



Staff Report for Committee of the Whole Meeting

Date of Meeting: May 7, 2019

Report Number: SRPRS.19.059

Deferred to the May 14, 2019 Council Meeting

Department: Planning and Regulatory Services
Division: Development Planning

Subject: **SRPRS.19.059 – Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Pietro and Mary Angaran, Susan Peccia and Ringo Canada Ltd. – City Files D02-17034 and D03-17010**

Owners:

Pietro and Mary Angaran
251 Oxford Street
Richmond Hill, Ontario
L4C 7V7

Susan Peccia
253 Oxford Street
Richmond Hill, Ontario
L4C 7V8

Ringo Canada Ltd.
259 Oxford Street
Richmond Hill, Ontario
L4C 7V7

Agent:

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

Location:

Legal Description: Part of Lots 76 and 77 and all of Lot 78, Plan 1999
Municipal Addresses: 251, 253 and 259 Oxford Street

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Purpose:

A request for approval regarding proposed Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the construction of a residential development comprised of 14 single detached dwelling units on the subject lands.

Recommendations:

- a) **That the revised Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Pietro and Mary Angaran, Susan Peccia and Ringo Canada Ltd. for lands known as Part of Lots 76 and 77 and all of Lot 78, Plan 1999 (Municipal Addresses: 251, 253 and 259 Oxford Street), City Files D02-17034 and D03-17010, be approved, subject to the following:**
 - (i) **that the subject lands be rezoned from Second Density Residential (R2) Zone to Third Density Residential (R3) Zone under By-law 2523, as amended, and that the amending Zoning By-law establish site-specific development standards as outlined in Staff Report SRPRS.19.059;**
 - (ii) **that the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment;**
 - (iii) **that the Plan of Subdivision as depicted on Map 5 to Staff Report SRPRS.19.059 be draft approved subject to the conditions as set out in Appendix “C”;**
 - (iv) **that prior to draft plan approval being granted, the applicant pay the applicable processing fee in accordance with the City’s Tariff of Fees By-law 65-18;**
- b) **That Council approve the Site Plan Control By-law as set out in Appendix “D” to Staff Report SRPRS.19.059 to implement the applicant’s sustainability commitments and that said by-law be brought forward to a regular meeting of Council for consideration and enactment; and,**
- c) **That 42 persons equivalent of additional servicing allocation be assigned to the subject lands, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11, as amended.**

Contact Person:

Amanda Dunn, Planner II – Site Plans, phone number 905-747-6480 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

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Report Approval:

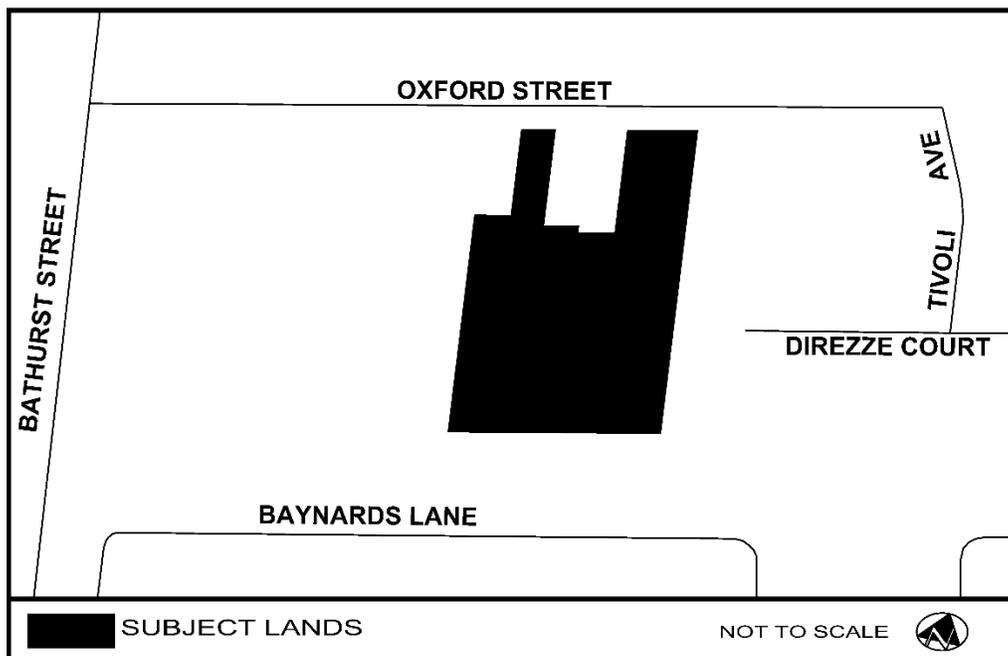
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, 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 the person listed under “Contact Person” above.



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Background:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications were considered at a statutory Council Public Meeting on March 28, 2018 wherein Council received Staff Report SRPRS.18.031 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). A number of comments and concerns were raised by the public with respect to the development proposal which are detailed later in this report.

Following the Council Public Meeting, the applicant discussed various potential revisions to the submitted draft Plan of Subdivision with staff, including an option to introduce semi-detached dwellings rather than single detached dwellings on the subject lands. Staff expressed concerns with a potential change in built-form from a policy, compatibility and procedural perspective. In this regard, it should be noted that the surrounding area is predominantly single detached residential in nature and there is no Council-approved Infill Plan to guide or support the introduction of alternative housing forms within backlot plans of subdivision. Furthermore, compatibility concerns had already been raised by the public with respect to the proposed lot sizes as originally proposed by the application, and the public meeting was held on the basis of applications for a single detached rather than semi-detached dwellings. A revised development proposal incorporating semi-detached dwellings was never filed with the City.

On November 16, 2018, the applicant formally submitted a revised development proposal comprised of 14 single detached residential lots, with larger lots adjacent to existing development to the south and smaller lots interior to the site. All comments from internal departments and external agencies have now been satisfactorily addressed by the applicant. As a result, the purpose of this report is to seek Council’s approval of the applicant’s revised Zoning By-law Amendment and draft Plan of Subdivision applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Oxford Street, east of Bathurst Street (refer to Maps 1 and 2), and have a total lot area of 1.06 hectares (2.63 acres). The lands are comprised of 251 and 259 Oxford Street, and the southern portion of 253 Oxford Street, which was severed as part of an earlier Consent Application (City File D09-17021). The lands currently support two single detached dwellings at 251 and 253 Oxford Street which would be demolished in order to facilitate the development proposal. The land at 259 Oxford Street is vacant. The surrounding area is predominantly low-density residential in nature.

Revised Development Proposal

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The applicant is seeking Council’s approval of its revised Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate a residential development comprised of 14 single detached dwelling units on the subject lands, along with the creation of a new public road (refer to Map 5 and 6).

The proposed draft Plan of Subdivision would establish 14 building lots and two reserve blocks adjacent to the eastern and western boundaries of the subject lands. Two of the building lots would have frontage onto Oxford Street, six of the proposed lots would have frontage on the north side of a new public road and six of the proposed lots would have frontage on the south side of a new public road adjacent to existing lots along Baynards Lane. The lots fronting onto the southern portion of the proposed public road have been revised to include larger widths/frontages. The proposed new road would have a right-of-way (ROW) width of 20.0 metres (65.6 feet) along its east/west leg and 18.29 metres (60.0 feet) along its north/south leg, which would terminate as a temporary hammerhead at the westerly limits of the subject lands. The following is a summary of the pertinent statistics of the applicant’s revised development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 1.06 hectares (2.63 acres)
 - **Single Detached Lots Area:** 0.728 hectares (1.80 acres)
 - **Street Area:** 0.33 hectares (0.82 acres)
 - **0.3-metre Reserves Area:** 0.003 hectares (0.008 acres)
- **Total Number of Units:** 14
- **Proposed Density:** 19.2 units per hectare (7.77 units per acre)
- **Proposed Minimum Lot Frontages:**
 - **Lots fronting onto the northern portion of the new public road:** 12 metres (39.37 feet) to 15 metres (49.21 feet)
 - **Lots fronting onto Oxford Street and the southern portion of the new public road:** 12.97 metres (42.55 feet) to 15.66 metres (51.37 feet)
- **Proposed Minimum Lot Areas:**
 - **Lots fronting onto the northern portion of the new public road:** 401.30 square metres (4,319.55 square feet) to 511.20 square metres (5,502.51 square feet)
 - **Lots fronting onto Oxford Street and the southern portion of the new public road:** 580.33 square metres (6,246.62 square feet) to 569.70 square metres (6,132 square feet)
- **Proposed Building Height:** 2 storeys

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the City of Richmond Hill Official Plan (2010) (the “Plan”) (refer to Map 3).

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Uses permitted within the **Neighbourhood** designation include primarily low and medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service uses, subject to specific policy criteria as defined in Chapter 4 of the Plan. The proposed single detached dwellings are permitted within the **Neighbourhood** designation.

The subject lands are located within a Priority Infill Area for low-density residential development, as identified in Policy 4.9.1.1 (c) of the Plan. The **Neighbourhood** designation allows for small-scale infill development that enhances and strengthens the character of the existing area and promotes connectivity and high quality design. As required by Policy 4.9.1 (3) of the Plan, new infill development must be compatible with the character of the adjacent and surrounding area, in accordance with Policy 4.9.2.4 of the Plan. In particular, infill development must be compatible with the predominant building forms and types, massing, the general pattern of streets, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks within an area. The proposed single detached dwellings would maintain the predominant building form, massing and general lot fabric of the surrounding neighbourhood. Further, an Adjacent Concept Plan has been provided by the applicant (refer to Map 8) which demonstrates how the subject development would integrate with future redevelopment of adjacent lands to the east and west, which staff are satisfied with.

The subject lands are located on the Oak Ridges Moraine and are within the **Settlement Area** as defined in accordance with the *Oak Ridges Moraine Conservation Plan*. In accordance with Section 3.2.1.1(18) of the Plan, all uses which are otherwise permitted under the Plan and applicable Secondary Plans as amended from time to time shall be permitted within the **Settlement Area**. Permitted uses shall be subject to the requirements of Sections 19(3) and 31(4) of the *Oak Ridges Moraine Conservation Plan* and Section 3.2.1.1 of the City's Official Plan.

Given all of the above, staff is of the opinion that the applicant's development proposal conforms to the Official Plan and the *Oak Ridges Moraine Conservation Plan*.

Proposed Zoning By-law Amendment

The subject lands are currently zoned **Second Density Residential (R2) Zone** under Zoning By-law 2523, as amended (refer to Map 4). The **R2 Zone** category permits single, low-rise detached residential dwellings. However, the applicant's development proposal provides for smaller lot sizes and lot frontages than permitted in the R2 Zone. Whereas, the applicant originally requested to rezone the subject lands to **Single Family Six (R6) Zone** under By-law 2523, as amended, staff is of the opinion that a site specific **Third Density Residential (R3) Zone** under By-law 2523, as amended, is more appropriate to facilitate the proposed development (refer to Appendix B). Rezoning the subject lands to the **R3 Zone** is consistent with the zoning of surrounding lands and will ensure that the proposed lots are compatible with the surrounding neighbourhood.

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The following table provides a summary of the applicable development standards within the **R3 Zone** category under By-law 2523, as amended, including site-specific provisions proposed by the applicant in bold:

Development Standard	Proposed R3 Zone, By-law 2523	Proposed Development Standards for Lots fronting onto the northern portion of the new public road	Proposed Development Standards for Lots fronting onto Oxford Street and the southern portion of new public road
Maximum Lot Coverage	30%	40%	40%
Minimum Lot Area (Interior)	557.4 square metres (6,000 square feet)	401.30 square metres (4,319.55 square feet)	553.9 square metres (5,962.12 square feet)
Minimum Lot Area (Corner)	724.6 square metres (7,800 square feet)	511.20 square metres (5,502.51 square feet)	541.30 square metres (5,826.50 square feet)
Minimum Lot Frontage (Interior)	15.24 metres (50 feet)	12.00 metres (39.37 feet)	Complies
Minimum Front Yard	7.62 metres (25 feet)	4.5 metres (14.76 feet)	4.5 metres (14.76 feet)
Minimum Side Yard	1.5 metres (5 feet)	1.22 metres (4.00 feet)	1.22 metres (4.00 feet)
Minimum Exterior Side Yard	7.62 metres (25 feet)	2.4 metres (7.87 feet)	2.7 metres (8.85 feet)
Minimum Rear Yard	7.62 metres (25 feet)	7.5 metres (24.60 feet)	7.5 metres (24.60 feet)
Maximum Building Height	10.6 metres (35 feet)	Complies	Complies

In addition to the site-specific provisions noted above, the applicant has requested approval to permit a deck encroachment of up to 5.0 metres (16.4 feet) into the minimum required rear yard. Staff is of the opinion that this request is not appropriate within the context of this neighbourhood; however, a maximum encroachment of 2.5 metres (8.20 feet) is supportable and is consistent with the standards in newer Zoning By-laws across the City.

Planning staff has reviewed the applicant's Zoning By-law Amendment request and find that the proposal to rezone the subject lands to **Third Density Residential (R3) Zone** under By-law 2523, as amended, is consistent with the overall policy direction for the area. Furthermore, Planning staff can advise that the proposed site-specific development standards are appropriate in consideration of the overall design of the development proposal, as well as the built form envisioned for Priority Infill Areas.

Given of all of the above, staff is of the opinion that the subject Zoning By-law Amendment application implements the submitted draft Plan of Subdivision, conforms with the Official Plan and the *Oak Ridges Moraine Conservation Plan*, and represents good planning.

Proposed Draft Plan of Subdivision

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The submitted draft Plan of Subdivision contemplates the creation of 14 single detached residential lots, a public road from Oxford Street and reserve blocks on the open ends of the future road allowance (refer to Map 5). The conditions of approval contained in Appendix C hereto provide for potential modifications to the draft Plan of Subdivision in the event that the applicant acquires the adjacent lands to the east (247 Oxford Street). In this regard, the subject draft plan would gain its access through the westerly extension of DiRezze Court and the proposed street from Oxford Street would be eliminated and replaced with residential lots.

Subject to the conditions of draft approval contained in Appendix C attached hereto, staff is of the opinion that the draft Plan of Subdivision application conforms with the Official Plan and the *Oak Ridges Moraine Conservation Plan*, and has appropriate regard for the criteria under Section 51(24) of the *Planning Act*.

Council and Public Comments:

As noted previously, concerns were raised by the public at the Council Public Meeting held on March 28, 2018 with regard to the proposed density, loss of green space and the character of the neighbourhood. These comments are outlined below along with staff's responses as follows:

- **Density**

Concerns were raised with respect to the density being proposed on the subject lands. The proposed low-rise single detached dwelling units are considered a low-density residential use, and are permitted within the Neighbourhood designation of the Plan. The proposed development would yield a density of 19.2 units per hectare (7.77 units per acre), which would be considered appropriate and compatible with surrounding density.

- **Green Space**

Concerns were raised with regard to the loss of green space that the proposed development would create. Based on the submitted Tree Inventory and Preservation Plan Report, the proposed development will provide the opportunity to retain approximately half of the existing trees on the subject lands. Further, appropriate tree protection measures have been incorporated as conditions of approval to address the preservation of the existing trees.

- **Character of the Neighbourhood**

Concerns were raised with regard to the size of the proposed lots in relation to the surrounding neighbourhood. Surrounding the subject development are single detached dwellings. The subject lands are identified within a Priority Infill Area for low-density residential development, which allows for infill development that promotes connectivity and is compatible with the character of the surrounding area. The development concept has been revised so that the lots backing onto Baynards Lane (Buildings 9-14, refer to Map 8) have consistent lot fabrics in terms of minimum

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lot frontage and lot area as the existing lots on Baynards Lane. In this regard, the revised concept demonstrates greater compatibility with adjacent lands.

Department and External Agency Comments:

All circulated City departments and external agencies have indicated no objections and/or have provided conditions of draft approval with respect to the proposed Zoning By-law Amendment and draft Plan of Subdivision applications, including York Region, the City's Development Engineering Division and the City's Park and Natural Heritage Planning Section.

Interim Growth Management Strategy:

The applicant has submitted a Sustainability Performance Metrics Tool for consideration by the City 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 23 points, which meets the approved threshold score range of 21-35 points for draft Plan of Subdivision applications. In support of the noted score, the applicant is committing to install buildings with increased air tightness, low flow water fixtures (shower heads, faucets, toilets), energy star appliances and an integrated mechanical system – Home Energy Rating System. To secure implementation of the sustainability commitments at the Building Permit Stage, staff recommends that Site Plan Approval be required for the subject lands.

The subject lands contain two existing single detached dwellings, resulting in a servicing allocation credit of 7.12 persons equivalent. The proposed total unit count comprised of fourteen single detached dwelling units is equivalent to 49.14 persons for the purposes of municipal servicing allocation. As such, staff recommends that an additional 42 persons equivalent of servicing allocation be assigned to the subject lands.

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 are aligned with **Goal Two – Better Choice in Richmond Hill** by providing housing that offer 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 revised Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the construction of a residential development comprised of 14 single detached dwelling units on the subject lands. Staff

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is of the opinion that the submitted applications conform with the City's Official Plan, and that the proposed development is appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment and draft Plan of Subdivision applications in accordance with the direction 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.

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Proposed draft Plan of Subdivision
- Map 6, Proposed Site Plan
- Map 7, Proposed Elevation Plans
- Map 8, Adjacent Development Concept
- Appendix A, Extract from Council Public Meeting C#10-18, held March 28, 2018
- Appendix B, Draft Zoning By-law 59-19
- Appendix C, Schedule of Draft Plan of Subdivision Conditions
- Appendix D, Draft Site Plan Control By-law

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Report Approval Details

Document Title:	SRPRS.19.059 - Zoning By-law Amendment and Draft Plan of Subdivision Applications - 251, 253 and 259 Oxford Street.docx
Attachments:	<ul style="list-style-type: none"> - SRPRS.19.059. MAP_1_AERIAL_PHOTOGRAPH.pdf - SRPRS.19.059. MAP_2_NEIGHBOURHOOD_CONTEXT_S217034A_19.059.pdf - SRPRS.19.059. MAP_3_OFFICIAL_PLAN_DESINATION.pdf - SRPRS.19.059. MAP_4_EXISTING_ZONING_S217034A_19.059.pdf - SRPRS.19.059. MAP_5_PROPOSED_DRAFT_PLAN_OF_SUBDIVISION.pdf - SRPRS.19.059. MAP_6_PROPOSED_SITE_PLAN.pdf - SRPRS.19.059. MAP_7_PROPOSED_ELEVATION_PLANS.pdf - SRPRS.19.059. MAP_8_ADJACENT_DEVELOPMENT_CONCEPT.pdf - SRPRS.19.059. Appendix A - Extract from Council Public Meeting C10-18.pdf - SRPRS.19.059. Appendix B - Draft Zoning By-law 59-19.pdf - SRPRS.19.059. Appendix C - Schedule of Draft Plan of Subdivision Conditions.pdf - SRPRS.19.059. Appendix D - Draft Site Plan Control By-law.pdf
Final Approval Date:	Apr 29, 2019

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

Gus Galanis - Apr 29, 2019 - 10:40 AM

Kelvin Kwan - Apr 29, 2019 - 11:45 AM

Neil Garbe - Apr 29, 2019 - 11:49 AM