



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

**Date of Meeting:** November 6, 2017

**Report Number:** SRPRS.17.171

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – 2484508 Ontario Limited – Town File Nos. D02-16021 and D03-16007 (SRPRS.17.171)

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### **Owner:**

2484508 Ontario Limited  
9-110 West Beaver Creek Road  
Richmond Hill, Ontario  
L4B 1J9

### **Agent:**

KLM Planning Partners Inc.  
64 Jardin Drive, Suite 1B  
Vaughan, Ontario  
L4K 3P3

### **Location:**

Legal Description: Part of Lots 17 to 19 and 501 and Lots 20 to 24 and 500, Plan 133  
Municipal Addresses: 13215 and 13223 Bathurst Street and 10 Portage Avenue

### **Purpose:**

A request for approval concerning proposed Zoning By-law Amendment and Draft Plan of Subdivision applications to facilitate the construction of a residential development comprised of five (5) single detached dwelling lots on the subject lands.

### **Recommendations:**

**That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 2484508 Ontario Limited for lands known as Part of Lots 17 to 19 and 501 and Lots 20 to 24 and 500, Plan 133 (Municipal Addresses: 13215 and 13223 Bathurst Street and 10 Portage Avenue) Town File Nos. D02-16021 and D03-16007 (19T(R)-16007), be approved subject to the following:**

- a) That Council draft approve the Plan of Subdivision as depicted on Map 6 to Staff Report SRPRS.17.171, subject to the conditions as set out in Appendix “B”;
- b) That Council approve the draft Zoning By-law as set out in Appendix “C” to Staff Report SRPRS.17.171 and that said by-law be brought forward to a regular meeting of Council for consideration and enactment;
- c) That Council resolve to accept cash-in-lieu of parkland dedication for the subject development proposal;
- d) That Council approve the Site Plan Control By-law as set out in Appendix “D” to Staff Report SRPRS.17.171 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,
- e) That servicing capacity for a maximum of two (2) new single detached dwelling lots (7.02 persons population equivalent) be allocated to the subject lands.

**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

**Submitted by:**

"Signed version on file in the Office of the Clerk"

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Kelvin Kwan  
Commissioner of Planning and Regulatory Services

**Approved by:**

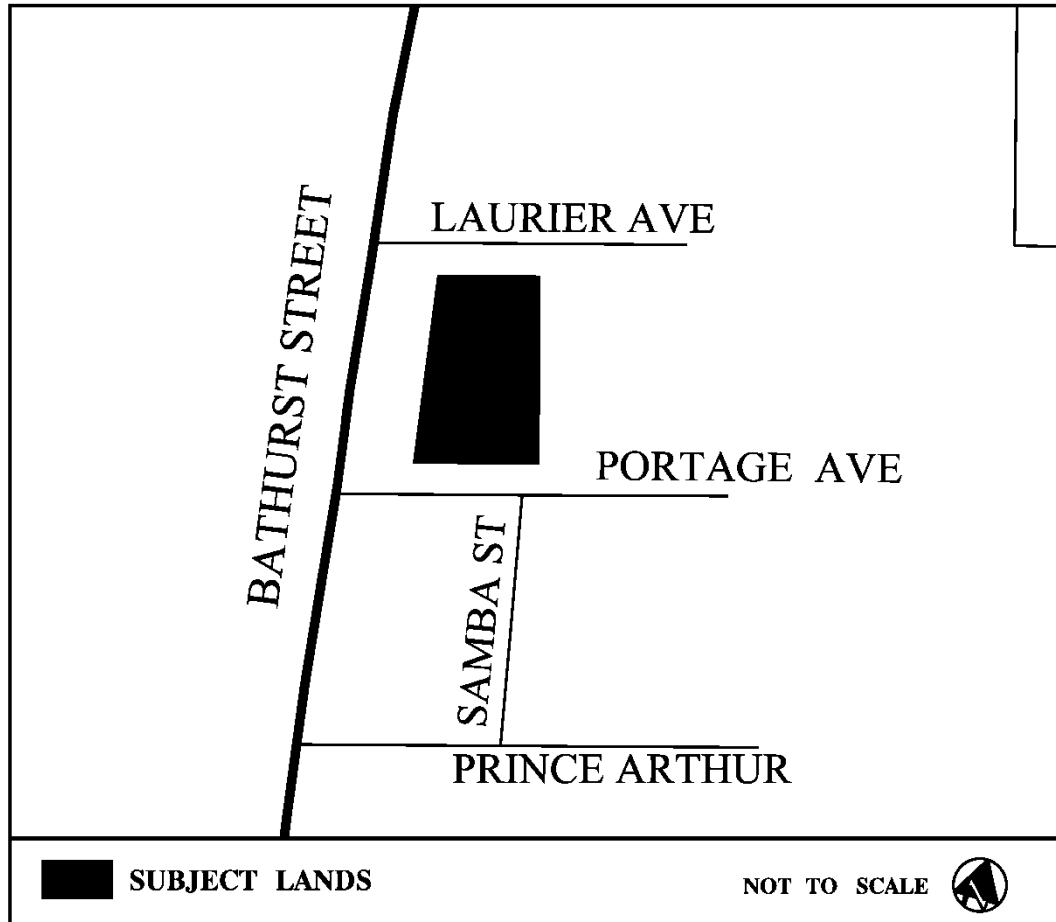
"Signed version on file in the Office of the Clerk"

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Neil Garbe  
Chief Administrative Officer

## Location Map

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



## Background Information

The subject Zoning By-law Amendment and draft Plan of Subdivision applications were received on September 1, 2016 and deemed complete by the Town on September 19, 2016. The applications were subsequently circulated to relevant Town departments and external agencies for review and comment.

A Council Public Meeting was held on January 25, 2017 in accordance with the statutory Public Meeting requirements of the *Planning Act* (refer to Appendix “A”). Council received Staff Report SRPRS.17.009 for information purposes and directed that all comments be referred back to staff.

It should be noted that no concerns were raised by Council or members of the public at the statutory Council Public Meeting and all matters raised through the initial review of the applicant’s development proposal have been addressed by the applicant to the satisfaction of Town staff. In this regard, 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 in accordance with the recommendations as set out in Staff Report SRPRS.17.171.

## Summary Analysis

Further information in regards to site location is as follows:

### Site Location and Adjacent Uses

The subject lands are located on the east side of Bathurst Street, north of King Road between Portage Avenue and Laurier Avenue. The lands have a total combined area of approximately 0.226 hectares (0.558 acres) and currently support three existing single detached dwellings. The lands abut low-density residential uses to the east, Laurier Avenue to the north, Bathurst Street to the west, and Portage Avenue to the south (refer to Maps 1 and 2).

## Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the creation of five (5) single detached dwelling lots on its land holdings. The following summary outlines the pertinent statistics of the applicant’s development proposal based on the plans and drawings submitted to the Town:

- **Lot Area:** 0.226 hectares (0.558 acres)
- **Residential Lot Area:** 0.205 hectares (0.506 acres)
- **Road Widening/Daylighting Block Area:** 0.021 hectares (0.052 acres)
- **Number of Residential Lots:** 5 single detached dwelling lots
- **Building Heights:** 2 storeys
- **Site Density:** 22.12 units per hectare (8.96 units per acre)

## Planning Analysis

It should be noted that the proposal is in conformity with all relevant policies found in the following documents:

### **Town of Richmond Hill Official Plan (2010)**

The subject lands are designated **Neighbourhood** in accordance with Schedule A2-Land Use of the Town's Official Plan (refer to Map 3). Uses permitted within the **Neighbourhood** designation include primarily low-density residential uses and medium-density residential uses, neighbourhood commercial and community uses, parks and open spaces, and automotive service commercial uses subject to specific policy criteria as defined in Chapter 4 of the Town's Official Plan. Development within the **Neighbourhood** designation shall have a maximum building height of 4 storeys on an arterial street and a maximum of 3 storeys in all other areas. In accordance with Section 4.9.2, development shall be compatible with the character of the adjacent and surrounding areas with respect to the predominant building forms and types, massing, general pattern of streets, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks.

The subject lands are situated within the boundaries of the Hughey West Infill Plan Study Area in accordance with Policy 4.9.1.1.1 (L) of the Town's Official Plan. In accordance with Section 4.9.1.1.3, development within a priority infill area shall be subject to the applicable Infill Study and shall be evaluated on the basis of conformity with the design and infill guidelines approved by Council for that area.

The subject lands are located on the Oak Ridges Moraine and are located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan*. In accordance with Policy 3.2.1.1(18) of the Town's Official Plan, all uses including the creation of new lots which are otherwise permitted under the Town's Official Plan shall be permitted within the **Settlement Area**. It should be noted that no key natural heritage features or hydrologically sensitive features have been identified on or adjacent to the subject lands.

### **Hughey West Infill Study (2007)**

The subject lands are situated within the boundaries for the Hughey West Infill Study ("Study") endorsed by Council in 2007 (refer to Map 5). The Study was prepared as an update to the Bathurst Street Neighbourhood Infill Study ("Bathurst Study") approved in 1998. The primary objectives of the Study seek to build upon the recommendations of the Bathurst Study, while providing more comprehensive direction for the future development of the neighbourhood. Approved development within the neighbourhood reflects a range of housing typologies, including single detached dwellings, semi-detached dwellings, and both condominium and street townhouse units.

Among the recommendations of the Study is the closure of a number of existing Bathurst Street entrances, including Prince Arthur Avenue, Laurier Avenue, and Lowther Avenue ("interior" streets). Portage Avenue and Madison Avenue are to remain

open as “entrance” streets that in addition to the extension of Verdi Road to Bathurst Street, will serve as permanent access routes into the neighbourhood.

Infill development comprising single detached dwellings is generally supported by the Study for both entrance and interior streets. In this regard, the Study recommends minimum lot frontages of 12.0 metres (39.37 feet) and 10.5 metres (34.45 feet) for single lots on entrance streets and interior streets, respectively. The purpose of these guidelines is to restrict the number of driveways in proximity to the Bathurst Street entrances as it relates to street parking and streetscape considerations. In addition, the Study contains Urban Design Guidelines that provide direction for the architectural design and treatment of individual units.

The proposed development contemplates the establishment of five single detached dwelling lots, whereby Lots 1 and 2 are to have frontage on Laurier Avenue (an “interior” street) and Lots 3 to 5 are to have frontage on Portage Avenue (an “entrance” street). In this regard, the proposed Laurier Avenue building lots conform to the guidelines of the Study with respect to minimum lot frontage. Lot frontages of 11.6 metres (38.06 feet) are proposed with respect to Lots 3 and 4, which is less than the recommended minimum lot frontage of 12.0 metres (39.37 feet) for entrance streets.

It was noted through the review of the applicant’s initial submission that the proposed lot frontages of 11.6 metres (38.06 feet) do not meet the minimum lot frontages for lots on entrance streets as stipulated within the Study. Notwithstanding the above, a comprehensive review of the development proposal has been completed and Town staff is satisfied that the reduction in lot frontage to 11.6 metres (38.06 feet) is appropriate in consideration of the site location, number of proposed building lots, and established built form along Portage Avenue and within the larger area. In this regard, the proposed land use and lot fabric is considered to be generally in keeping with the objectives of the Study. It should be further noted that the specific design of the proposed dwellings will be addressed as part of the Architectural Design Control process, as per the recommended conditions of draft approval as set out in Appendix “B”.

### **Proposed Zoning By-Law Amendment**

The subject lands are presently zoned under former Township of King By-law 986, as amended, which contains general land use provisions in the absence of specific land use categories (refer to Map 4). In this regard, the applicant is seeking Council’s approval to rezone the subject lands to **Single Detached Three (R3) Zone** and **Single Detached Four (R4) Zone** under By-law 313-96, as amended, to facilitate the proposed development on the subject lands. Site-specific development standards are proposed with respect to minimum lot area, minimum lot frontage, minimum yard to Bathurst Street, minimum rear yard, minimum yard to the daylighting triangle at Bathurst Street, and maximum lot coverage.

The following table provides a summary of the applicable development standards within the **Single Detached Three (R3) Zone** and **Single Detached Four (R4) Zone** under By-law 313-96, as amended, including site-specific provisions proposed by the

applicant. Where no site-specific provision has been proposed, the standard provisions of By-law 313-96, as amended will apply to the proposed development (“Standard”):

Statistic	Permitted Standards (R3) Zone	Permitted Standards (R4) Zone	Proposed Site-Specific Provisions (R3) Zone	Proposed Site-Specific Provisions (R4) Zone
Minimum Lot Area (Corner)	415.0 square metres (4,467.02 square feet)	465.0 square metres (5,005.22 square feet)	Standard	Standard
Minimum Lot Area (Interior)	350.0 square metres (3,767.37 square feet)	400.0 square metres (4,305.56 square feet)	<b>345.0 square metres (3,713.55 square feet)</b>	<b>370.0 square metres (3,982.65 square feet)</b>
Minimum Lot Frontage (Corner)	12.5 metres (41.01 feet)	14.0 metres (45.93 feet)	Standard	Standard
Minimum Lot Frontage (Interior)	10.5 metres (34.45 feet)	12.0 metres (39.37 feet)	<b>11.6 metres (38.06 feet)</b>	Standard
Maximum Lot Coverage	40%	40%	<b>47% (Interior lots only)</b>	<b>41%</b>
Minimum Front Yard	4.5 metres (14.76 feet)	4.5 metres (14.76 feet)	Standard	Standard
Minimum Side Yard	1.5 metres (4.92 feet)*	1.5 metres (4.92 feet)*	Standard	Standard
Minimum Yard to Bathurst Street	6.2 metres (20.34 feet)	6.2 metres (20.34 feet)	<b>5.8 metres (19.03 feet)</b>	<b>5.8 metres (19.03 feet)</b>
Minimum Rear Yard	7.5 metres (24.61 feet)	7.5 metres (24.61 feet)	<b>6.0 metres (19.69 feet)</b>	<b>6.0 metres (19.69 feet)</b>
Minimum Yard to Daylighting Triangle	0.6 metres (1.97 feet)	0.6 metres (1.97 feet)	<b>1.75 metres (5.74 feet), at Bathurst Street</b>	Standard
Maximum Dwelling Height	11.0 metres (36.09 feet)	11.0 metres (36.09 feet)	Standard	Standard
*Side yard may be reduced subject to additional criteria in accordance with By-law 313-96, as amended				

The applicant’s initial request contemplated a rezoning of the subject lands to **Single Detached Two (R2) Zone** and **Single Detached Four (R4) Zone** under By-law 313-96, as amended. In addition, minimum yards of 4.4 metres (14.44 feet) and 3.5 metres (11.48 feet) were proposed to Bathurst Street for the proposed lots on Portage Avenue and Laurier Avenue, respectively.

In response to concerns raised on the initial submission with respect to the minimum setback to Bathurst Street, the applicant revised the development proposal to provide for a minimum setback to Bathurst Street of 5.8 metres (19.03 feet), a minimum rear yard of 6.0 metres (19.69 feet) and reduced lot areas for the proposed interior lots. The proposed zoning categories were also revised from **Single Detached Two (R2) Zone**

and **Single Detached Four (R4) Zone to Single Detached Three (R3) Zone and Single Detached Four (R4) Zone** under By-law 313-96, as amended to more closely align the proposed lot frontages on Portage Avenue with the standard provisions of By-law 313-96, as amended. Planning staff has reviewed the revised proposal and concludes that the proposed zoning categories and the site-specific provisions are appropriate and generally compatible with established development patterns in the neighbourhood.

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

The applicant's development proposal contemplates the creation of five (5) single detached dwelling lots on the subject lands (refer to Map 6). In this regard, Lots 1 and 2 are proposed on Laurier Avenue having lot frontages of 18.2 metres (59.71 feet) and 16.3 metres (53.48 feet), respectively. The proposed corner lot on Portage Avenue (Lot 5) reflects a lot frontage of 14.8 metres (48.56 feet) and lot frontages of 11.6 metres (38.06 feet) are proposed for the interior lots (Lots 3 and 4) on this street. A road widening block (Block 7) is proposed adjacent to Laurier Avenue in order to facilitate its future closure, as contemplated in the Hughey West Infill Study (2007). In addition, a 9.0 by 9.0 metre daylighting triangle block (Block 6) is depicted on the draft Plan of Subdivision at the intersection of Bathurst Street and Portage Avenue.

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

#### **Development Planning Division**

Following a comprehensive review of the applicant's request, Planning staff recommends approval of the proposed Zoning By-law Amendment and draft Plan of Subdivision applications on the basis of the following:

- the proposed low-density development is permitted within the **Neighbourhood** designation of the Town's Official Plan;
- the subject lands are situated within a Priority Infill Area identified pursuant to Section 4.9.1.1.1 (L) of the Town's Official Plan and are subject to the Hughey West Infill Study ("Study"). Planning staff is satisfied that the applicant's development proposal meets the general intent and objectives of the Study;
- the Study contemplates the closure of the Bathurst Street access to Laurier Avenue. In this regard, the proposed draft Plan of Subdivision incorporates a road widening block to facilitate the future access closure and construction of a cul-de-sac;
- the proposed site-specific development standards are considered appropriate for the orderly development of the subject lands and are compatible with the character of the area; and,
- the proposed lot pattern is generally in keeping with the established patterns of development occurring within the neighbourhood and represents good planning.

#### **Development Engineering Division**

Development Engineering staff has reviewed the applicant's development proposal and has provided conditions of approval for the proposed draft Plan of Subdivision.

Development Engineering staff has also provided comments to be addressed at the



detailed design stage with respect to the urbanization of street frontages, storm drainage system, overland flow, and the future closure of the Laurier Avenue/Bathurst Street access.

### **Parks and Natural Heritage Planning Section**

Parks Planning and Natural Heritage staff has reviewed the applicant's development proposal and has provided comments with respect to tree preservation, landscape requirements, and minimum front yard landscaping. Parks staff has advised that there are no further comments on the proposal and has provided conditions of approval for the proposed draft Plan of Subdivision. It should be noted that cash-in-lieu of parkland dedication is recommended as the subject lands generate less than 500 square metres of parkland dedication in accordance with Town policies and are located within walking distance of the existing Temperanceville Park.

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

The Toronto and Region Conservation Authority (TRCA) has reviewed the applicant's request and has advised that the Credit Valley, Toronto and Region and Central Lake Ontario (CTC) Source Protection Plan applies to the proposed development. In this regard, TRCA staff has provided comments on the Functional Servicing and Stormwater Management Report with respect to water balance requirements. Following a review of subsequent submissions, TRCA staff has confirmed that there are no further concerns with respect to the development proposal and, as such, has not provided any conditions of approval.

### **Regional Municipality of York**

York Region staff has reviewed the applicant's request and has provided general comments with respect to CTC Source Protection Plan requirements, existing transit infrastructure, and servicing. York Region has confirmed no objections to the proposal and has provided conditions of approval for the proposed draft Plan of Subdivision.

### **Other Departments/External Agencies**

Comments have been received from the Town's Community Services Department, the Finance Department, the Fire and Emergency Services Department, the Building Services Division (Zoning), the Urban Design and Heritage Section, Enbridge Gas Distribution, Hydro One, Powerstream, Rogers Cable, and York Catholic District School Board. These Town departments and external agencies have no objections to the applications and/or have provided conditions of approval.

### **Interim Growth Management Strategy**

Council has approved and implemented a comprehensive strategy comprised of eight growth management 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 Interim Growth Management Strategy (IGMS) Criteria Number 5 (Sustainable and Innovative Community and Building Design), the applicant has submitted the required Sustainability Metrics Tool in support of its development proposal. Individual scores are measured for both application-based and community-based metrics.

The Metrics Tool submitted in support of the draft Plan of Subdivision application demonstrates an Overall application-based score of 22 points, which meets the approved threshold score of 21 points for plans of subdivision and therefore achieves a “good” score for this type of development (refer to Appendix “E”). In support of the noted score, the applicant is committing to build homes that will achieve a minimum of 15% greater energy efficient than prescribed in the Ontario Building Code, or equivalent. In addition, the applicant is committing to install LED lighting on exterior fixtures and to shield all exterior lighting greater than 1,000 lumens to prevent night sky lighting. To secure implementation of the sustainability commitments at the Building Permit stage, staff recommends that Site Plan Approval be required for the subject lands.

It should be noted that the subject lands currently support three (3) single detached dwellings. In this regard, servicing allocation will be required for two (2) additional single detached dwelling lots and a servicing credit is recommended with respect to three (3) existing dwelling units. In consideration of the above applicant’s sustainability commitments, it is recommended that servicing allocation for two (2) additional single detached dwelling lots (a population equivalent of 7.02 persons) be granted with respect to the proposed draft Plan of Subdivision.

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

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

### **Relationship to Strategic Plan**

The proposed development is generally aligned with **Goal Two of the Town’s Strategic Plan – Better Choice in Richmond Hill** by providing additional housing options within the Town. The proposal would also align with **Goal Four of the Strategic Plan – Wise Management of Resources in Richmond Hill** by committing to efficient use of available land through infill development.

## **Conclusions**

The applicant is seeking Council's approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the creation of five (5) single detached building lots on its land holdings. In this regard, the proposed Zoning By-law Amendment would have the effect of rezoning the subject lands in accordance with By-law 313-96, as amended, and establishing site-specific provisions for the subject lands.

The applicant has satisfactorily addressed the issues and concerns raised by circulated departments and agencies through the initial circulation of the proposal. The submitted Zoning By-law Amendment application is consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan* and the York Region Official Plan. In addition to the foregoing, the proposed development maintains the general intent of the goals, objectives and policies of the Hughey West Infill Study and conforms to the policies of the Town's Official Plan. In light of the preceding, it is recommended that the applicant's Zoning By-Law Amendment and draft Plan of Subdivision applications be approved as outlined and described within this report.

## **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.

- Appendix A, Council Public Meeting Extract, dated January 25, 2017
- Appendix B, Schedule of Conditions, Draft Plan of Subdivision
- Appendix C, Draft Zoning By-law Amendment 84-17
- Appendix D, Draft Site Plan Control By-law 99-17
- Appendix E, Sustainability Metrics Summary Table
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Official Plan Designation
- Map 4 Existing Zoning
- Map 5 Hughey West Infill Study – Figure 1
- Map 6 Draft Plan of Subdivision
- Map 7 Conceptual Site Plan