



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

**Date of Meeting:** April 17, 2019

**Report Number:** SRPRS.19.067

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** SRPRS.19.067 – Request for Comments – Draft Plan of Subdivision Application – Althea Poulos – City File D03-18015 (Related Files D02-14037, D05-14010 and D06-14104)

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### **Owner:**

Althea Poulos  
8905 Bayview Avenue  
Richmond Hill, Ontario  
L4B 2M8

### **Agent:**

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

### **Location:**

Legal Description: Part of Lot 13, Concession 2, E.Y.S.  
Municipal Address: 8905 Bayview Avenue

### **Purpose:**

A request for comments concerning a proposed draft Plan of Subdivision application to permit a medium density residential development comprised of 26 townhouse dwelling units on the subject lands.

### **Recommendation:**

- a) That Staff Report SRPRS.19.067 with respect to the draft Plan of Subdivision application submitted by Althea Poulos for lands known as Part of Lot 13, Concession 2, E.Y.S. (Municipal Address: 8905 Bayview Avenue), City File D03-18015, be received for information purposes only and that all comments be referred back to staff.

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### 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:

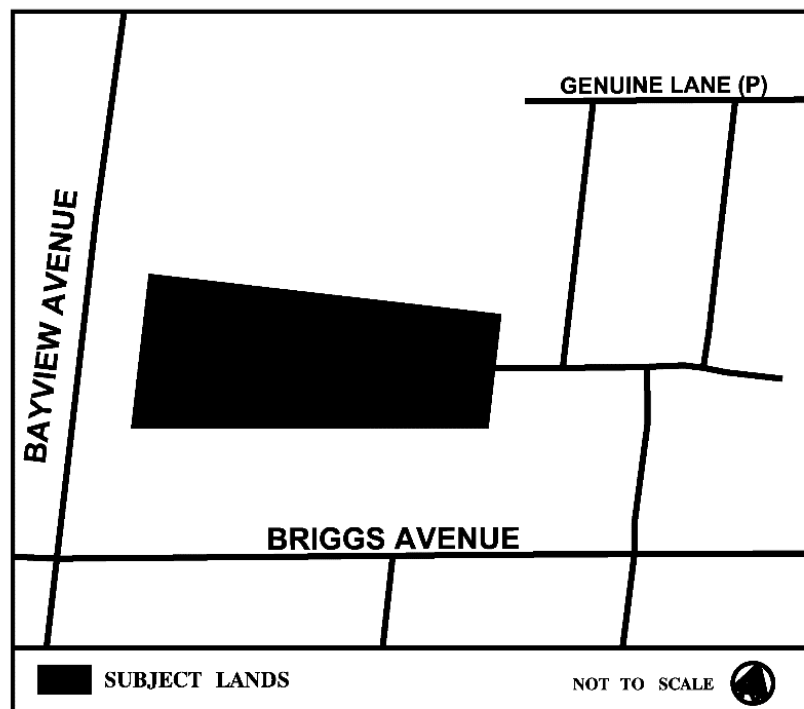
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Neil Garbe, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. 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 draft Plan of Subdivision application was received and deemed complete by the City on December 21, 2018 after Bill 139 received Royal Assent on December 12, 2017. The application was subsequently circulated to relevant City departments and external agencies for review and comment.

The subject draft Plan of Subdivision application is related to Zoning By-law Amendment, draft Plan of Condominium and Site Plan applications (City Files D02-14037, D05-14010 and D06-14104) originally filed by the applicant in December 2014 to permit a mixed-use development comprised of 22 townhouse dwelling units and a day nursery on the subject lands. A statutory Council Public Meeting was held on March 30, 2016 wherein Council received Staff Report SRPRS.16.048 for information purposes and directed that all comments be referred back to staff (refer to Appendix A). In June 2018, the applicant submitted a revised development proposal to address comments received by City staff and external agencies, Council and the public. The revised development proposal contemplates 26 townhouse dwelling units on a private lane and the removal of the day nursery use on the subject lands.

The subject draft Plan of Subdivision application was submitted by the applicant to place a portion of the subject lands within a registered Plan of Subdivision in order to facilitate future Part Lot Control Exemption approval to create the parcels of tied land for the individual dwelling units.

The purpose of this report is to seek comments from Council and the public with respect to the subject draft Plan of Subdivision 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 east side of Bayview Avenue, north of Briggs Avenue, and have a total lot area of approximately 0.659 hectares (1.63 acres). The lands presently support a building used as a day nursery and a residence, which is intended to be demolished as part of the proposed development. The lands abut an institutional use (Anjuman-e-Burhani (Toronto) Mosque) to the north, medium density residential uses to the east, low and medium density residential uses to the south, and Bayview Avenue and Russell Farm Park to the west (refer to Map 1).

#### **Revised Development Proposal**

The applicant is seeking Council's approval to permit a medium density residential development comprised of 26 townhouse dwelling units on its land holdings (refer to Maps 5 and 6).

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As noted in the preceding section of this report, the applicant submitted a revised development proposal to the City in June 2018 comprised of 26 four-storey townhouse dwelling units arranged in four blocks fronting onto a proposed private common element condominium lane. Amenity space for each individual townhouse dwelling unit is to be provided through at-grade front and rear yards and private rooftop terraces. A private parkette is also proposed as amenity space. Vehicular access to the site is proposed from Bayview Avenue.

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

- **Total Lot Area:** 0.659 hectares (1.63 acres)
- **Total Lot Frontage:** 58.45 metres (191.77 feet)
- **Number of Buildings:** 4
- **Number of Units:** 26
- **Maximum Building Height:** 12.3 metres (40.35 feet)
- **Parking Spaces (Resident):** 52 spaces (2 spaces per unit)
- **Parking Spaces (Visitor):** 6 spaces (0.23 spaces per unit)
- **Lot Coverage:** 27.2%
- **Proposed Density:** 39.45 units per hectare (15.9 units per acre)

## Supporting Documentation/Reports

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

- Draft Zoning By-law Amendment;
- Draft Plan of Subdivision;
- Draft Plan of Condominium;
- Planning Justification Statement;
- Urban Design Brief;
- Site Plan;
- Elevation Plans;
- Floor Plans;
- Tree Inventory and Preservation Plan;
- Site Servicing and Grading Plans;
- Construction Management Plan;
- Erosion and Sediment Control Plan;
- Exterior Lighting Plan;
- Arborist Report;
- Landscape Plans;
- Noise Study;
- Parking Justification and On-Site Circulation Study;
- Stormwater Management Report;
- Phase 1 Environmental Site Assessment; and,

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- Sustainability Metrics.

### Draft Plan of Subdivision Application

The applicant's draft Plan of Subdivision proposes the creation of two blocks, one for the purposes of a residential development block and one as a road widening block (refer to Map 4). The purpose of the draft Plan of Subdivision is to place a portion of the subject lands within a registered Plan of Subdivision in order to facilitate a future Part Lot Control Exemption approval to create the parcels of tied land for the individual dwelling units.

### Revised Zoning By-law Amendment Application

The subject lands are zoned **Residential Single Family Five (R5) Zone** under By-law 107-86, as amended, with site specific provisions to permit a day nursery in addition to a single detached dwelling (refer to Map 3). Zoning By-law 107-86, as amended, pre-dates the adoption and approval of the City's Official Plan, and the proposed townhouse development is not permitted by the **R5 Zone**. Accordingly, the applicant is seeking Council's approval to rezone the subject lands to **Residential Multiple Family Two (RM2) Zone** under By-law 107-86, as amended, with site specific development standards to facilitate the proposed development.

The following table provides a summary of the development standards applicable to the proposed development under zone category **Residential Multiple Family Two (RM2) Zone** under By-law 107-86, as amended, including site specific provisions proposed by the applicant depicted in bold. Staff note that the development standards for each individual parcel of tied lands may vary:

Development Standard	RM2 Zone Standards, By-law 107-86, as amended	Proposed Standards/Development
Minimum Lot Area (Interior)	200 square metres (2,152.78 square feet)	<b>118.8 square metres (1,278.75 square feet)</b>
Minimum Lot Area (Corner)	301 square metres (3,239.94 square feet)	<b>160.2 square metres (1,724.38 square feet)</b>
Minimum Lot Frontage (Interior)	6 metres (19.69 feet)	6 metres (19.69 feet)
Minimum Lot Frontage (Corner)	9 metres (29.53 feet)	<b>6 metres (19.69 feet)</b>
Minimum Front Yard	4.5 metres (14.76 feet)	<b>4.2 metres (13.78 feet)</b>
Minimum Side Yard	1.5 metres (4.92 feet)	3.1 metres (10.17 feet)
Minimum Side Yard (Flankage)	4.5 metres (14.76 feet) when adjacent to an arterial road	5.2 metres (17.06 feet)
Minimum Rear Yard	7.5 metres (24.61 feet)	<b>5 metres (16.4 feet)</b>
Maximum Height	11 metres (36.09 feet)	<b>12.3 metres (40.35 feet)</b>
Maximum Lot Coverage	50%	27.2%

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### Revised Draft Plan of Condominium Application

The applicant's revised draft Plan of Common Element Condominium application proposes to facilitate the creation of common element condominium tenure over a portion of the subject lands, intended for the common at-grade shared driveway, visitor parking, sidewalks, a parkette and landscaping. The shared driveway will provide the proposed townhouses within the development with access to Bayview Avenue.

### Revised Site Plan Application

The submitted Site Plan application addresses all aspects of the applicant's development proposal, including, but not limited to the following (refer to Maps 5 and 6):

- architectural design and unit typologies, building setbacks, unit widths, and building heights;
- sidewalks and visitor parking spaces;
- streetscaping, landscaping and tree planting, and the parkette; and,
- site servicing, grading, drainage and stormwater management.

### Planning Analysis:

#### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2-Land Use of the City's Official Plan ("Plan") (refer to Map 2). Uses permitted within the **Neighbourhood** designation include primarily low and medium density residential uses, neighbourhood commercial and community uses, parking and open spaces, and automotive service commercial uses subject to specific policy criteria as defined in Chapter 4 of the Plan. Development within the **Neighbourhood** designation shall have a maximum building height of 4 storeys on an arterial street and a maximum of 3 storeys in all other areas. 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, general patterns of streets, blocks, and lots, landscaped areas and treatments, and the general pattern of yard setbacks.

Medium density residential development may be permitted within the **Neighbourhood** designation for lands fronting onto an arterial road and on a local or collector at a maximum site density of 50 units per hectare (20 units per acre).

### Department and External Agency Comments:

The subject draft Plan of Subdivision application and the associated background studies and reports submitted in support of the proposal have been circulated to various City 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.

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### Development Engineering Division

The City's Development Engineering Division has provided technical comments with respect to servicing, transportation and traffic, grading, stormwater management and erosion and sediment control (refer to Appendix B). These comments are to be addressed through the Zoning By-law Amendment and Site Plan applications. Conditions of draft approval for the Plan of Subdivision application have also been provided.

### Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has provided comments with respect to the proposed parkette, cash-in-lieu of parkland dedication, tree replacement planting, soil volume and Sustainability Metrics (refer to Appendix C).

### Development Planning Division

Planning staff has completed 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 subject lands have frontage on an arterial road (Bayview Avenue), thereby meeting the locational criteria for the consideration of medium density residential development within the **Neighbourhood** designation as described in the City's Official Plan;
- the proposed development contemplates a site density of 39.45 units per hectare (15.9 units per acre), thereby meeting the density criteria for the **Neighbourhood** designation in accordance with the City's Official Plan;
- a maximum building height of three storeys is generally permitted throughout the **Neighbourhood** designation and a maximum of four storeys is permitted for development on an arterial road within the **Neighbourhood** designation. In this regard, the proposed four storey townhouse dwelling units meet the maximum height criteria outlined in the City's Official Plan;
- further review and evaluation of the proposal is needed to determine the impact and appropriateness of the proposed height and rooftop amenity areas from a compatibility perspective;
- the City's Building Services Division has advised that the proposed four storey townhouses must comply with Part 3 requirements in the Ontario Building Code (OBC) in terms of the fire alarm system, the sprinkler system and the standpipe system, among other requirements. In light of the OBC requirements, the current development proposal may not be feasible;
- staff recommend that the applicant consider rezoning the lands to **Residential Multiple Family One (RM1) Zone** under By-law 107-86, as amended. The **RM1 Zone** permits the same uses and has the same development standards as the **Residential Multiple Family Two (RM2) Zone**. The **RM2 Zone** permits a day nursery and an apartment retail store whereas the **RM1 Zone** does not. Given that

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the applicant has revised the development proposal and removed the day nursery component, staff believe that the **RM1 Zone** is the more appropriate zone category;

- the proposed development is subject to Site Plan Control and will be assessed on the basis of the City-wide Urban Design Guidelines;
- staff will continue to work with the applicant to address all technical comments received with respect to the related applications;
- the applicant must satisfactorily address issues and requirements identified by the City departments and external agencies that have been requested to review the applicant's development proposal; and,
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment.

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

### Other City Department and External Agency Comments

Comments have also been received from Canada Post, Enbridge Gas Distribution, Alectra Utilities, Rogers Communication, the City's Fire and Emergency Services Division, the City's Urban Design and Heritage Section, and the York Catholic District School Board. These City departments and external agencies have no objections to the application and/or have provided comments to be considered by the applicant during a more detailed implementation stage of the approval process.

### Outstanding City Department and External Agency Comments

As of the writing of this report, comments remain outstanding from Bell Canada, the Toronto and Region Conservation Authority, the York Region District School Board, the City's Community Services Department and the Regional Municipality of York.

### 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 City's Strategic Plan. An overview of how the subject application is aligned with the 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 draft Plan of Subdivision application to facilitate the construction of 26 townhouse dwelling units on the subject lands. The



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purpose of this report is to provide Council and the public with an overview of the 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.

- Appendix A, Extract from Council Public Meeting C#10-16 held March 30, 2016
- Appendix B, Memorandum from the Development Engineering Division dated December 3, 2018
- Appendix C, Memorandum from Park and Natural Heritage Planning Section dated February 25, 2019
- Map 1 Aerial Photograph
- Map 2 Official Plan Designation
- Map 3 Existing Zoning
- Map 4 Proposed Draft Plan of Subdivision
- Map 5 Proposed Site Plan
- Map 6 Proposed Elevation Plan

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### Report Approval Details

Document Title:	SRPRS.19.067 - Request for Comments - Draft Plan of Subdivision Application - 8905 Bayview Avenue.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A, SRPRS.19.067.PDF</li><li>- Appendix B, SRPRS.19.067.PDF</li><li>- Appendix C, SRPRS.19.067.PDF</li><li>- MAP_1_AERIAL_PHOTOGRAPH.pdf</li><li>- MAP_2_OFFICIAL_PLAN_DESIGNATION.pdf</li><li>- MAP_3_EXISTING_ZONING_S318015A.pdf</li><li>- MAP_4_PROPOSED_DRAFT_PLAN_OF_SUBDIVISION.pdf</li><li>- MAP_5_PROPOSED_SITE_PLAN.pdf</li><li>- MAP_6_PROPOSED_ELEVATION_PLAN.pdf</li></ul>
Final Approval Date:	Apr 4, 2019

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

**Gus Galanis - Apr 3, 2019 - 3:43 PM**

**Kelvin Kwan - Apr 4, 2019 - 3:18 PM**

**Neil Garbe - Apr 4, 2019 - 3:23 PM**