



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

**Date of Meeting:** May 21, 2019  
**Report Number:** SRPRS.19.083

**Department:** Planning and Regulatory Services  
**Division:** Development Planning

**Subject:** **SRPRS.19.083 – Request for Approval – Zoning By-law Amendment Application – Anix Developments Inc. – City File D02-18016**

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### **Owner:**

Anix Developments Inc.  
8889 Yonge Street, PO Box 31053  
Richmond Hill, Ontario  
L4C 0V3

### **Agent:**

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

### **Location:**

Legal Description: Lots 981, 982, 983 and 984, Plan 133  
Municipal Address: 0 Lowther Avenue

### **Purpose:**

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the construction of four semi-detached dwelling units on the subject lands.

### **Recommendations:**

- a) **That the Zoning By-law Amendment application submitted by Anix Developments Inc. for lands known as Lots 981, 982, 983 and 984, Plan 133 (Municipal Address: 0 Lowther Avenue), City File D02-18016, be approved, subject to the following:**
  - (i) **that the subject lands be rezoned to Semi-Detached One (RD1) Zone under By-law 313-96, as amended, and that the amending Zoning By-law**

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**establish site specific development standards as outlined in Staff Report SRPRS.19.083; and,**

- (ii) that the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

### 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:

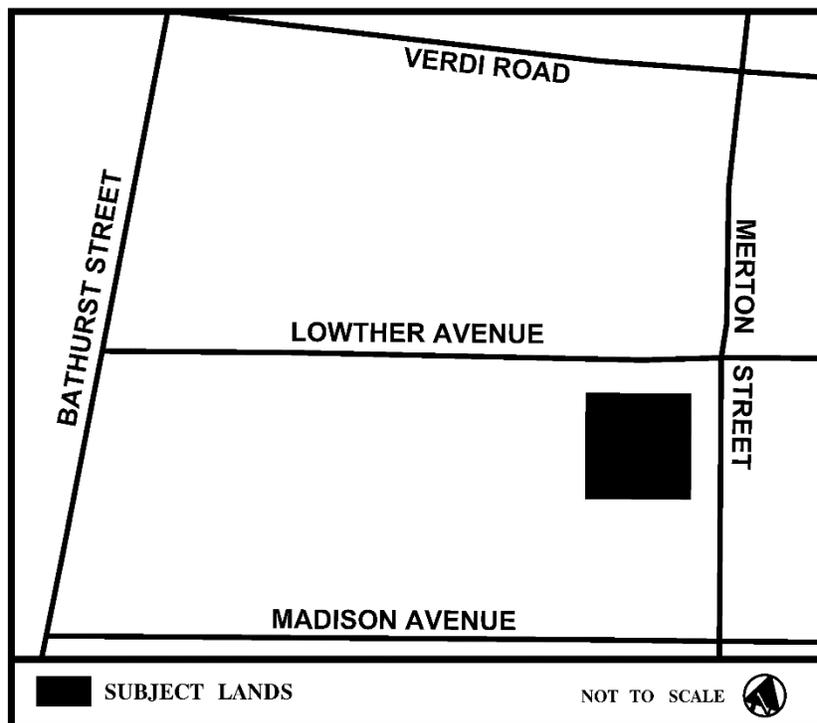
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**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.

### 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 application was presented at a statutory Council Public Meeting held on February 20, 2019, wherein Council received Staff Report SRPRS.19.036 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 and no concerns were raised at the Council Public Meeting.

The purpose of this report is to seek Council's approval of the applicant's Zoning By-law Amendment application.

### Summary Analysis:

#### Site Location and Adjacent Uses

The subject lands are located at the southwest corner of Lowther Avenue and Merton Street (refer to Maps 1 and 2). The lands consist of four lots that have merged having a combined lot area of approximately 0.09 hectares (0.22 acres) and a combined lot frontage of 30.48 metres (100 feet) along Lowther Avenue and 30.52 metres (100.13 feet) along Merton Street. The lands are currently vacant and are surrounded by a mix of existing and planned low and medium density residential development. More specifically, adjacent uses include townhouses along Lowther Avenue and semi-detached dwellings on the abutting lands to the south fronting Merton Street.

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the construction of four semi-detached dwelling units on its land holdings (refer to Maps 5 and 6). Each unit will have frontage on Lowther Avenue. The proposed development will require a series of future Consent applications through the City's Committee of Adjustment in order to sever the lands accordingly. 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:** 0.09 ha (0.22 ac)
- **Total Lot Frontage (Lowther Avenue):** 30.48 m (100 ft)
- **Total Lot Frontage (Merton Street):** 30.52 m (100.13 ft)
- **Total Number of Units:** 4
- **Proposed Lot Coverage:** 34.86%
- **Proposed Building Height:** 9.90 m (32.48 ft) or 3 storeys
- **Proposed Lot 1 (Corner Lot)**
  - **Lot Frontage:** 15.24 m (50 ft)
  - **Lot Area:** 455.15 sq.m (4,899.19 sq.ft)
- **Proposed Lot 2 (Interior Lot)**
  - **Lot Frontage:** 15.24 m (50 ft)
  - **Lot Area:** 465.28 sq.m (5,008.23 sq.ft)

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### 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 lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* ("ORMCP") and are located in the Hughey West Infill Study area, as outlined in Section 4.9.1.1.1(I) of the Plan. Uses permitted within the **Neighbourhood** designation include primarily low-density residential uses, medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. Semi-detached dwellings are permitted within the **Neighbourhood** designation.

Additionally, 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, and the general pattern of yard setbacks. Where development is subject to an Infill Plan or Tertiary Plan, development shall be evaluated on the basis of the criteria as set out in the applicable Infill Plan or Tertiary Plan approved by Council for the area. This will be reviewed in further detail below.

The subject lands are located within the **Settlement Area** of the Oak Ridges Moraine as defined in accordance with the ORMCP. In accordance with Section 3.2.1.1(18) of the Plan, all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**.

Given all of the above, Planning staff is of the opinion that the subject Zoning By-law Amendment application is in conformity with the **Neighbourhood** policies of the Plan and the **Settlement Area** policies of the ORMCP.

#### Hughey West Infill Study

The subject lands are located within the Hughey West Infill Study (the "Study") area approved by Council in 2007. This Study applies to the area generally bounded by Bathurst Street to the west, Prince Arthur Avenue to the south, Verdi Road to the east and the valley and conservation lands of the East Humber River to the north and east. The Study was prepared as an update to the Bathurst Street Neighbourhood Infill Study (the "Bathurst Study") approved by Council in 1998. The primary objectives of the Study are to build upon the recommendations of the Bathurst Study, providing more comprehensive direction for the future development of the neighbourhood, including a more connected and functional street network and opportunities for a variety of residential forms of development.

In addition to guiding the general pattern of infill development within the neighbourhood, the Study contains Urban Design Guidelines that provide direction for architectural design and treatment of individual units. Infill development comprising semi-detached

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dwelling is supported in the Study for interior streets such as Lowther Avenue. In this regard, the Study contemplates semi-detached dwelling lots having minimum lot frontages of 14.6 metres (47.90 feet) along interior streets and provides recommendations allowing for appropriate variation in setbacks, with a focus on front yards that enhance the street edge.

The proposed lot frontages of 15.24 metres (50 feet) exceed what is set out in the Study for semi-detached dwelling lots located along interior streets and therefore, the proposed standards meet the intended lot pattern for the area. With respect to design, the applicant has provided a concept plan for the corner dwelling, which has been designed in conformity with the guidelines, as it provides emphasis and enhances the street edge. Planning staff is satisfied that the proposed semi-detached dwellings are consistent with the recommendations of the Study for development of “interior streets” and are in keeping with the overall development patterns of the surrounding neighbourhood.

### Zoning By-law Amendment Application

The subject lands are currently zoned under the former Township of King Zoning By-law 986, as amended. The applicant seeks to remove the lands from Zoning By-law 986 and rezone the lands to **Semi-Detached One (RD1) Zone** under By-law 313-96, as amended, with site specific development standards. It should be noted that By-laws 986 and 313-96 both pre-date the adoption and approval of the City’s Official Plan. Outlined below are the proposed development standards relative to those of the **RD1 Zone** category. The proposed site specific exceptions are highlighted in bold below and outlined in the draft By-law found at Appendix B of this report:

Development Standards	RD1 Zone Standards, By-law 313-96 as amended		Proposed Development	
	Interior Lot	Corner Lot	Interior Lot	Corner Lot
<b>Lot Area (Min.)</b>	485.0 sq.m (5,220.50 sq.ft)	555.0 sq.m (5,973.97 sq.ft)	<b>460.0 sq.m</b> <b>(4,951.4 sq.ft)</b>	<b>453.0 sq.m</b> <b>(4,876.1 sq.ft)</b>
<b>Lot Frontage (Min.)</b>	14.6 m (47.90 ft)	16.6 m (54.46 ft)	15.24 m (50.00 ft)	<b>15.24 m</b> <b>(50.00 ft)</b>
<b>Lot Coverage (Max.)</b>	50%		Complies	
<b>Front Yard Setback (Min.)</b>	4.5 m (14.76 ft)		Complies	
<b>Interior Side Yard Setback (Min.)</b>	1.5 m (4.92 ft)		<b>1.2 m</b> <b>(3.94 ft)</b>	
<b>Exterior Side Yard Setback (Min.)</b>	n/a	3 m (9.84 ft)	n/a	<b>1.5 m</b> <b>(4.92 ft)</b>
<b>Rear Yard Setback (Min.)</b>	7.5 m (24.61 ft)		Complies	
<b>Height (Max.)</b>	11 m (36.09 ft)		Complies	

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The applicant's initial submission included the required daylighting triangle at the intersection of Lowther Avenue and Merton Street as part of the calculation for total lot area. Accordingly, the applicant has now revised the proposed lot area to exclude the daylighting triangle which will be conveyed through the subsequent Consent process. The reduced lot area for the corner lot is generally consistent with other corner lots in the surrounding neighbourhood. The proposed lot frontage for the interior lot is larger than what is required by the by-law. Although the lot frontage is reduced for the proposed corner lot, the lotting fabric would be consistent with the interior lots and with the development pattern for semi-detached dwellings throughout the neighbourhood. The proposed reduced interior side yard setback to 1.2 metres (3.94 feet) is consistent with other approvals throughout this neighbourhood. The proposed reduction to the required flankage setback to allow for 1.5 metres (4.92 feet), whereas 3 metres (9.84 feet) is required, is considered acceptable as the daylighting triangle will provide sufficient sight lines and the sidewalk is on the east side of Merton Street. No reduction to the setback requirement from the daylighting triangle is proposed.

Planning staff has undertaken a comprehensive analysis of the applicant's development proposal and is satisfied that the proposed **RD1 Zone** category and site specific provisions are appropriate and compatible with the established development patterns in the neighbourhood. On the basis of the preceding, it is recommended that the applicant's Zoning By-law Amendment application be approved and that the amending Zoning By-law incorporate the proposed site specific development standards outlined in the table above and displayed in Appendix B.

## City Department and External Agency Comments:

### Development Planning Division

Planning staff has reviewed the applicant's development proposal and is of the opinion that it has appropriate regard for and is consistent with the broader policy direction for this part of the City as outlined in the Plan. On this basis, it is recommended that the subject Zoning By-law Amendment application be approved for the following reasons:

- the proposal conforms with the **Neighbourhood** policies of the City's Official Plan;
- the area in which the subject lands are located is identified as a Priority Infill Area in accordance with Section 4.9.1.1.1(L) of the Plan and is subject to the recommendations of the Hughey West Infill Study. In this regard, Planning staff is satisfied that the development proposal meets the general intent and recommendations of the Hughey West Infill Study;
- the proposed lot frontages are consistent with the objectives of the Hughey West Infill Plan for development on "interior streets";
- the development proposal conforms with the applicable development policies of the ORMCP;
- the proposed development is in keeping with the overall development patterns of the surrounding neighbourhood; and,

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- circulated City departments and external agencies have no further concerns or comments regarding the subject Zoning By-law Amendment application.

Given the above, staff is of the opinion that the applicant's Zoning By-law Amendment request is considered appropriate for the lands and constitutes good planning.

It should be noted that a request for cost sharing has been submitted by King Hill Holdings Inc. in relation to the extension of Lowther Avenue and the construction of municipal services within the adjacent Plan of Subdivision (refer to Appendix C). The cost sharing request will be reviewed and assessed by the City through the subsequent Consent process.

### **Other City Departments and External Agency Comments**

Comments received through the circulation of the applicant's development proposal from City departments and external agencies have been satisfactorily addressed. City departments and external agencies have no further comments or objections with respect to the Zoning By-law Amendment application. Technical comments have been provided through the review of this application, which will be addressed through the subsequent Consent process.

### **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 proposal to facilitate the construction of four semi-detached dwellings on its land holdings. Staff is of the opinion that the submitted Zoning By-law Amendment application conforms with the Official Plan and the Hughey West Infill Study, and that the proposal is appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application as outlined and described 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#06-19, held February 20, 2019
- Appendix B, Draft Zoning By-law
- Appendix C, Cost Sharing Request by King Hill Holdings Inc., dated January 30, 2019
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Proposed Development Plan
- Map 6 Concept Elevation Plans

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### Report Approval Details

Document Title:	SRPRS.19.083 - Request for Approval of Zoning By-law Amendment Application - 0 Lowther Avenue .docx
Attachments:	<ul style="list-style-type: none"><li>- SRPRS.19.083 - Appendix A - Council Public Meeting Extract.pdf</li><li>- SRPRS.19.083 - Appendix B - Draft Zoning By-law.pdf</li><li>- SRPRS.19.083 - Appendix C - Cost Sharing Request.pdf</li><li>- SRPRS.19.083 - MAP 1 - AERIAL PHOTOGRAPH.pdf</li><li>- SRPRS.19.083 - MAP 2 - NEIGHBOURHOOD CONTEXT.pdf</li><li>- SRPRS.19.083 - MAP 3 - EXISTING ZONING.pdf</li><li>- SRPRS.19.083 - MAP 4 - OFFICIAL PLAN DESIGNATION.PDF</li><li>- SRPRS.19.083 - MAP 5 - PROPOSED DEVELOPMENT PLAN.pdf</li><li>- SRPRS.19.083 - MAP 6 - 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 - 3:12 PM**

**Kelvin Kwan - May 8, 2019 - 3:28 PM**

**Neil Garbe - May 8, 2019 - 3:35 PM**