



Staff Report for Committee of the Whole Meeting

Date of Meeting: May 21, 2019

Report Number: SRPRS.19.097

Department: Planning and Regulatory Services

Division: Development Planning

Subject: SRPRS.19.097 – Request for Direction – Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium Applications – Gil Shcolyar, Maria Shcolyar and Malvina Shkolyar – City Files D02-17028, D03-17007 and D05-17006 (Related City File: D06-18053)

Owners:

Gil Shcolyar and Maria Shcolyar
261 Arnold Avenue
Thornhill, Ontario
L4J 1C3

Malvina Shkolyar
31 Naughton Drive
Richmond Hill, Ontario
L4C 4M6

Agent:

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

Location:

Legal Description: Lot 2 and Part of Lot 1, Plan 476 and Part of Lot 47, Concession 1, E.Y.S.

Municipal Addresses: 27, 35 and 39 Church Street North

Purpose:

A request for direction concerning proposed Zoning By-law Amendment, draft Plan of Subdivision, and draft Plan of Condominium applications to permit a residential

Page 2

development comprised of 20 semi-detached dwelling units, one new single detached dwelling unit and the retention of two existing single detached dwellings on the subject lands.

Recommendations:

- a) That Staff Report SRPRS.19.097 be received for information purposes;
- b) That the Local Planning Appeal Tribunal be advised as follows:
 - i) That Council supports in principle the revised Zoning By-law Amendment, draft Plan of Subdivision and draft Plan of Condominium applications submitted by Gil Shcolyar, Maria Shcolyar and Malvina Shkolyar for lands known as Lot 2 and Part of Lot 1, Plan 476 and Part of Lot 47, Concession 1, E.Y.S. (Municipal Addresses: 27, 35 and 39 Church Street North), City Files D02-17028, D03-17007 and D05-17006, for the principle reasons outlined in Staff Report SRPRS.19.097, subject to the following;
 - (a) That the subject lands be rezoned from “Second Density Residential (R2) Zone (Residential Multiple Second Density (RM2) Zone)” under By-law 66-71, as amended, to “Second Density Residential (R2) Zone” under By-law 66-71, as amended, with site specific provisions as set out in Appendix B hereto;
 - (b) That the Local Planning Appeal Tribunal be requested to withhold the issuance of its Final Order with respect to the applicant’s revised Zoning By-law Amendment until such time as the City advises the Tribunal that:
 - (i) the draft amending Zoning By-law as set out in Appendix B hereto has been finalized to the satisfaction of the Commissioner of Planning and Regulatory Services; and,
 - (ii) the applicant’s Site Plan application has been finalized to the satisfaction of the Commissioner of Planning and Regulatory Services;
 - (c) That the revised draft Plan of Subdivision attached as Map 5 to Staff Report SRPRS.19.097 be draft approved, subject to the conditions of draft approval as set out in Appendix C hereto and the payment of the applicable processing fee in accordance with the City’s Tariff of Fees By-law;

Page 3

- (d) That the Local Planning Appeal Tribunal delegate authority to the City to clear conditions of draft plan approval and to issue final subdivision approval for the proposed development;
 - (e) That the Local Planning Appeal Tribunal be requested to withhold the issuance of its Final Order with respect to the applicant's draft Plan of Condominium application until such time as the City advises the Tribunal that:
 - (i) all conditions of draft plan approval have been received from City departments and external agencies, and a consolidated set of draft plan conditions has been prepared;
 - (ii) the applicant's Site Plan application has been finalized to the satisfaction of the Commissioner of Planning and Regulatory Services; and,
 - (iii) the applicant has paid the applicable processing fee in accordance with the City's Tariff of Fees By-law;
 - (f) That the Local Planning Appeal Tribunal delegate authority to the City to clear conditions of draft plan approval and to issue final condominium approval for the proposed development;
- c) That 63 persons equivalent of additional servicing allocation (20 semi-detached dwelling units), be assigned to the subject lands to facilitate the proposed development, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11;
- d) That in accordance with the provisions of Subsection 45(1.4) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, Gil Shcolyar, Maria Shcolyar and Malvina Shkolyar be permitted to submit a Minor Variance application to the Committee of Adjustment in order to seek relief from the provisions of the Zoning By-law, if required, prior to the second anniversary of the day on which the subject Zoning By-law Amendment is approved; and,
- e) That appropriate City staff be directed to appear at the Local Planning Appeal Tribunal in support of Council's position concerning the subject applications.

Contact Person:

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

Page 4

Report Approval:

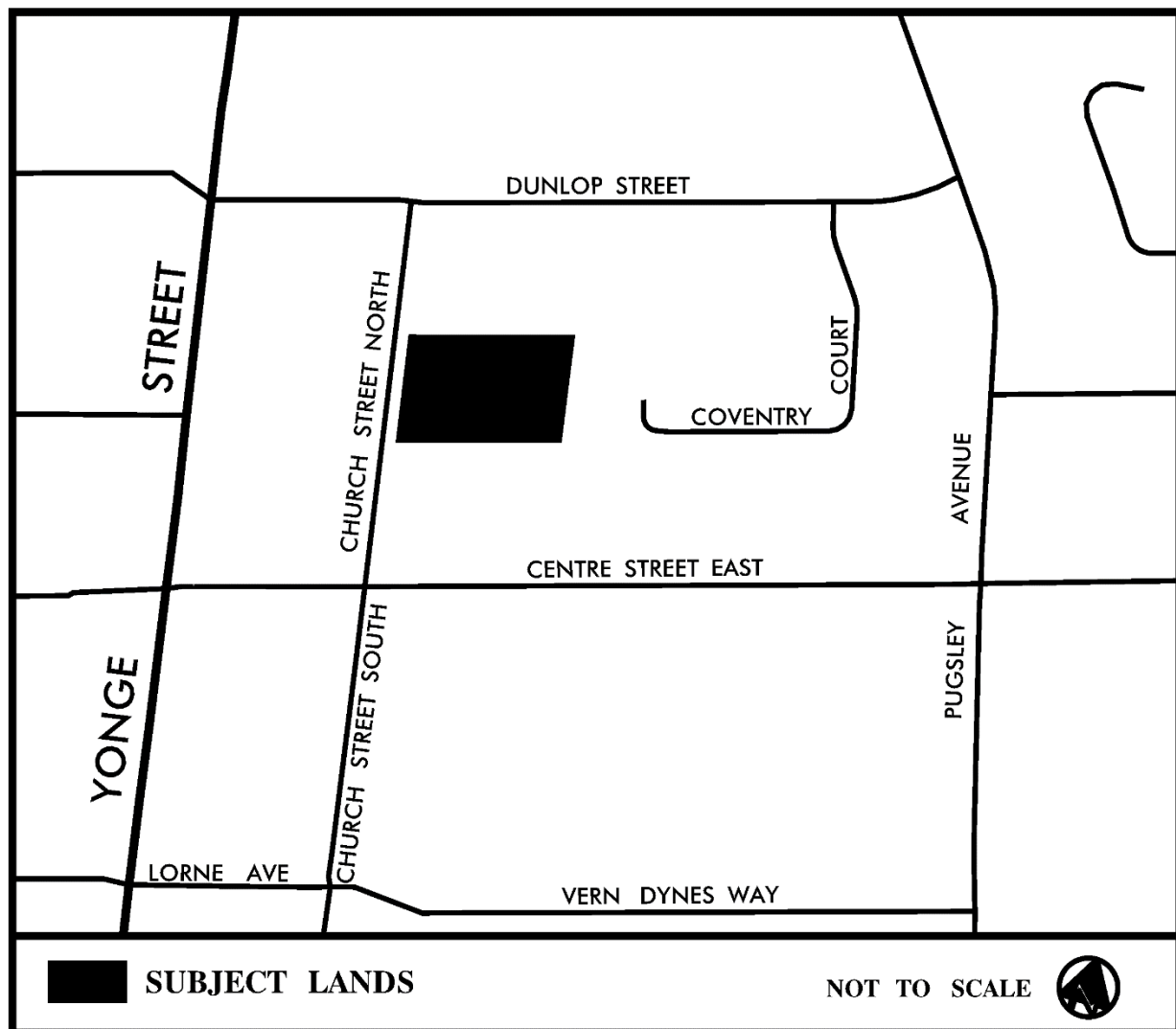
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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.



Page 5

Background:

The subject Zoning By-law Amendment, draft Plan of Subdivision, and draft Plan of Condominium applications were considered at the Council Public Meeting held on February 7, 2018 (refer to Appendix A). The main issues raised at the public meeting pertained to engineering-related matters, land use compatibility and design, parking, traffic, cultural heritage, and tree preservation.

On February 21, 2018, the applicant filed appeals of its Zoning By-law Amendment, draft Plan of Subdivision and draft Plan of Condominium applications to the Local Planning Appeal Tribunal (“LPAT”) on the basis that the City had failed to make a decision with respect to the above applications within the prescribed timeframes in accordance with the *Planning Act*.

A Pre-Hearing Conference (“PHC”) was held on November 20, 2018, wherein LPAT was advised that the applicant had filed revised Zoning By-law Amendment, draft Plan of Subdivision and draft Plan of Condominium applications, in addition to a Site Plan application, in support of its development proposal. In this regard, Counsel for the applicant advised of its intention to seek to consolidate the Site Plan with the related Zoning By-law Amendment, draft Plan of Subdivision and draft Plan of Condominium appeals at the second PHC scheduled for June 4, 2019. LPAT also granted Participant status to a number of members of the public and directed that a Procedural Order be filed in advance of the second PHC.

As noted above, a related Site Plan application and resubmissions in support of the applicant’s Zoning By-law Amendment, draft Plan of Subdivision and draft Plan of Condominium applications were received on November 14, 2018 and subsequently circulated to relevant City departments and external agencies for review and comment. A further revised, partial resubmission was filed on March 29, 2019 in order to resolve various design and layout-related comments identified as part of previous submissions.

The purpose of this report is to seek Council’s direction regarding the applicant’s revised Zoning By-law Amendment, draft Plan of Subdivision and draft Plan of Condominium applications, and to direct City staff to appear at LPAT in support of Council’s position concerning the subject applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the east side of Church Street North, east of Yonge Street and north of Centre Street East. The lands are comprised of three existing single detached residential lots and have a total combined lot area of approximately 0.632 hectares (1.56 acres) (refer to Map 1). The lands presently support a single detached dwelling on each of the existing lots, including the dwellings at 27 Church Street North (Dr. Rolph Langstaff House) and 39 Church Street North (Dr. James Langstaff Rental House) that are listed within the City’s *Inventory of Cultural Heritage Resources*.

Page 6

The subject lands are situated within the City's Village Core neighbourhood and abut Church Street North to the west, existing low-density residential uses to the north and east, and a municipal park (Amos Wright Park) to the south, containing the Amos Wright House, which is designated under the *Ontario Heritage Act* in accordance with designating By-law 123-85. The broader neighbourhood includes a range of land uses, architectural styles, lot sizes and built forms, including apartment dwellings, townhouse dwellings, semi-detached dwellings and single detached dwellings.

Revised Development Proposal

The applicant is seeking LPAT's approval of its revised Zoning By-law Amendment, draft Plan of Subdivision, and draft Plan of Condominium applications to permit 20 common element condominium semi-detached dwelling units and one new single detached dwelling on its land holdings. The applicant's revised development proposal contemplates, among other matters, modifications to the proposed site layout, development standards and built form as described below (refer to Maps 7 and 8).

- the addition of a new single detached dwelling oriented toward Church Street North, and a single detached residential block (Block 3) on the revised draft Plan of Subdivision;
- a re-orientation of the proposed common element condominium semi-detached units and common element condominium laneway adjacent to the existing lots on Coventry Court;
- an increase in the side yards for the proposed semi-detached dwelling units; and,
- the provision of visitor parking spaces parallel to the proposed east-west condominium laneway.

In this regard, the applicant is seeking LPAT's approval of its revised development proposal. The existing dwelling located at 35 Church Street North is proposed to be demolished and replaced with a new single detached dwelling, while the existing dwellings at 27 and 39 Church Street North are proposed to be retained. On the basis of the submitted Site Plan, it is understood that an addition at the rear of the existing dwelling at 27 Church Street North is to be removed and the existing driveway is to be relocated in order to provide access from the proposed east-west condominium laneway. Notwithstanding the foregoing, discussions are ongoing with the applicant with respect to the retention of the existing driveway on Church Street North.

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

- | | |
|--|-------------------------------------|
| • Total Site Area: | 0.632 hectares (1.56 acres) |
| ○ Block 1 (27 Church Street North): | 0.05 hectares (0.12 acres) |
| ○ Block 2 (39 Church Street North): | 0.032 hectares (0.08 acres) |
| ○ Block 3 (New Single Detached Dwelling): | 0.023 hectares (0.06 acres) |
| ○ Block 4 (Condominium): | 0.512 hectares (1.27 acres) |
| ○ Block 5 (Road Widening): | 0.015 hectares (0.037 acres) |

Page 7

- **Number of Units:**
 - **Semi-Detached Dwellings:** 20
 - **Single Detached Dwellings:** 3, including 2 existing units to be retained
- **Frontage (New Single Detached Dwelling):** 12.35 metres (40.4 feet)
- **Frontage (Semi-Detached Dwellings):** approximately 6.9 metres (22.6 feet) to 8.9 metres (29.2 feet)
- **Number of Storeys (New Single Detached Dwelling):** 2
- **Number of Storeys (Semi-Detached Dwellings):** 3

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 and semi-detached dwellings. In accordance with Section 4.9.1 of the Plan, development shall be compatible with the adjacent and surrounding area 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 general pattern of yard setbacks. Building height within the **Neighbourhood** designation is restricted to a maximum of 3 storeys, except on an arterial street where a building may be a maximum of 4 storeys in height. In addition to the above, the relevant Urban Design Guidelines that have been approved by Council for the area shall be utilized in the review and evaluation of development applications.

In accordance with Section 4.9.2 of the Plan, site design that would inhibit future infill development shall not be permitted. Applications for development may be required to submit a Concept Plan, prepared in accordance with Section 5.2 of the Plan, demonstrating how the proposed development meets the relevant land use and design policies of the Plan. The applicant has submitted a Demonstration Plan in support of its development proposal that addresses the potential redevelopment of the adjacent lands to the north, including a potential future connection to the subject development.

In accordance with Section 3.4.2 of the Plan, development shall be encouraged to retain, rehabilitate and adaptively re-use cultural heritage resources identified on the City's Register of Cultural Heritage Resources as an integral part of the development in order to maintain and enhance the identity and character of the City. In addition, development adjacent to a property containing a protected cultural heritage resource shall ensure that the heritage attributes of that property are conserved. The applicant's development proposal contemplates the retention of two existing heritage buildings that are listed within the City's *Inventory of Cultural Heritage Resources*.

Page 8

The subject lands are located within the City's Village Core neighbourhood, for which the *Village Core Neighbourhood Design Guidelines* (the "Guidelines") have been approved by Council. As outlined in the Guidelines, the neighbourhood character can be defined with reference to architectural style, variety of lot size and frontage, building scale, landscape features, and heritage elements. The objective of the Guidelines is to allow for new construction within the study area that recognizes and enhances the unique character of the neighbourhood.

The Guidelines provide a number of design recommendations that apply to single lot infill with respect to building design, colours and materials, building/lot relationship, and landscaping. For single lot infill, the Guidelines recognize an existing variation in lot size and frontage, as well as a diversity of front and side yard setbacks and building height that are complementary to the immediate neighbours. The Guidelines do not address specific recommendations with respect to semi-detached dwellings; however, the overall principles of the Guidelines can be generally applied through the evaluation of the applicant's development proposal. In this regard, staff has reviewed the proposal and considers the proposed built form, height, setbacks, and lot fabric to be appropriate in consideration of the Guidelines and compatible with respect to the adjacent and surrounding area.

On the basis of the preceding, the applicant's development proposal conforms with the land use and design policies of the Plan.

Zoning By-law Amendment Application

The subject lands are zoned **Residential Second Density (R2) Zone (Residential Multiple Second Density (RM2) Zone)** in accordance with By-law 66-71, as amended (refer to Map 3). In accordance with By-law 66-71, as amended, land may be used in accordance with the zoning category in brackets subject to a Zoning By-law Amendment and such amendment shall conform to the in-force Official Plan. Permitted land uses within the **RM2 Zone** includes uses such as row-house and multiple dwellings, which would not conform to the in-force Plan. The permitted land uses within the **R2 Zone** include single detached dwellings as well as various recreational and institutional uses.

The applicant is seeking approval to amend By-law 66-71, as amended, to add semi-detached dwellings as a permitted use for a portion of the subject lands and to establish various site specific development standards to facilitate the proposed residential development. The applicant's Zoning By-law Amendment would also have the effect of deleting the bracketed **RM2 Zone**. The following table provides a general summary of the applicable development standards within the **Residential Second Density (R2) Zone** under By-law 66-71, as amended, including site-specific provisions proposed by the applicant.

Page 9

Single Detached Dwellings

Standard	Standard Provisions (R2)	Proposed Provisions, Existing Single Detached Dwelling, Block 1	Proposed Provisions, Existing Single Detached Dwelling, Block 2	Proposed Provisions, New Single Detached Dwelling, Block 3
Minimum Lot Area	464.52 square metres (5,000 square feet)	Complies	310 square metres (3,336.81 square feet)	180 square metres (1,937.5 square feet)
Minimum Lot Frontage	15.24 metres (50 feet)	Complies	Complies	12.0 metres (39.37 feet)
Maximum Lot Coverage	30%	Complies	Complies	45%
Minimum Front Yard	16.15 metres (53 feet), from centreline and not less than 6.1 metres (20 feet)	5.5 metres (18.04 feet)	Nil, for existing dwelling	2.5 metres (8.2 feet)
Minimum Side Yard	1.22 metres (4 feet), one-storey and an additional 0.61 metres (2 feet) for each additional storey or part thereof	Complies	Complies	1.2 metres (3.94 feet)
Minimum Exterior Side Yard	3.05 metres (10 feet)	3.0 metres (9.84 feet)	Not Applicable	1.5 metres (4.92 feet)
Minimum Rear Yard	7.62 metres (25 feet)	4.5 metres (14.76 feet)	Complies	7.0 metres (22.97 feet)
Maximum Height	10.67 metres (35 feet)	Complies	Complies	Complies
Minimum Number of Parking Spaces	1 space per dwelling unit	Complies	Complies	2 spaces per dwelling

In addition to site-specific development standards to facilitate the proposed residential common element condominium development, the proposed draft Zoning By-law addresses site-specific development standards for the creation of the proposed single detached residential blocks (Blocks 1-3), including the new single detached dwelling and the existing dwellings to be retained. Additional detail with respect to the requested

Page 10

site-specific provisions can be found in the draft Zoning By-law attached to this report (refer to Appendix B).

Site-specific provisions have been requested with respect to minimum lot area (Blocks 2 and 3) and minimum lot frontage (Block 3), in addition to recognizing the present footprints of the dwellings to be retained at 27 and 39 Church Street North. It should be noted that additional clarification may be required with respect to the existing development standards for the single detached dwellings to be retained. The appropriate modifications may need to be reflected accordingly in the final Zoning By-law.

With respect to the new single detached dwelling, additional site-specific development standards have been proposed with respect maximum lot coverage and minimum front, rear, side and exterior side yards. The proposed single detached dwelling would maintain the standard provisions of By-law 66-71, as amended, with respect to maximum height. It should also be noted that the proposed lot frontage of approximately 12.3 metres is consistent with the *Village Core Neighbourhood Design Guidelines*, which recommend a minimum lot frontage of 12.0 metres (40.0 feet) for single lot infill, while recognizing the existing variation in lot sizes within the neighbourhood. The proposed front yard of 2.5 metres is considered appropriate in consideration of the range of front yards for existing buildings in the vicinity of the subject lands.

Block 4 – Semi-Detached Dwellings (Common Element Condominium)

Standard	Proposed Provisions, Semi-Detached Dwellings (Condominium)
Minimum Lot Area	160 square metres (1,722.23 square feet)
Minimum Lot Frontage	6.5 metres (21.33 feet)
Maximum Lot Coverage	45%
Minimum Front Yard	6.0 metres (19.69 feet)
Minimum Side Yard	1.2 metres (3.94 feet)
Minimum Exterior Side Yard	1.2 metres (3.94 feet)
Minimum Rear Yard	6.0 metres (19.69 feet)
Maximum Height	11.5 metres (37.73 feet)
Minimum Number of Parking Spaces	2 parking spaces and 0.25 visitor parking spaces per unit

Whereas only single detached dwellings are permitted within the **R2 Zone** under By-law 66-71, as amended, the draft By-law contemplates the addition of semi-detached

Page 11

dwellings as a permitted use for the proposed common element condominium lands. In this regard, site-specific provisions with respect to minimum lot area, minimum lot frontage, minimum front, side, rear and exterior side yards, maximum lot coverage, maximum height in metres and storeys, and minimum parking requirements have also been proposed. It should be noted that the site-specific development standards outlined above for the proposed common element condominium development generally reflect a “worst-case scenario” condition, whereby the development standards applicable to individual units may vary.

Summary

On the basis of the preceding, staff is of the opinion that the proposed Zoning By-law Amendment application conforms with the applicable policies of the Official Plan and is appropriate in relation to the character and established development patterns in the surrounding area. Notwithstanding the above, it should be noted that a number of technical matters identified through the detailed review of the applicant’s Site Plan application remain to be addressed prior to final approval of the proposed development. In this regard, it is recommended that LPAT be requested to withhold its Final Order respecting the applicant’s Zoning By-law Amendment pending finalization of the related Site Plan application. It is further recommended that, pursuant to Subsection 45 (1.4) of the *Planning Act*, Council resolve to permit the applicant to file an application for Minor Variance prior to the second anniversary of passing of the subject Zoning By-law Amendment, if required, to address any unanticipated non-compliance issues that may arise at the construction stage.

Revised Draft Plan of Subdivision Application

The applicant’s revised draft Plan of Subdivision contemplates the creation of three single detached residential blocks with frontage on Church Street North, one common element condominium residential block, and one road widening block (refer to Map 5). As noted previously in this report, the existing single detached dwellings at 27 and 39 Church Street North are to be retained on Blocks 1 and 2, respectively.

Revised Draft Plan of Common Element Condominium Application

The applicant’s revised draft Plan of Condominium contemplates the establishment of common elements containing north-south and east-west laneways, landscaping, mailbox facilities, and visitor parking spaces (refer to Map 6). The configuration of the proposed laneways would facilitate primary access to the proposed common element condominium development via Church Street North and would facilitate a future vehicular and pedestrian connection in the form of an easement to the abutting lands should redevelopment be contemplated on the abutting lands (refer to Map 4).

Revised Site Plan Application

The applicant’s revised Site Plan application has been filed in support of its revised development proposal to construct one new single detached dwelling, 20 common

Page 12

element condominium semi-detached dwelling units, and the retention of two existing single detached dwellings on Church Street North (refer to Maps 8, 9 and 10). On the basis of the plans submitted to the City, driveway access for both the new single detached dwelling and the existing dwelling to be retained at 27 Church Street North is contemplated via the proposed east-west condominium laneway.

The submitted Site Plan depicts three “blocks” of semi-detached dwelling units, with 12 semi-detached units having access on the proposed east-west condominium laneway and an additional 8 semi-detached units with frontage on the proposed north-south condominium laneway. Visitor parking and walkways are proposed adjacent to the condominium laneways. As indicated above, the submitted Site Plan includes provisions for a future connection to the abutting lands to the north.

At the time of writing of this report, the applicant’s Site Plan application remains under review with circulated City departments and external agencies. In this regard, various technical matters remain to be addressed prior to the approval of the applicant’s Site Plan application. A more detailed discussion of the relevant technical concerns is provided in the later sections of this report.

It should be noted that a separate Site Plan application may be required with respect to the new single detached dwelling (Block 3), as well as any future development on the lots containing the existing dwellings to be retained.

Public Comments:

Comments with respect to the applicant’s development proposal were provided by members of the public at the Council Public Meeting held on February 7, 2018, wherein Staff Report SRPRS.18.022 was received by Council for information purposes. In this regard, concerns were raised with respect to drainage and grading, compatibility, design, height, density, lot size, laneway configuration, parking and traffic, snow storage, the preservation of cultural heritage resources, the preservation of existing vegetation, and the provision of adequate green space (refer to Appendix A).

City staff has reviewed the applicant’s revised development proposal and considers that the concerns identified by members of the public regarding compatibility, building design, building height, parking, retention of cultural heritage, and the proposed site layout have been addressed. However, at the time of writing of this report, a number of technical requirements remain to be satisfied as part of the review of the related Site Plan application, including, among other matters, grading, servicing, stormwater management, Ontario Building Code requirements, tree preservation, landscaping, and Fire and Emergency Service requirements.

In consideration that all outstanding technical concerns must be addressed prior to approval of the subject Site Plan application, staff is of the opinion that the comments provided with respect to the applicant’s initial draft Plan of Subdivision and draft Zoning By-law Amendment have been satisfactorily addressed. In this regard, staff is in a

Page 13

position to support the applicant's revised draft Zoning By-law Amendment, draft Plan of Subdivision, and draft Plan of Condominium for the principle reasons outlined in this report. More detail with respect to consideration of outstanding technical matters is provided in the later sections of this report.

Department and Agency Comments:

The applicant's revised Zoning By-law Amendment, draft Plan of Subdivision, draft Plan of Condominium and Site Plan applications and the associated background studies and reports submitted in support of same have been circulated to relevant City departments and external agencies for their review and comment. The following is a summary of the comments received to date.

Building Services Division – Plans Review Section

The City's Building Services Division – Plans Review Section has reviewed the applicant's Site Plan application and has provided comments with respect to the Ontario Building Code (OBC), including fire route and fire hydrants, spatial separations, egress, infiltration galleries and various other OBC requirements (refer to Appendix D1).

Building Services Division – Zoning Section

The City's Building Services Division – Zoning Section has provided comments with respect to the applicant's draft Zoning By-law Amendment (refer to Appendix D2).

Development Engineering Division

The City's Development Engineering Division has reviewed the applicant's revised development proposal and has provided comments with respect to walkways, hydrogeological requirements, fire route turning movements, the submitted Functional Servicing Report, the Urban MESP study, stormwater management, grading and servicing, retaining wall details, infiltration galleries, sustainability metrics, and various other technical requirements. Development Engineering staff has advised that a Construction Management Plan will be required for the proposed development (refer to Appendices D3, D4 and D5).

Fire and Emergency Services Division

The City's Fire and Emergency Services Division has reviewed the applicant's Site Plan application and has provided comments with respect to the required fire route, including turning radii, load and surfacing, signage, and fire break lots (refer to Appendix D6).

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has reviewed the applicant's revised development proposal and recommends that Council resolve to accept cash-in-lieu of parkland dedication at Building Permit issuance with respect to the subject development proposal. In addition, Park and Natural Heritage Planning staff has provided comments on the applicant's Site Plan application with respect to the

Page 14

preservation of existing mature vegetation, tree planting and compensation, tree protection measures, sustainability metrics, and landscaping (refer to Appendix D7).

York Region

York Region (“the Region”) has reviewed the applicant’s development proposal and has advised that it does not object to the draft approval of the applicant’s revised draft Plan of Subdivision and draft Plan of Condominium applications subject to conditions of approval with respect to the applicant’s revised draft Plan of Subdivision. The Region has also provided comments on the applicant’s Site Plan application with respect to servicing allocation, Transportation Demand Management, geotechnical and hydrogeological matters, and water quantity recharge (refer to Appendices D8 and D9).

Urban Design and Heritage Section

The City’s Urban Design and Heritage Section has reviewed the applicant’s revised development proposal and has advised that consideration should be given to maintaining the existing driveway access for the single detached dwelling located at 27 Church Street North in its present location rather than relocating same to the condominium laneway (refer to Appendix D10).

Development Planning Division

Development Planning staff has completed a review of the applicant’s revised development proposal and provides the following comments:

- the proposed single detached and semi-detached dwellings are permitted in accordance with the land use policies of the Plan for the **Neighbourhood** designation;
- the applicant’s revised development proposal contemplates the conservation of the existing single detached dwellings at 27 and 39 Church Street North, which are listed within the City’s *Inventory of Cultural Heritage Resources*;
- the heights of the proposed new single detached dwelling and proposed semi-detached dwellings conform to the policies of the Plan;
- the proposed residential development, including the proposed single detached dwelling (Block 3) and semi-detached dwellings is in keeping with the objectives of the City’s *Village Core Neighbourhood Design Guidelines* and is compatible with the character of adjacent and surrounding lands with respect to design, building height and built form;
- it is noted that the applicant’s revised development proposal provides for an improved design and layout for the proposed common element condominium development with respect to design, streetscape, setbacks, and interface with adjacent land uses. The revised design generally addresses various concerns related to compatibility;
- the applicant has submitted a Demonstration Plan that addresses the potential redevelopment of the adjacent lands to the north, including a potential future connection to the subject development. It should be noted that various technical

Page 15

requirements remain to be addressed with respect to the coordination of the subject proposal with any potential future infill development on the abutting lands the north, as shown on the applicant's Demonstration Plan;

- as a condition of subdivision approval, it is recommended that appropriate access easement(s) be required with respect to the new single detached dwelling and the existing dwelling at 27 Church Street North via the proposed common element condominium laneway; and,
- modifications to the overall design, including the boundaries of Blocks 1 and 3 as shown on the applicant's revised draft Plan of Subdivision may be required as a result of revisions to the related Site Plan application. The anticipated revisions include, but are not necessarily limited to elimination of a portion of the proposed condominium walkway and changes necessary to satisfy the required turning radii for the proposed access and condominium laneways.

In addition to the foregoing, Development Planning staff provides the following comments to be considered by the applicant as part of the detailed design review:

- it is recommended that the proposed east-west common element condominium walkway adjacent to the laneway be eliminated to allow for a greater lot frontage and exterior side yard for Block 3;
- the applicant's revised draft Plan of Condominium appears to depict the lands shown as Block 3 as a future parcel of tied land. If the applicant's intent is to maintain Block 3 as external to the proposed common element condominium, the draft Plan of Condominium must be revised accordingly;
- should the proposed new single detached dwelling block not form a parcel-of-tied land, a separate Site Plan application for this portion of the proposed development should be submitted accordingly;
- the applicant is advised that a Part Lot Control Exemption application will be required to facilitate the applicant's draft Plan of Condominium application; and,
- the applicant is advised that Private Street Naming and Municipal Addressing applications will be required with respect to the naming and addressing of the proposed condominium laneways prior to Building Permit issuance.

On the basis of the preceding, it is recommended that Council support the applicant's revised Zoning By-law Amendment, draft Plan of Subdivision and draft Plan of Subdivision applications and that LPAT be advised of the City's position in this regard in accordance with the recommendations as outlined in this report.

Notwithstanding the foregoing, it should be noted that various technical issues have been identified by circulated City departments and external agencies, which may have implications on unit yield and design, that will need to be addressed prior to granting of Site Plan approval. In this regard, it is recommended that LPAT withhold its Final Order with respect to the applicant's revised Zoning By-law Amendment and draft Plan of Condominium application pending finalization of the related Site Plan application.

Page 16

Other Departments and External Agencies

Comments have also been received from the City's Community Services Department, the City's Financial Services Division – Development Section, Alectra Utilities, Bell Canada, Enbridge Gas Distribution and the Toronto and Region Conservation Authority. These City departments and external agencies have no objections to the applicant's revised development proposal and/or have provided comments to be considered at a more detailed stage of the approval process.

Interim Growth Management Strategy (IGMS):

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.*

As part of the review of the above noted IGMS Criteria 5 (Sustainable and Innovative Community and Building Design), the applicant has submitted an IGMS Letter and Sustainability Performance Metrics Tool (the "Metrics Tool"). The submitted Metrics Tool demonstrates an Overall Application score of 35 points, which would meet the applicable minimum score and would achieve a "good" score in accordance with the City's sustainability performance criteria. 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 consideration that the applicant's initial Metrics Tool would meet the required minimum threshold score, staff recommends that 63 persons equivalent of additional servicing allocation (20 semi-detached dwelling units) be assigned to the subject lands to facilitate the applicant's development proposal. It should be noted that no additional allocation will be required with respect to the new single detached dwelling, as the existing single detached dwelling at 35 Church Street North is to be demolished.

Financial/Staffing/Other Implications:

As these applications have been appealed to the Local Planning Appeal Tribunal, there will be further draw on staff and financial resources. This will be accommodated in existing budgets.

Page 17

Relationship to the Strategic Plan:

The recommendations of this report are generally aligned with **Goal Two – Better Choice in Richmond Hill** in contributing to a range of housing options available within the City. The recommendations of this report are also generally aligned with **Goal Three – A More Vibrant Richmond Hill** in facilitating the preservation of cultural heritage resources.

Conclusion:

The applicant is seeking approval of its revised Zoning By-law Amendment, draft Plan of Subdivision and draft Plan of Condominium applications from the Local Planning Appeal Tribunal in order to facilitate the construction of one new single detached dwelling and 20 semi-detached dwellings on the subject lands. In this regard, LPAT has scheduled a second Pre-Hearing Conference on June 4, 2019.

Staff is of the opinion that the revised development proposal conforms with the City's Official Plan, meets the objectives of *Village Core Neighbourhood Design Guidelines* approved by Council for the area, and represents good planning. On the basis of the preceding, staff recommends that LPAT be advised that Council supports the applicant's revised development proposal in principle, as outlined in the recommendations of Staff Report SRPRS.19.097.

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, Official Plan Designation
- Map 3, Current Zoning
- Map 4, Applicant's Demonstration Plan
- Map 5, Proposed Draft Plan of Subdivision
- Map 6, Proposed Draft Plan of Condominium
- Map 7, Initial Proposed Site Plan
- Map 8, Revised Proposed Site Plan
- Map 9, Proposed Elevation Plans (Single Detached Dwelling)
- Map 10, Proposed Typical Elevation Plans (Semi-Detached Dwellings)
- Appendix A, Extract from Council Public Meeting C#04-18 held February 7, 2018
- Appendix B, Draft Zoning By-law Amendment
- Appendix C, Schedule of Conditions of Draft Plan Approval 19T(R)-17007
- Appendix D1, Memorandum from Building Services Division - Plans Review Section dated March 14, 2019
- Appendix D2, Memorandum from Building Services Division – Zoning Section dated February 27, 2019

Page 18

- Appendix D3, Memorandum from Development Engineering Division dated January 31, 2019
- Appendix D4, Memorandum from Development Engineering Division dated April 9, 2019
- Appendix D5, Email from Development Engineering Division dated April 25, 2019
- Appendix D6, Memorandum from Fire and Emergency Services Division dated May 1, 2019
- Appendix D7, Memorandum from Park and Natural Heritage Planning Section dated January 5, 2019
- Appendix D8, Memorandum from York Region dated February 4, 2019
- Appendix D9, Memorandum from York Region dated April 2, 2019
- Appendix D10, Memorandum from Urban Design and Heritage Section dated April 15, 2019

Page 19

Report Approval Details

Document Title:	SRPRS.19.097 - Request for Direction - 27, 35 and 39 Church Street North.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.19.097 Map 1.pdf- SRPRS.19.097 Map 2.pdf- SRPRS.19.097 Map 3.pdf- SRPRS.19.097 Map 4.pdf- SRPRS.19.097 Map 5.pdf- SRPRS.19.097 Map 6.pdf- SRPRS.19.097 Map 7.pdf- SRPRS.19.097 Map 8.pdf- SRPRS.19.097 Map 9.pdf- SRPRS.19.097 Map 10.pdf- SRPRS.19.097 Appendix A.pdf- SRPRS.19.097 Appendix B.pdf- SRPRS.19.097 Appendix C.pdf- SRPRS.19.097 Appendix D1.pdf- SRPRS.19.097 Appendix D2.pdf- SRPRS.19.097 Appendix D3.pdf- SRPRS.19.097 Appendix D4.pdf- SRPRS.19.097 Appendix D5.pdf- SRPRS.19.097 Appendix D6.pdf- SRPRS.19.097 Appendix D7.pdf- SRPRS.19.097 Appendix D8.pdf- SRPRS.19.097 Appendix D9.pdf- SRPRS.19.097 Appendix D10.pdf
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 - 3:10 PM

Kelvin Kwan - May 8, 2019 - 3:27 PM

Neil Garbe - May 8, 2019 - 3:45 PM