



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

**Date of Meeting:** May 22, 2019

**Report Number:** SRPRS.19.090

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** SRPRS.19.090 – Request for Comments – Draft  
Plan of Subdivision Application – Tania  
Alexandra Pacitto – City File D03-19001

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### **Owner:**

Tania Alexandra Pacitto  
154 Oxford Street  
Richmond Hill, Ontario  
L4C 4L7

### **Agent:**

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

### **Location:**

Legal Description: Part of Lot 44, Plan 1999  
Municipal Address: 154 Oxford Street

### **Purpose:**

A request for comments concerning a proposed draft Plan of Subdivision application to permit the creation of five single detached residential lots and an extension of Battaglini Avenue on the subject lands.

### **Recommendation:**

- a) That Staff Report SRPRS.19.090 with respect to the draft Plan of Subdivision application submitted by Tania Alexandra Pacitto, for lands known as Part of Lot 44, Plan 1999 (Municipal Address: 154 Oxford Street), City File D03-19001, be received for information purposes only and that all comments be referred back to staff.

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### Contact Person:

Katherine Faria, Planner II – Subdivisions, phone number 905-771-5543 and/or  
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

### Report Approval:

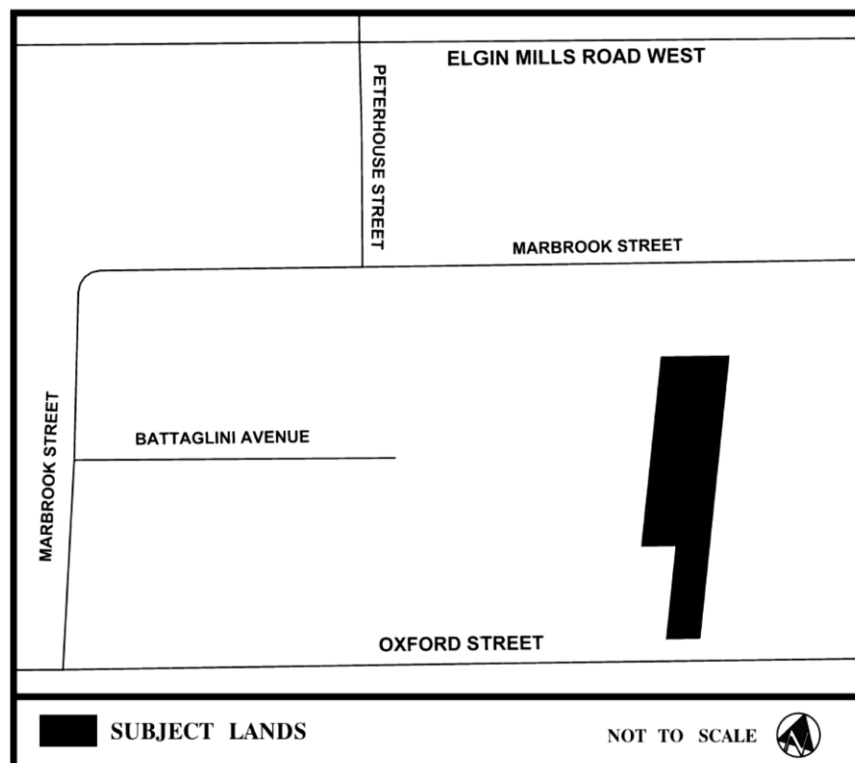
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**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 the “Contact Person” above.



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### Background Information:

The subject draft Plan of Subdivision application was received by the City on January 17, 2019 and deemed complete on January 24, 2019, after Bill 139 received Royal Assent on December 12, 2017. The application and supporting materials were subsequently circulated to relevant City 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 applicant's development proposal 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 north side Oxford Street and south of Marbrook Street. The lands have a total area of approximately 0.34 hectares (0.84 acres) and currently support an existing single detached dwelling that is proposed to be retained (refer to Map 1). The lands abut Oxford Street to the south and existing low-density residential uses to the north, east and west. It should be noted that a draft Plan of Subdivision application (City File D03-18001) has been submitted for the lands situated to the west of the subject proposed and is currently under review.

#### Development Proposal

The applicant is seeking Council's approval of its draft Plan of Subdivision application to facilitate a residential development comprised of a total of five single detached residential lots, with an existing lot maintaining frontage on Oxford Street and four additional single detached residential lots having frontage on the proposed extension of Battaglini Avenue (refer to Map 4). The adjacent development proposal (City File D03-18001) contemplates the easterly extension of Battaglini Avenue between its present terminus and the boundary of the subject lands (refer to Map 5). In this regard, the subject development proposal contemplates the further extension of Battaglini Avenue to the easterly boundary of the subject lands.

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

- |   |   |
|---|---|
| • <b>Total Area:</b>                            | <b>0.339 hectares (0.84 acres)</b>  |
| • <b>Single Detached Residential Area:</b>      | <b>0.276 hectares (0.68 acres)</b>  |
| • <b>Street Area:</b>                           | <b>0.062 hectares (0.15 acres)</b>  |
| • <b>Total Number of Units:</b>                 | <b>5</b>  |
| • <b>Existing Lot Frontage (Oxford Street):</b> | <b>15.71 metres (51.5 feet)</b>   |
| • <b>Proposed Lot Frontages (Extension):</b>    | <b>approximately 15.6 metres (51.2 feet)</b>  |
| • <b>Proposed Lot Areas:</b>                    | <b>approximately 520 square metres (5,597.23 square feet) to 666 square metres (7,168.76 square feet)</b> |

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### Supporting Documentation/Reports

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

- Draft Plan of Subdivision;
- Plan of Survey;
- Urban Design Brief;
- Preliminary Geotechnical Investigation;
- Preliminary Hydrogeological Investigation;
- Functional Servicing Report;
- Natural Heritage Evaluation;
- Oak Ridges Moraine Conformity Statement;
- Tree Inventory and Preservation Plan Report;
- Sustainability Metrics Tool; and,
- Phase One Environmental Site Assessment.

### Draft Plan of Subdivision Application

The submitted draft Plan of Subdivision application comprises a total of five single detached residential lots, with an existing lot maintaining frontage on Oxford Street and an additional four lots to be established within the rear portion of the subject lands. The additional lots are to have frontage onto the proposed easterly extension of Battaglini Avenue. As noted previously, an adjacent development proposal (City File D03-18001) contemplates the extension of Battaglini Avenue, which would connect the current easterly terminus of Battaglini Avenue to the boundary of the subject lands (refer to Map 4).

### 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 2). The predominant use of land within the **Neighbourhood** designation shall be for low-rise residential uses, including single detached dwellings. The subject lands are also situated within a priority infill area in accordance with Section 4.9.1.1 of the Plan.

In accordance with Section 4.9.1 of the Plan, development shall be compatible with the adjacent and surrounding area. In this regard and pursuant to Policy 4.9.2 (4), development shall be compatible with the existing character of adjacent and surrounding areas with respect to predominant building forms and types, massing, general patterns of streets, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks. In addition, the policies of the Plan restrict building height within the **Neighbourhood** designation to a maximum of 3 storeys, except on an arterial street where a building may be a maximum of 4 storeys in height.

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The subject lands are also located on the Oak Ridges Moraine and are within the **Settlement Area** as defined in accordance with the *Oak Ridges Moraine Conservation Plan (ORMCP)*. Pursuant to Section 3.2.1.1 of the Plan, all uses including the creation of new lots which are otherwise permitted under the Plan, as amended from time to time, shall be permitted within the **Settlement Area**. In addition, permitted uses shall be subject to the requirements of Sections 19(3) and 31(4) of the ORMCP and Section 3.2.1.1 of the Plan.

On the basis of a preliminary review of the applicant's development proposal, the subject draft Plan of Subdivision appears to be consistent with land use policies of the Plan.

### Zoning By-law

The subject lands are zoned **Single Family Six (R6) Zone** under By-law 2523, as amended by By-law 150-90, and **Third Density Residential (R3) Zone** under By-law 2523, as amended (refer to Map 3). Both By-laws 2523 and 150-90, as amended, pre-date the adoption and approval of the City's Official Plan. The following is a summary table outlining the relevant development standards of the **R6** and **R3 Zones**:

Development Standard	R6 Zone	R3 Zone
Minimum Lot Frontage, Interior Lot	15 metres (49.2 feet)	15.2 metres (50 feet)
Minimum Lot Area, Interior Lot	502 square metres (5,403.5 square feet)	557.4 square metres (6,000 square feet)
Minimum Front Yard	4.5 metres (14.7 feet) and 6 metres (19.7 feet) to a garage	7.62 metres (25 feet)
Minimum Side Yard	1.5 metres (4.9 feet)	1.52 metres (5 feet)
Minimum Rear Yard	7.5 metres (24.6 feet)	7.62 metres (25 feet)
Maximum Lot Coverage	40%	30%*
Maximum Height	11 metres (36.1 feet)	10.7 metres (35 feet)

\*As amended by By-law 187-80

Proposed Lots 1 and 3 are zoned **R6 Zone**, and proposed Lots 2, 4 and 5 are zoned **R3 Zone**. On the basis of the plans provided, it appears that all of the proposed lots comply with the minimum lot frontage requirements of the applicable Zoning By-laws; however, the proposed Lots 2 and 4 do not comply with the required minimum lot area of 557.4 square metres on the basis of the plans submitted.

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

The subject draft Plan of Subdivision application, in addition to the associated background studies and reports submitted in support of same were 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.

#### **Urban Design Section**

The City's Urban Design Section has reviewed the applicant's development proposal and has provided comments with respect to the submitted Urban Design Brief. In this regard, Urban Design staff has requested that Architectural Design Control review be a condition of approval.

#### **Building Services Division – Zoning Section**

The City's Zoning Section has advised that the proposed Lots 2 and 4 do not appear to comply with the minimum lot area requirements of the applicable Zoning By-law. In this regard, the submitted draft Plan of Subdivision will need to be revised or relief will need to be sought from the applicable provisions of the Zoning By-law.

#### **Community Services Department**

The City's Community Services Department has reviewed the applicant's development proposal and has provided comments with respect to waste collection eligibility and applicable waste management standards. In addition, Community Services staff has advised that a Waste Management Plan will be required.

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

The City's Park and Natural Heritage Planning Section has reviewed the applicant's development proposal and recommends that Council resolve to accept cash-in-lieu of parkland dedication at building permit issuance. In addition, Park and Natural Heritage Planning staff has provided comments with respect to landscaping.

#### **Toronto and Region Conservation Authority**

The Toronto and Region Conservation Authority (TRCA) has provided comments with respect to water balance requirements, water resource engineering and review of the submitted Natural Heritage Evaluation. In this regard, TRCA has advised that additional information is required with respect to the water balance assessment.

#### **Regional Municipality of York**

The Regional Municipality of York (the "Region") has reviewed the applicant's development proposal and has provided comments with respect to transit, servicing allocation and infrastructure. The Region has provided conditions of draft approval.

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### Development Planning Division

In consideration of the policies of the City's Official Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed single detached residential lots are permitted within the **Neighbourhood** designation subject to the policies of Section 4.9.1 of the Plan;
- the proposed lot sizes are compatible and generally in keeping with the established lot patterns within the area, including the existing lots on Battaglini Avenue. In addition, the proposed lot frontages and areas are generally consistent with the single detached residential lots proposed as part of the adjacent development proposal (City File D03-18001);
- as indicated in the earlier sections of this report, proposed Lots 2 and 4 do not appear to comply with the minimum required lot area for interior lots on the basis of the plans submitted to the City. Notwithstanding the foregoing, the proposed lot area for lots 2 and 4 would be generally in keeping with the established and proposed lotting pattern along the existing and proposed extension of Battaglini Avenue, respectively. As noted previously, the submitted draft Plan of Subdivision will need to be revised to comply or alternatively, relief from the applicable provisions of the Zoning By-law will need to be sought;
- on the basis of the materials submitted in support of the applicant's development proposal, it is understood that the existing single detached dwelling located on the subject lands is proposed to remain. In this regard, the applicant will be required to confirm the development standards of the existing dwelling as they relate to the proposed Lot 5, including lot coverage and setbacks; and,
- on the basis of the foregoing, it is the understanding of staff that relief from the applicable provisions of the Zoning By-law(s) may be required in order to facilitate the applicant's development proposal. The applicant has indicated that an application for Minor Variance will be submitted upon consideration of the subject draft Plan of Subdivision application by Council and members of the public. In this regard, any relief sought with respect to the proposed lot sizes and/or existing single detached dwelling to remain must be final and binding prior to registration of the subdivision.

A comprehensive review of the subject draft Plan of Subdivision 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 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 Alectra Utilities, Enbridge Gas Distribution, Hydro One, Rogers Communications, the City's Financial Services Division, the City's Fire and Emergency Services Division, and the York Catholic District School Board.

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These City departments and external agencies have no objections to the application and/or have provided comments to be considered at a more detailed implementation stage of the process.

### **Outstanding City Department and External Agency Comments**

As of writing of this report, comments remain outstanding from the City's Development Engineering Division, Canada Post, Conseil scolaire catholique MonAvenir, Bell Canada, and the York Region District School Board.

### **Interim Growth Management Strategy**

Council has approved and implemented a comprehensive strategy comprised of eight growth management eligibility criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The criteria are as follows:

1. *Providing community benefits and completion of required key infrastructure.*
2. *Developments that have a mix of uses to provide for live-work relationships.*
3. *Developments that enhance the vitality of the Downtown Core.*
4. *Higher-order transit supportive development.*
5. *Developments that represent sustainable and innovative community and building design.*
6. *Completion of communities.*
7. *Small scale infill development.*
8. *Opportunities to provide affordable housing.*

In accordance with Council direction, as part of the review of the above noted IGMS Criteria 5 (Sustainable and Innovative Community and Building Design), the applicant has submitted a Sustainability Performance Metrics Tool (the "Metrics Tool") in support of its development proposal. The submitted Metrics Tool demonstrates an Overall Application score of 21 points, which would meet the applicable minimum score and would achieve a "good" score in accordance with the City's sustainability performance criteria. However, at the time of writing of this report, the Metrics Tool remains under review by the respective City departments with regard to the feasibility and appropriateness of the proposed sustainability measures. In addition, the applicant will be required to submit an Interim Growth Management Strategy (IGMS) Letter prior to approval of its draft Plan of Subdivision application.

### **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



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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 permit the construction of a residential development comprised of five single detached residential lots and the easterly extension of Battaglini Avenue on the subject lands. The 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.

- Map 1 Aerial Photograph
- Map 2 Official Plan Designation
- Map 3 Existing Zoning
- Map 4 Proposed Draft Plan of Subdivision
- Map 5, Adjacent Proposed Draft Plan of Subdivision (City File D03-18001)

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### Report Approval Details

Document Title:	SRPRS.19.090 - Request for Comments - Draft Plan of Subdivision.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPRS.19.090 Map 1.PDF</li><li>- SRPRS.19.090 Map 2.pdf</li><li>- SRPRS.19.090 Map 3.pdf</li><li>- SRPRS.19.090 Map 4.pdf</li><li>- SRPRS.19.090 Map 5.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 - 3:12 PM**

**Kelvin Kwan - May 8, 2019 - 3:26 PM**

**Neil Garbe - May 8, 2019 - 3:30 PM**