan 133 (Municipal Address: 0 Lowther Avenue), Town File D02-18016, 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

## Page 2

### Report Approval:

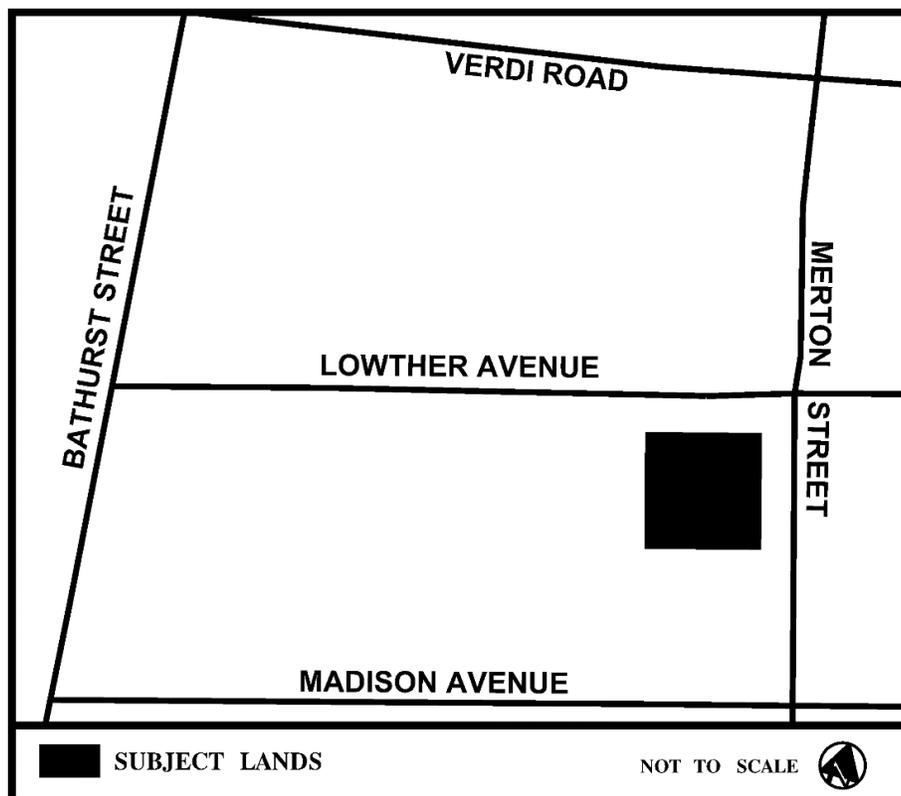
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**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.



### Background Information:

The subject Zoning By-law Amendment application was received by the Town and deemed complete on June 18, 2018, after Bill 139 received Royal Assent on December 12, 2017. The application was 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 application, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

## Page 3

### Summary Analysis:

#### Site Location and Adjacent Uses

The subject lands are located at the southwest corner of Lowther Avenue and Merton Street (refer to Maps 1 and 2). The lands consist of four lots that have merged having a combined lot area of approximately 0.09 hectares (0.22 acres) and a combined lot frontage of 30.48 metres (100 feet) along Lowther Avenue and 30.52 metres (100.13 feet) along Merton Street. The lands are currently vacant and are surrounded by a mix of existing and planned low and medium density residential development. More specifically, adjacent uses include townhouses along Lowther Avenue and semi-detached dwellings on the abutting lands to the south fronting Merton Street.

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the construction of four semi-detached dwelling units on its land holdings (refer to Maps 5 and 6). The following is a summary outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area: 0.09 hectares (0.22 acres)**
- **Total Lot Frontage (Lowther Avenue): 30.48 metres (100 feet)**
- **Total Lot Frontage (Merton Street): 30.52 metres (100.13 feet)**
- **Total Number of Units: 4**
- **Proposed Lot Coverage: 34.86%**
- **Proposed Building Height: 9.90 metres (32.48 feet) or 3 storeys**
- **Proposed Lot 1 (Corner Lot)**
  - **Lot Area: 455.15 square metres (4,899.19 square feet)**
  - **Lot Frontage: 15.24 metres (50 feet)**
- **Proposed Lot 2 (Interior Lot)**
  - **Lot Area: 465.28 square metres (5,008.23 square feet)**
  - **Lot Frontage: 15.24 metres (50 feet)**

#### Supporting Documentation/Reports

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

- Planning Justification Report;
- Draft Zoning By-law;
- Site Plan;
- Landscape Plan;
- Concept Elevation Plans;
- Concept Floor Plans;
- Arborist Report; and,
- Phase One Environment Site Assessment.

## Page 4

### Zoning By-Law Amendment Application

The subject lands are currently zoned under the former Township of King Zoning By-law 986, as amended. The applicant seeks to remove the lands from Zoning By-law 986 and rezone the lands to **Semi-Detached One (RD1) Zone** under By-law 313-96, as amended, with site specific development standards. It should be noted that By-laws 986 and 313-96 both pre-date the adoption and approval of the Town’s Official Plan. Outlined below are the proposed development standards relative to those of the **RD1 Zone** category. The site specific exceptions are highlighted in bold below:

Development Standards	RD1 Zone Standards, By-law 313-96 as amended		Proposed Development	
	Interior Lot	Corner Lot	Interior Lot	Corner Lot
<b>Lot Area (Min.)</b>	485.0 square metres (5,220.50 square feet)	555.0 square metres (5,973.97 square feet)	<b>460.0 square metres (4,951.40 square feet)</b>	<b>455.15 square metres (4,899.19 square feet)</b>
<b>Lot Frontage (Min.)</b>	14.6 metres (47.90 feet)	16.6 metres (54.46 feet)	15.24 metres (50.00 feet)	<b>15.24 metres (50.00 feet)</b>
<b>Lot Coverage (Max.)</b>	50%		50%	
<b>Front Yard Setback (Min.)</b>	4.5 metres (14.76 feet)		4.5 metres (14.76 feet)	
<b>Interior Side Yard Setback (Min.)</b>	1.5 metres (4.92 feet)		<b>1.22 metres (4 feet)</b>	
<b>Exterior Side Yard Setback (Min.)</b>	n/a	3 metres (9.84 feet)	n/a	<b>1.52 metres (4.99 feet)</b>
<b>Rear Yard Setback (Min.)</b>	7.5 metres (24.61 feet)		7.5 metres (24.61 feet)	
<b>Height (Max.)</b>	11 metres (36.09 feet)		11 metres (36.09 feet)	

### 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 (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 in the Hughey West Infill Study, as outlined in Section 4.9.1.1.1(I) 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. Semi-detached dwellings are permitted within the **Neighbourhood** designation.

## Page 5

Additionally, 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.

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**.

### **Hughey West Infill Study**

The subject lands are located within the Hughey West Infill Study (the “Study”) area approved by Council in 2007. This Study applies to the area generally 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 (the “Bathurst Study”) approved by Council in 1998. The primary objectives of the Study are to build upon the recommendations of the Bathurst Study, 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 Urban Design Guidelines that provide direction for 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. Lowther Avenue is among the streets that will be closed at Bathurst Street to become an interior street. Infill development comprising semi-detached dwellings is supported in the Study for interior streets. In this regard, the Study contemplates semi-detached dwelling lots having minimum lot frontages of 14.6 metres (47.90 feet) along interior streets and provides recommendations allowing for appropriate variation in setbacks, with a focus on front yards that enhance the street edge.

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

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

The subject Zoning By-law Amendment application 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.

## Page 6

### **Development Engineering Division**

Development Engineering staff have identified no concerns with the proposed Zoning By-law application but have provided technical comments to be addressed through future Consent applications.

### **Park and Natural Heritage Planning Section**

Park and Natural Heritage Planning staff have provided comments regarding tree planting, which will be addressed through future Consent applications.

### **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 semi-detached dwelling units are permitted within the **Neighbourhood** designation of the Plan and within the Hughey West Infill Plan Area approved by Council;
- the development proposal shall be assessed on the basis of conformity with the design recommendations of the Study;
- the applicant must satisfactorily address comments and requirements identified by Town departments and external agencies that have been requested to review the applicant's development proposal;
- future Consent applications will be required for the creation of the lots; and,
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment to implement the proposed development. The appropriateness of the site specific provisions proposed by the applicant will continue to be reviewed with regard to compatibility, design and conformity with applicable planning policy.

### **Other Town Departments and External Agency Comments**

Comments have also been received from the Town's Zoning Section, the Town's Urban Design Section, the Town's Financial Services Division, the Town's Community Services Department – Waste Division, the Regional Municipality of York, Alectra Utilities, Rogers Communications Inc. and Canada Post. 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 Toronto and Region Conservation Authority, the York Region District School Board, the York Catholic District School Board, le Conseil Scolaire Catholique MonAvenir, and the Town's Fire and Emergency Services Division.

## **Page 7**

### **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.

### **Conclusion:**

The applicant is seeking Council's approval of its proposal to facilitate the construction of four semi-detached dwelling 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 Proposed Development Plan
- Map 6 Concept Elevation Plans

## Page 8

### Report Approval Details

Document Title:	SRPRS.19.036 - Zoning By-law Amendment - Anix Developments Inc. - 0 Lowther Avenue.docx
Attachments:	- Map 1 Aerial Photograph.pdf - Map 2 Neighbourhood Context.pdf - Map 3 Existing Zoning.pdf - Map 4 Official Plan Designation.pdf - Map 5 Proposed Development Plan.pdf - Map 6 Concept Elevation Plans.pdf
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 - 3:22 PM**

**Neil Garbe - Feb 8, 2019 - 3:45 PM**