



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

**Date of Meeting:** May 21, 2019

**Report Number:** SRPRS.19.082

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** SRPRS.19.082 – Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – 2581685 Ontario Inc. and Mario and Louise Vecchiarelli – City Files D02-17039 and D03-17012

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### **Owners:**

2581685 Ontario Inc.  
105-10376 Yonge Street  
Richmond Hill, Ontario  
L4C 3B8

Mario and Louise Vecchiarelli  
16 Scott Drive  
Richmond Hill, Ontario  
L4C 6V6

### **Agent:**

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

### **Location:**

Legal Description: Lots 80, 81 and Part of Lot 82, Plan 1930 and Lot 10 and Part of Lot 11, Plan 3852

Municipal Addresses: 29 and 33 Edgar Avenue, and 16 Scott Drive

### **Purpose:**

A request for approval concerning proposed Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the westerly extension of Clinton Drive and the creation of seven single detached dwelling lots on the subject lands.

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### **Recommendations:**

- a) **That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 2581685 Ontario Inc. and Mario and Louise Vecchiarelli for lands known as Lots 80, 81 and Part of Lot 82, Plan 1930 and Lot 10 and Part of Lot 11, Plan 3852 (Municipal Addresses 29 and 33 Edgar Avenue and 16 Scott Drive), City Files D02-17039 and D03-17012, be approved, subject to the following:**
  - (i) **that the subject lands be rezoned to Third Density Residential (R3) Zone under By-law 2523, as amended, with site specific provisions as set out in Appendix “B” to Staff Report SRPRS.19.082;**
  - (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.19.082 be draft approved, subject to the conditions as set out in Appendix “C”;**
  - (iv) **that prior to draft 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 “E” to Staff Report SRPRS.19.082 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 24.27 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:**

Sarah Mowder, Planner I – Subdivisions, phone number 905-771-5475 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

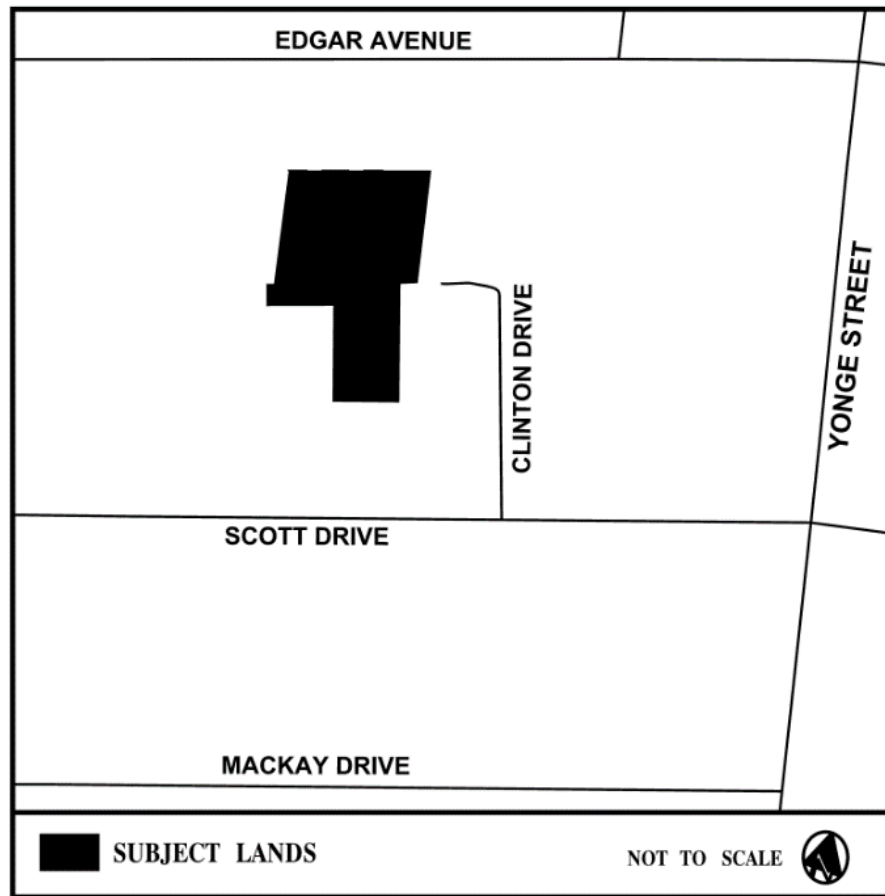
**Approved by:** Neil Garbe, City Manager

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.

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### Location Map:

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



### Background:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications were presented at a statutory Council Public Meeting held on March 28, 2018, wherein Council received Staff Report SRPRS.18.067 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No members of the public spoke to the application at the meeting; however, correspondence was received concerning the removal of trees which is detailed later in this report.

The purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the creation of seven single detached dwelling lots along the westerly extension of Clinton Drive.

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### Summary Analysis:

#### Site Location and Adjacent Uses

The subject lands are located at the westerly termination of Clinton Drive between Edgar Avenue and Scott Drive. The lands are comprised of rear yards which were assembled through the approval of multiple Consent applications, and have a total area of approximately 0.54 hectares (1.32 acres) (refer to Map 1 and 2). The rear yards and 16 Scott Drive are presently vacant and the lands municipally addressed as 29 and 33 Edgar Avenue both presently contain one single detached dwelling outside the limits of the submitted draft Plan of Subdivision. The subject lands are surrounded by low density residential dwellings and are located in close proximity to commercial lands to the east along Yonge Street.

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the extension of Clinton Drive westward and the creation of seven single detached residential building lots along the extension of Clinton Drive (refer to Maps 5 to 7).

As depicted on the submitted draft Plan of Subdivision, five single detached dwelling lots are proposed for the north side of the westerly extension of Clinton Drive, and two single detached dwelling lots are proposed for the south side of the street (refer to Maps 5 and 6). The draft Plan of Subdivision includes 10 metres of the rear portion of the lands municipally known as 16 Scott Drive, which are required for the purposes of constructing the proposed right-of-way extension.

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

- **Total Lot Area:** 0.54 hectares (1.32 acres)
  - **Single Detached Lots Area:** 0.41 hectares (1.01 acres)
  - **Street Area:** 0.12 hectares (0.3 acres)
  - **0.3-metre Reserve Area:** 0.002 hectares (0.005 acres)
- **Number of Lots:** 7
- **Proposed Density:** 17.07 units per hectare (6.9 units per acre)
- **Proposed Lot 1**
  - **Lot Area:** 549.27 square metres (5,912.29 square feet)
  - **Lot Frontage:** 13.12 metres (43.04 feet)
- **Proposed Lot 2**
  - **Lot Area:** 548.18 square metres (5,900.56 square feet)
  - **Lot Frontage:** 13.12 metres (43.04 feet)
- **Proposed Lot 3**
  - **Lot Area:** 547.13 square metres (5,889.26 square feet)
  - **Lot Frontage:** 13.12 metres (43.04 feet)

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- **Proposed Lot 4**
  - **Lot Area:** 546.09 square metres (5,878.06 square feet)
  - **Lot Frontage:** 13.12 metres (43.04 feet)
- **Proposed Lot 5**
  - **Lot Area:** 545.22 square metres (5,868.69 square feet)
  - **Lot Frontage:** 13.13 metres (43.08 feet)
- **Proposed Lot 6**
  - **Lot Area:** 673.35 square metres (7,247.88 square feet)
  - **Lot Frontage:** 15.24 metres (50.00 feet)
- **Proposed Lot 7**
  - **Lot Area:** 676.75 square metres (7,284.47 square feet)
  - **Lot Frontage:** 15.24 metres (50.00 feet)
- **Proposed Building Height:** 11 metres (36.1 feet)

## 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 (the “Plan”) (refer to Map 4). The Official Plan outlines areas within the **Neighbourhood** designation that are directed to be Priority Infill Areas for low density development. The subject lands are included in Section 4.9.1.1.1(d) as the lands are located within “***the area bounded by Carrville Road, Avenue Road, Edgar Avenue, Scott Drive, Pearson Avenue, and Yonge Street***”, and, as such, single detached dwellings are permitted.

Section 4.9.2.4 of the Plan provides guidance on the implementation of design and compatibility policies. In this regard, the proposed development provides for building types that continue the lotting pattern of the neighbourhood and established single detached residential built form along Clinton Drive. Additionally, the massing of the seven proposed dwellings is consistent with existing dwellings in the area. Through the review and commenting process, the applicants have modified their draft amending by-law and Concept Plan to provide front yard setbacks that are consistent with the existing Clinton Drive homes.

Given all of the above, staff is of the opinion that the applicant’s development proposal conforms to the Official Plan.

### Zoning By-law Amendment Application

The lands are currently subject to the provisions of By-law 2523, as amended. As mentioned above, the subject lands are currently dual zoned, as the north portion of the lands are zoned **Second Density Residential (R2) Zone** and the south portion are zoned **Third Density Residential (R3) Zone** (refer to Map 3). In this regard, the applicant is seeking Council’s approval to rezone the subject lands in their entirety to

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**Third Density Residential (R3) Zone** under By-law 2523, as amended, with the following site specific provisions:

| Development Standard                 | “R3” Zone under By-law 2523, as amended     | Proposed Development Standards                         |
|--------------------------------------|---|--|
| Minimum Lot Area                     | 557.42 square metres<br>(6,000 square feet) | <b>540.0 square metres<br/>(5, 812.51 square feet)</b> |
| Minimum Lot Frontage                 | 15.24 metres<br>(50 feet)                   | <b>13 metres<br/>(42.65 feet)</b>                      |
| Maximum Lot Coverage                 | 30%   | <b>40%</b>   |
| Minimum Front Yard Setback           | 7.62 metres<br>(25 feet)                    | Complies   |
| Minimum Side Yard Setback (Interior) | 1.52 metres<br>(5 feet)                     | <b>1.2 metres<br/>(3.94 feet)</b>                      |
| Minimum Rear Yard Setback            | 7.62 metres<br>(25 feet)                    | <b>7.5 metres<br/>(24.61 feet)</b>                     |
| Maximum Height                       | 10.67 metres<br>(35 feet)                   | <b>11 metres<br/>(36.1 feet)</b>                       |

The proposed lots are consistent with the existing pattern of development along Clinton Drive with respect to lot area, lot frontage and lot coverage. A Zoning By-law Amendment was approved for the west side of Clinton Drive (Municipal Addresses 2 to 14 Clinton Drive) in 1983 (By-law 190-83) to permit a minimum lot frontage of 13 metres (42.65 feet) and minimum lot area of 455.0 square metres (4,897.58 square feet) for interior lots. The proposed lot coverage increase from 30% to 40% is consistent with the development trends of the area. The side yard setback, rear yard setback and building height requests are generally in keeping with the requirements of the **R3 Zone**.

The applicant originally requested to reduce the minimum front yard setback from 7.62 metres (25 feet) to 4.5 metres (14.76 feet); however, staff recommended that the front yard setbacks be increased to better align with the established building line along Clinton Drive. The applicant has revised its draft amending by-law to provide a development standard that is consistent with the established setbacks along the continuation of Clinton Drive. The by-law now proposes a site specific standard for minimum front yard setbacks of 9.0 metres (29.53 feet), with an allowance for covered front porches to encroach into the required front yard a maximum of 3.5 metres (11.5 feet) (refer to Appendix “B”).

In consideration of the above, staff is of the opinion that the applicant's Zoning By-law Amendment application implements the submitted draft Plan of Subdivision, conforms to the Official Plan and represents good planning.

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### **Draft Plan of Subdivision Application**

The applicant's draft Plan of Subdivision application contemplates the extension of Clinton Drive westward and the creation of seven single detached dwelling lots with frontage on the proposed right-of-way extension. As demonstrated in the proposed draft Plan of Subdivision, five single detached dwelling lots with minimum frontages of 13 metres (42.65 feet) are proposed on the north side of the Clinton Drive extension. Two single detached dwelling lots are proposed on the south side of the Clinton Drive extension with minimum lot frontages of 15.24 metres (50.00 feet) (refer to Maps 5 and 6). The draft Plan of Subdivision also includes a 10-metre wide (32.81 feet) block at the rear portion of the lands municipally known as 16 Scott Drive, which is required for the purposes of constructing the proposed right-of-way extension.

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 has appropriate regard for the criteria under Section 51(24) of the *Planning Act*.

### **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 the City's Park and Natural Heritage Planning Section and the Regional Municipality of York. The schedule of draft plan conditions are attached as Appendix "C".

### **Development Engineering Division**

Development Engineering staff have provided conditions of draft Plan approval (refer to Appendix "C") and further advise that the following issues will need to be addressed during the detailed design stage:

- the Owner shall submit written permission letters for grading encroachments from adjacent landowners given the proposed servicing and grading concept of the development;
- the Owner shall submit a detailed Water Distribution Report for the subject development;
- the Owner shall submit a detailed Stormwater Management Report for the subject development; and,
- an external easement will be required to be conveyed by the owners of 16 Scott Drive to the City for the purposes of minor storm servicing.

### **Council Public Meeting Comments:**

At the Council Public Meeting held on March 28, 2018, no members of the public spoke to the applications (refer to Appendix "A"). However, written correspondence was received in advance of the meeting from the owners of 7 Clinton Drive. The main concerns raised pertained to the loss of trees. The subject lands are located within a

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Priority Infill Area for low density residential development; therefore, the intention is that this area will be developed in the future. The proposed lotting pattern is consistent with the established pattern of development in the area, which limits the ability to preserve and protect trees in situ. Additionally, the grading and servicing works that are required to support the development would impact the existing trees. The preservation and protection of trees is considered through the development process and through the implementation of the recommendations of the Tree Inventory and Preservation Plan approved by the City. As well, street tree plantings, replacement plantings or cash-in-lieu of plantings are included as conditions of draft plan approval and shall be reviewed through the detailed design stage (refer to Appendix “C”).

### **Interim Growth Management Strategy:**

The applicant has submitted a Sustainability Performance Metrics Tool in support of fulfilling the requirements of IGMS Criteria 5 (Sustainable and Innovative Community and Building Design). The applicant’s proposal would achieve a “good” overall application score of 28 points which meets the approved threshold score range of 21-35 points for draft Plan of Subdivision applications (refer to Appendix “E”). To secure implementation of the prepared sustainability commitments at the Building Permit Stage, staff recommends that a Site Plan Control By-law be enacted and that 24.57 persons equivalent of servicing allocation (7 single detached dwellings) be assigned to the subject lands at this time.

### **Financial/Staffing/Other Implications:**

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

### **Relationship to the 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 Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the westerly extension of Clinton Drive and the creation of seven single detached building lots on the subject lands. Staff has completed a comprehensive review and evaluation of the applicant’s development proposal and is of the opinion that the submitted applications conform with the Official Plan, are appropriate and represent good planning. On the basis of the preceding, staff recommends that Council approve the subject applications, subject to the conditions and directions outlined in this report.



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### **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#10-18, held March 28, 2018
- Appendix B, Draft Zoning By-law
- Appendix C, Schedule of Conditions of Draft Approval
- Appendix D, Draft Site Plan Control By-law
- Appendix E, Sustainability Metrics Table
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Proposed Draft Plan of Subdivision
- Map 6 Development Concept Plan
- Map 7 Concept Elevation Plans

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### Report Approval Details

|                      |  |
|----------------------|--|
| Document Title:      | SRPRS.19.082 - Request for Approval of Zoning By-law Amendment and Draft Plan of Subdivision Applications - Clinton Drive.docx   |
| Attachments:         | <ul style="list-style-type: none"><li>- SRPRS.19.082 - Appendix A - Council Public Meeting Extract.pdf</li><li>- SRPRS.19.082 - Appendix B - Draft Zoning By-law.pdf</li><li>- SRPRS.19.082 - Appendix C - Conditions of Draft Plan of Subdivision Approval.pdf</li><li>- SRPRS.19.082 - Appendix D - DRAFT Site Plan Control By-law.pdf</li><li>- SRPRS.19.082 - Appendix E - Sustainability Metrics.pdf</li><li>- SRPRS.19.082 - MAP 1 - AERIAL PHOTOGRAPH.pdf</li><li>- SRPRS.19.082 - MAP 2 - NEIGHBOURHOOD CONTEXT.PDF</li><li>- SRPRS.19.082 - MAP 3 - EXISTING ZONING.pdf</li><li>- SRPRS.19.082 - MAP 4 - OFFICIAL PLAN DESIGNATION.PDF</li><li>- SRPRS.19.082 - MAP 5 - PROPOSED DRAFT PLAN OF SUBDIVISION.PDF</li><li>- SRPRS.19.082 - MAP 6 - DEVELOPMENT CONCEPT PLAN.pdf</li><li>- SRPRS.19.082 - MAP 7 - CONCEPT ELEVATION PLANS.pdf</li></ul> |
| Final Approval Date: | May 8, 2019  |

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

**Gus Galanis - May 8, 2019 - 3:16 PM**

**Kelvin Kwan - May 8, 2019 - 3:30 PM**

**Neil Garbe - May 8, 2019 - 3:34 PM**