



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** March 18, 2019

**Report Number:** SRPRS.19.033

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.19.033 – Request for Approval – Official Plan and Zoning By-law Amendment Applications – Central Park Homes – Town Files D01-16006 and D02-16042 (Related Files: D06-17084 and D05-17008)**

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### **Owner:**

Central Park Homes  
6260 Highway 7, Unit 7  
Vaughan, Ontario  
L4H 0K9

### **Agent:**

Evans Planning Inc.  
8481 Keele Street, Unit 12  
Vaughan, Ontario  
L4K 1Z7

### **Location:**

Legal Description: Block 43, Registered Plan 65M-3786  
Municipal Address: 1335 Elgin Mills Road East

### **Purpose:**

A request for approval regarding Official Plan and Zoning By-law Amendment applications to facilitate the construction of a 23 unit townhouse development on the subject lands.

### **Recommendations:**

- a) **That the Official Plan and Zoning By-law Amendment applications submitted by Central Park Homes for lands known as Block 43, Registered**

## Page 2

**Plan 65M-3786 (Municipal Address: 1335 Elgin Mills Road East), Town Files D01-16006 and D02-16042, be approved, subject to the following:**

- (i) that the subject lands be removed from Appendix 7 Existing Neighbourhood Commercial of the Town's Official Plan to facilitate 23 townhouse units on the subject lands;**
  - (ii) that the subject lands be rezoned from Neighbourhood Commercial (NC) Zone under By-law 38-95, as amended, to Residential Multiple Family One (RM1) under Zoning By-law 66-71, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.19.033;**
  - (iii) that the Official Plan Amendment and amending Zoning By-law, be forwarded to a regular meeting of Council for consideration and enactment; and,**
  - (iv) that the request by Central Park Homes for 69 persons equivalent (23 townhouse units) servicing allocation for the lands known as Block 43, Registered Plan 65M-3786 (Municipal Address: 1335 Elgin Mills Road East), be allocated to the subject lands.**
- b) That the comments concerning the related Site Plan, Town File D06-17084 be referred back to staff.**

### **Contact Person:**

Amanda Dunn, Planner II – Site Plans, phone number 905-747-6480 and/or  
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

### **Report Approval:**

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

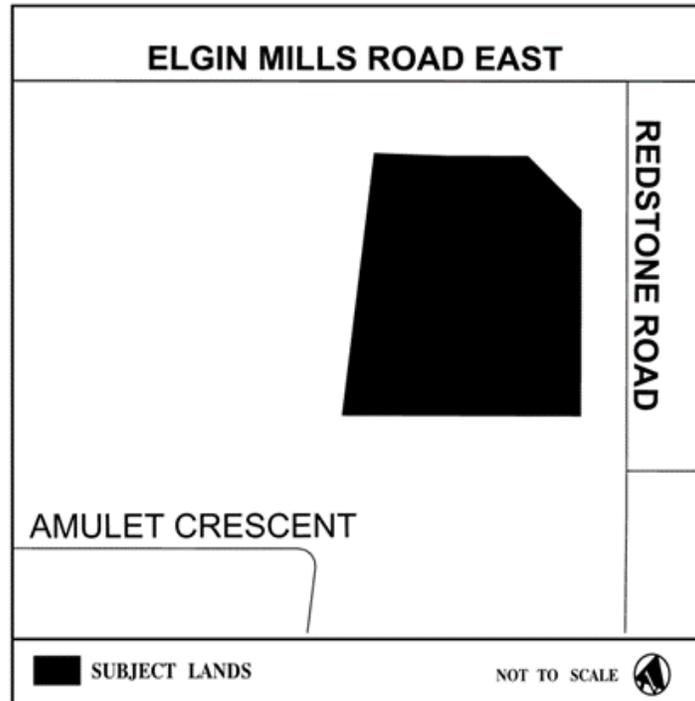
**Approved by:** Neil Garbe, Chief Administrative Officer

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.

## Page 3

### Location Map:

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



## Page 4

### Background:

A statutory Council Public Meeting was held on June 7, 2017 regarding this proposal wherein Council received Staff Report SRPRS.17.073 for information purposes and directed that all comments be referred back to staff (refer to Appendix A). Additionally, the local Ward Councillor hosted a Residents Information Meeting regarding the subject development on May 25, 2017. At both of these meetings, a number of comments and concerns were raised by the public with respect to the development proposal which are detailed later in this report.

Related Site Plan and draft Plan of Condominium applications were subsequently received and deemed complete by the Town on October 31, 2017 in addition to a revised submission of plans and materials in support of the Official Plan and Zoning By-law Amendment applications. The applications were subsequently circulated to relevant Town departments and external agencies for review and comment. All comments from internal departments and external agencies pertaining to the proposed development have been satisfactorily addressed by the applicant.

In consideration of the proceeding, the purpose of this report is to seek Council's approval of the applicant's Official Plan and Zoning By-law Amendment applications.

### Summary Analysis:

#### Site Location and Adjacent Uses

The subject lands are located at the southwest corner of Elgin Mills Road East and Redstone Road (refer to Maps 1 and 2) and have a total lot area of 0.49 hectares (1.04 acres). The subject lands are currently vacant. Adjacent land uses include Elgin Mills Road East to the north, residential uses to the south, commercial uses to the west and Redstone Road to the east.

#### Development Proposal

The applicant is seeking Council's approval to construct a residential development comprised of 23 townhouse units on its land holdings (refer to Maps 1 and 2). The proposed draft Plan of Condominium would establish common element condominium townhouses on the lands, with the private road as the common element (refer to Map 7). The following is a summary outlining the development statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area:** 0.48311 hectares (1.19 acres)
- **Number of Dwellings:** 23
- **Density:** 47.61 units per hectare (19.33 units per acre)
- **Building Height:** 3 storeys
- **Parking:** 58 resident spaces, 6 visitor spaces

## Page 5

### Planning Analysis:

Staff has undertaken a comprehensive review of the applicant's development proposal based on the policy framework contained within the *Provincial Policy Statement (PPS)*, the *Growth Plan for the Greater Golden Horseshoe (2017) (Growth Plan)*, the *Oak Ridges Moraine Conservation Plan (2017)*, the Regional Official Plan (ROP), and the Town of Richmond Hill Official Plan the ("Plan").

Staff notes that the Town's in-force Plan is consistent with the PPS, and conforms with the Growth Plan, the ORMCP and the ROP that were in-force at the time of approval. Since the Plan's approval, the PPS, and the Growth Plan and ORMCP were updated in 2014 and 2017, respectively. Outlined below is a more detailed discussion of the proposal relative to the ROP and the Plan.

#### York Region Official Plan

The subject lands are designated **Urban Area** in accordance with Map 1 - Regional Structure of the ROP. The **Urban Area** policies permit a wide range of residential, commercial, industrial and institutional uses which would permit a medium density residential development, as proposed by the subject applications. Comments have been received from the Region which confirm that the proposed Official Plan Amendment would not adversely affect Regional planning policies or interests. A request was submitted to the Region for exemption of the Official Plan Amendment from Regional approval as the application met the criteria set out in Section 8.3.8 of the ROP and the subject development is considered to be of local significance. The Region has approved this request and as a result, Regional approval of the subject Official Plan Amendment will not be required should Council approve the application.

#### 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) and are identified as an **Existing Neighbourhood Commercial Site** on Appendix 7 of the Plan (refer to Map 4). Uses permitted within the **Neighbourhood** designation (where the subject lands front an arterial street) include medium density residential uses such as townhouses with building heights of up to four storeys. Further, in accordance with Section 4.9.2 of the Plan, development shall be compatible with the character of the adjacent/surrounding area with respect to the predominant building forms and types, massing, general pattern of street, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks.

The proposed development conforms with the **Neighbourhood** designation policies as follows:

- the subject lands front onto an arterial road and the proposed townhouse units are a permitted form of mid-rise residential use in this location;

## Page 6

- the proposed building height of three storeys conforms with the maximum building height of four storeys; and,
- the proposed zoning would result in a built form that is compatible with the existing character of the adjacent and surrounding area with respect to predominant building forms and types, massing, landscaped areas and treatments, and general patterns of yard setbacks.

Policy 4.9.1.3 of the Plan provides direction with respect to **Existing Neighbourhood Commercial Sites**. The policy provides for the retention of existing neighbourhood commercial sites as shown on Appendix 7 of the Plan and encourages the development of these sites to include residential development in a mixed-use form. Further, in accordance with the policies of the Plan, the requirement to submit a Commercial Needs Study to determine whether there is sufficient existing retail and service commercial lands to serve the local area should an existing site be proposed to be removed was required.

The applicant's Commercial Needs Study was reviewed by Kircher Research Associates Ltd. on behalf of the Town. Kircher Research Associates Ltd. agreed with the conclusions of the report that the proposed development of 23 townhouses on the subject site would not have an adverse impact from a commercial market perspective on the basis that the lands have never served a commercial function for the surrounding neighbourhood and the existing neighbourhood is already well served by the existing supply of commercial space in the area. Accordingly, the applicant's request to delete the subject lands from Appendix 7 of the Plan which identifies **Existing Neighbourhood Commercial Sites** is considered appropriate.

Based on the foregoing, staff is of the opinion that the subject proposal is in keeping with the broader policy direction for this part of the Town as outlined in both the ROP and the Plan, as well as the relevant policies of the ORMCP, and further, that the development constitutes good planning. Given all of the above, staff recommends that Council approve the applicant's Official Plan Amendment and direct staff to forward the Amendment document and its implementing by-law to Council for adoption.

### Zoning By-law Amendment

The subject lands are zoned **Neighbourhood Commercial (NC) Zone** under By-law 38-95, as amended (refer to Map 3). This zone category permits specific commercial and institutional uses but does not permit the residential townhouses as proposed by the subject applications. Accordingly, the applicant is seeking approval to rezone the subject lands to **Residential Multiple Family One (RM1) Zone** under By-law 38-95, as amended, with the following site specific development standards to facilitate the proposed development (as bolded in the chart below):

<b>Development Standard</b>	<b>RM1 Zone Standard</b>	<b>Proposed Standard</b>
Minimum Lot Frontage	40.0 metres	Complies
Minimum Lot Area	4,800.0 square metres	Complies

## Page 7

<b>Development Standard</b>	<b>RM1 Zone Standard</b>	<b>Proposed Standard</b>
Maximum Lot Coverage	30%	<b>32.7%</b>
Minimum Landscaped Area	45%	<b>30.2%</b>
Minimum Front Yard Setback	6.09 metres (20 feet)	<b>5.2 metres (17.1 feet)</b>
Minimum Parking Spaces	46 (2 spaces per unit)	Complies
Minimum Visitor Parking Spaces	5 (0.2 spaces per unit)	Complies
Minimum Rear Yard Setback	7.62 metres (25 feet)	<b>5.0 metres (16.4 feet)</b>
Maximum Number of Storeys	-----	3
Maximum Building Height	10.6 metres (35 feet)	<b>13.0 metres (42.7 feet)</b>

### **Block 1 (Units 1 - 5), Block 2 (Units 5 – 10) and Block 3 (Units 11 – 13)**

<b>Development Standard</b>	<b>RM1 Zone Standard</b>	<b>Proposed Standard</b>
Minimum Lot Frontage	6.0 metres (19.7 feet)	Complies
Minimum Lot Area	120.0 square metres (1,291.67 square feet)	Complies
Minimum Front Yard Setback	6.09 metres (20 feet)	<b>5.2 metres (17.1 feet)</b>
Minimum Side Yard Setback	1.2 metres (4 feet) for one storey plus an additional two feet for each additional storey or part thereof. 2.4 metres (8 feet)	<b>1.5 metres (4.9 feet)</b>
Minimum Exterior Side Yard Setback	3.048 (10 feet)	<b>Block 1 Only 2.7 metres (8.9 feet)</b>
Minimum Rear Yard Setback	7.62 metres (25 feet)	<b>5.0 metres (16.4 feet)</b>
Maximum Number of Storeys	-----	3
Maximum Building Height	10.6 metres (35 feet)	<b>13.0 metres (42.7 feet)</b>

### **Block 4 (Units 14 - 19)**

<b>Development Standard</b>	<b>RM1 Zone Standard</b>	<b>Proposed Standard</b>
Minimum Lot Frontage	6.0 metres (19.7 feet)	Complies
Minimum Lot Area	120.0 square metres (1,291.67 square feet)	<b>110.0 square metres (1,184.0 square feet)</b>
Minimum Front Yard (North) Setback	6.09 metres (20 feet)	<b>2.0 metres (6.6 feet)</b>
Minimum Side Yard Setback	1.2 metres (4 feet) for one storey plus an additional two feet for each additional storey or part thereof. 2.4 metres (8 feet)	<b>1.5 metres (4.9 feet)</b>
Minimum Rear Yard Setback	7.62 metres (25 feet)	<b>5.0 metres (16.4 feet)</b>
Maximum Number of Storeys	-----	3
Maximum Building Height	10.6 metres (35 feet)	<b>13.0 metres (42.7 feet)</b>

## Page 8

### Block 5 (Units 20 - 23)

Development Standard	RM1 Zone Standard	Proposed Standard
Minimum Lot Frontage	6.0 metres (19.7 feet)	Complies
Minimum Lot Area	120.0 square metres (1,291.67 square feet)	<b>117.0 square metres (1,259.4 square feet)</b>
Minimum Front Yard Setback	6.09 metres (20 feet)	<b>to Dwelling: 2.1 metres (6.9 feet)</b> <b>to Garage on Unit 13: 5.5 metres (18.04 feet)</b>
Minimum Side Yard Setback	1.2 metres (4 feet) for one storey plus an additional two feet for each additional storey or part thereof. 2.4 metres (8 feet)	<b>1.5 metres (4.9 feet)</b>
Minimum Rear Yard Setback	7.62 metres (25 feet)	<b>5.0 metres (16.4 feet)</b>
Maximum Number of Storeys	-----	3
Maximum Building Height	10.6 metres (35 feet)	<b>13.0 metres (42.7 feet)</b>

Planning staff has undertaken a comprehensive review and analysis of the development standards proposed to facilitate the proposed development and can advise that they are appropriate for the following reasons:

- the proposed **RM1 Zone**, under By-law 38-95, as amended, is consistent with similar townhouse developments in the surrounding area;
- the zoning standards applied to the proposed building lots are consistent with the lot fabric in the overall context of the surrounding neighbourhood, which includes townhouses;
- the requested site specific provisions for the proposed dwelling setbacks are appropriate as they would provide sufficient separation from Elgin Mills Road East, Redstone Road, the proposed private laneways, the adjacent commercial block and the existing residential uses or lands to the south; and,
- the proposed development standards are in keeping with newer development standards applied throughout the Town.

Accordingly, staff are of the opinion that the development as proposed constitutes proper and orderly planning. On the basis of the preceding, it is recommended that the applicant's Zoning By-law Amendment application be approved.

### Site Plan Application

A Site Plan application was submitted in conjunction with the subject Official Plan and Zoning By-law Amendment applications to facilitate the subject development proposal (refer to Map 5). At the time of writing of this report, only technical matters remain to be addressed with respect to Regional requirements regarding landscaping along Elgin Mills Road East. Notwithstanding the foregoing, staff is generally satisfied with the design and placement of the proposed dwellings and will continue to work with the applicant towards the finalization and execution of the Site Plan Agreement.

## Page 9

### Public Comments

As noted previously, a Neighbourhood Residents Meeting and a Council Public Meeting were held on May 25, 2017 and June 7, 2017, respectively, regarding the subject applications at which a number of residents appeared and provided comments. These comments are outlined below along with staff's responses as follows:

- **Building Height**

The proposed height complies with the Plan that would permit a maximum building height of up to 4 storeys for properties on an arterial road. Elgin Mills Road East is classified as an arterial road. The proposed development provides building heights of 3 storeys which is less than what is permitted, and is also consistent with implementation of similar new development for townhouses in other areas of the Town.

- **Loss of Light**

The proposed building heights are comparable to adjacent dwellings and the buildings are sited with sufficient setbacks. Therefore, the proposed development is not expected to have adverse impacts with regard to loss of light and shadow impacts on adjacent lands.

- **Impact of Construction on Adjacent Child Care Facility**

Construction and noise related nuisances associated with the proposed development will be mitigated through the requirement to adhere to the Town's Noise By-law (Chapter 1055) as well as through Site Plan approval conditions that will ensure that the Owner keeps the development clear of building materials, dust, mud, refuse, rubbish and other litter while the development is under construction.

- **Increased Traffic**

A Traffic Impact Study was submitted in support of the subject development and was reviewed by the Town's Engineering and Transportation Services and the Regional Municipality of York. The applicable departments were in agreement of the conclusions of the submitted study, that the study intersection would operate with sufficient capacity and a good level of service, and is expected to continue to operate below capacity during peak periods.

### Town Department and External Agency Comments:

#### Development Planning Division

Planning staff has reviewed the applicant's development proposal and can advise that it has appropriate regard for and is generally consistent with the broader policy direction for this part of the Town, as outlined in the Plan. Accordingly, staff recommends that the subject Official Plan and Zoning By-law Amendment applications be approved on the following basis:

## Page 10

- the removal of the lands from the **Existing Neighbourhood Commercial Sites** map in Appendix 7 of the Plan will not have an adverse impact on the local commercial needs of the community;
- a medium density residential development of 23 townhouses conforms with the policies of the **Neighbourhood** designation of the Plan;
- the proposed height of three storeys conforms with height policies of the **Neighbourhood** designation (Policy 4.9.1 (4)) of the Plan;
- the proposed site specific **RM1 Zone** category under Zoning By-law 66-71, as amended, is generally consistent with the surrounding context of the neighbourhood;
- comments received through the circulation of the applicant's development proposal from Town departments and external agencies have been satisfactorily addressed. Town Departments and external agencies have no further comments or objections to the applications;
- staff are satisfied that the remaining comments related to the Site Plan application are minor and technical in nature and will not affect the approval of the Official Plan and Zoning By-law Amendment applications; and,
- conditions of approval related to the draft Plan of Condominium application will be brought forward at a later date.

### Sustainability Metrics:

The applicant has submitted a Sustainability Performance Metrics Tool for consideration by the Town as part of its review and approval of the subject applications, including the allocation of servicing. Staff has reviewed the applicant's submission and finds it acceptable as the proposed development demonstrates achievement of a "good" score of 35 points, which meets the approved threshold score range of 35 of 104 points. Accordingly, staff will recommend that a servicing allocation for 2.99 persons per unit (23 units) equivalent to the subject development.

### Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staff 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. 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 designing energy efficient dwellings and using land responsibly.

### Conclusion:

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to facilitate the construction of 23 townhouse units on its land

## Page 11

holdings. The applicant has satisfactorily addressed the comments raised during the circulation of the proposal. The proposed development is consistent with the PPS and conforms to the Growth Plan and ROP. Furthermore, the development proposal maintains the general intent and purpose of the Town's Official Plan. Accordingly, staff are of the opinion that the proposed development is appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Official Plan and Zoning By-law Amendment applications in accordance with the recommendations outlined in this report.

### **Attachments:**

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#20-17, held June 7, 2017
- Appendix B, Draft Official Plan Amendment 24
- Appendix C, Draft Zoning By-law 33-2019
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations
- Map 7, Proposed draft Plan of Condominium
- Map 8, Existing Neighbourhood Commercial Sites – Appendix 7

## Page 12

### Report Approval Details

Document Title:	SRPRS.19.033 - Official Plan and Zoning By-law Amendment Applications – 2500470 Ontario Inc. .docx
Attachments:	<ul style="list-style-type: none"><li>- APPENDIX A - Extract from Council Public Meeting.docx</li><li>- APPENDIX B - Draft Official Plan Amendment 24.docx</li><li>- OPA_SCHEDULE_A116006.pdf</li><li>- APPENDIX C - Draft Zoning By-law 33-2019.docx</li><li>- Zoning - Schedule A.pdf</li><li>- Map_1_Aerial_PhotoGraph.pdf</li><li>- MAP_2_NEIGHBOURHOOD_CONTEXT_S116006_S216042_.pdf</li><li>- MAP_3_EXISTING_ZONING_S116006_S216042_.pdf</li><li>- MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf</li><li>- MAP_5_PROPOSED_SITE_PLAN.pdf</li><li>- MAP_6_PROPOSED_ELEVATIONS.pdf</li><li>- MAP_7_PROPOSED_DRAFT_PLAN_OF_CONDOMINIUM.pdf</li><li>- MAP_8_EXISTING_NEIGHBOURHOOD_COMMERCIAL_SITES--Appendix_7_OF_THE_OFFICIAL_PLAN.pdf</li></ul>
Final Approval Date:	Feb 28, 2019

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

**Gus Galanis - Feb 28, 2019 - 10:48 AM**

**Kelvin Kwan - Feb 28, 2019 - 11:57 AM**

**Neil Garbe - Feb 28, 2019 - 1:55 PM**