



Staff Report for Committee of the Whole Meeting

Date of Meeting: November 6, 2017

Report Number: SRPRS.17.162

Department: Planning and Regulatory Services

Division: Development Planning

Subject: Request for Approval – Zoning By-law Amendment
Application – Corsica Development Inc. – Town File
No. D02-17004 (SRPRS.17.162)

Owner:

Corsica Development Inc.
30 Floral Parkway, Box 300
Vaughan, Ontario
L4K 4R1

Agent:

MBTW, WAI
255 Wicksteed Avenue, Unit 1A
Toronto, Ontario
M4H 1G8

Location:

Legal Description: Part of Lots 42 and 43, Concession 1, E.Y.S.
Municipal Address: 123 Hillview Drive

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the implementation of various housing types permitted by the Official Plan and Zoning By-law 91-13.

Recommendations:

That the Zoning By-law Amendment application submitted by Corsica Development Inc. for lands known as Part of Lots 42 and 43, Concession 1, E.Y.S., (Municipal Address: 123 Hillview Drive), Town File No. D02-17004, be approved, subject to the following:

- a) That Council approve the draft Zoning By-law Amendment as set out in Appendix "B" to Staff Report SRPRS.17.162 and that the amending by-law be brought forward to a regular meeting of Council for consideration and enactment.**

Contact Person:

Mary Filipetto, Senior Planner – Subdivisions, phone number 905-747-6452 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"

Kelvin Kwan
Commissioner of Planning and Regulatory Services

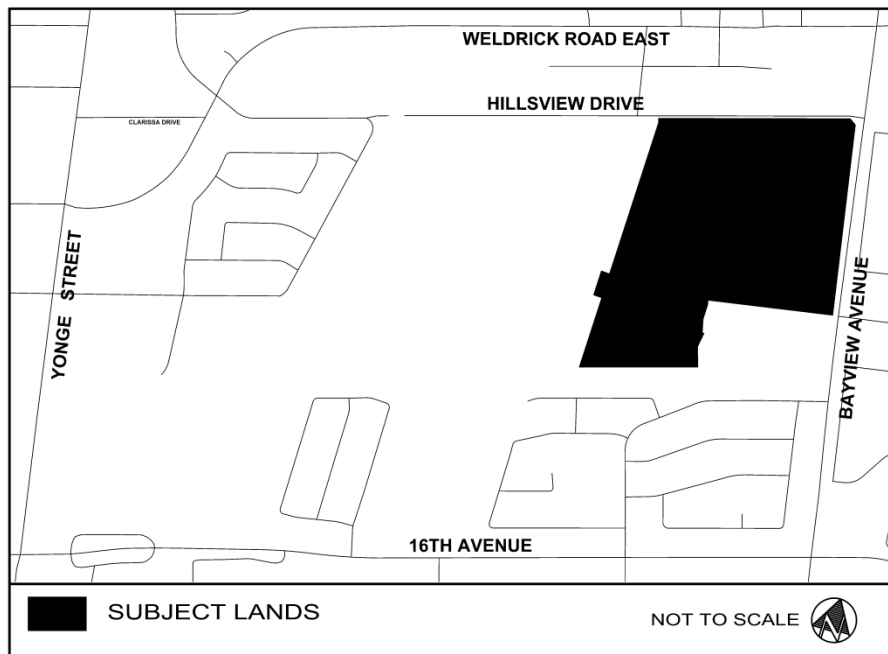
Approved by:

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

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 application was received and deemed complete by the Town on February 21, 2017. The application was subsequently circulated to relevant Town departments and external agencies for review and comment. A Council Public Meeting was held on June 7, 2017 in accordance with the statutory Public Meeting requirements of the *Planning Act*. Council received Staff Report SRPRS.17.101 for information purposes and directed that all comments be referred back to staff (refer to Appendix A).

A number of concerns were raised by Council and by members of the public at the Council Public Meeting which are summarized as follows:

- non-conformity with Zoning By-law 91-13 and the Town's Official Plan mainly pertaining to permitted use and density;
- lack of provision for accessible secondary suite units;
- negative impacts associated with increased traffic, lack of parking spaces, lack of space for snow removal and waste pick up, and generation of light pollution;
- impacts on stormwater quantity and quality arising from the proposed secondary suites; and,
- negative impact on the underlying aquifer complex.

Town staff verbally responded to many of the concerns that were raised at the Council Public Meeting, and a number of the site related concerns will be dealt with at the Building Permit stage of the process as well. Furthermore, a number of the concerns raised were previously dealt with through the OMB hearing and implemented through the conditions of draft Plan Approval for the Corsica Development Inc. subdivision. In addition, the applicant submitted an update to the engineering reports that were filed with the Town as part of the draft Plan of Subdivision. These matters will be addressed in detail in the later sections of this report.

The purpose of this report is to seek Council's direction to approve the applicant's Zoning By-law Amendment application, which seeks to amend certain development standards, special provisions and general provisions of the various zoning classifications under Zoning By-law 91-13 (the implementing By-law for the David Dunlap Observatory Lands including the Corsica Development Inc. lands), to facilitate permitted secondary suites above attached and detached garages.

Summary Analysis

Further information in regards to site location is as follows:

Site Location and Adjacent Uses

The subject lands are located at the southwest corner of Bayview Avenue and Hillsview Drive and affect 25.78 hectares (63.70 acres) of the 71.98 hectares (178 acres) of residential lands associated with the Corsica Development Inc. Plan of Subdivision registered as Plan 65M-4545. The subject lands abut institutional and low density residential uses to the north, low density residential uses to the east, low density residential, institutional, community and park uses to the south, and the western portion

of the approved residential subdivision (Plan 65M-4547), the astronomical observatory and associated buildings, and C.N.R. Bala Subdivision Railway Line to the west (refer to Maps 1 and 2).

Development Proposal

The applicant is seeking Council's approval of its proposed Zoning By-Law Amendment application to facilitate the implementation of secondary suites to be located above attached and detached garages which are accessed by a lane for single detached and semi-detached units and for laneway townhouses along Bayview Avenue. It should be noted that while Zoning By-law 91-13 permits secondary suites, the requested modifications by the applicant will assist in physically implementing secondary suites above attached or detached garages accessed from laneways. The following is a summary of the pertinent statistics of the applicant's development on the subject lands based on the plans and drawings submitted to the Town (refer to Map 7: A to D):

- Total Lot Area affected by the ZBA: 25.78 hectares (63.70 acres)
 - Maximum Number of Units affected by the ZBA: 74
- | | |
|----------------------------------|------------------------------|
| Single Detached/13.7 m (R5 Zone) | max. # Secondary Suites (2) |
| Single Detached /11 m (R3 Zone) | max. # Secondary Suites (6) |
| Semi-Detached/8.25 m (RD1 Zone) | max. # Secondary Suites (7) |
| Lane Townhouse/6.7 m (RM1 Zone) | max. # Secondary Suites (59) |

Planning Analysis

The land use designations on the subject lands were approved by the Order of the Ontario Municipal Board (OMB) dated May 1, 2013. The Order provides a review of the relevant policy framework against which the applicant's proposal has been reviewed including:

- *Provincial Policy Statement;*
- *Provincial Growth Plan;*
- Region of York Official Plan; and,
- Town of Richmond Hill Official Plan (2010), including Official Plan Amendment 270 known as the David Dunlap Observatory Lands Secondary Plan (DDOSP).

The David Dunlap Observatory Lands Secondary Plan (OPA 270)

The lands are subject to the policies of The David Dunlap Observatory Lands Secondary Plan (OPA 270). The policies of OPA 270 encourage the establishment of a range and mix of housing types, in addition to housing developments and designs which achieve effective and efficient use of land, services, community facilities and infrastructure. The subject lands are designated **Neighbourhood**, which permits low and medium density residential uses with a maximum building height of 3 storeys except on an arterial street where the maximum building height permitted is 4 storeys. The **Neighbourhood** policies permit a maximum site density of 50 units per hectare (20 units per acre) for residential development. The **Neighbourhood** policies require that

development shall be compatible with the character of the adjacent and surrounding areas with respect to building forms and types, massing, street patterns, blocks and lots and landscaped areas and treatments, cultural heritage and urban design guidelines (refer to Map 4).

The request by the applicant to amend Zoning By-law 91-13 is in conformity with policies of the above referenced documents including the **Neighbourhood** designation of OPA 270.

Zoning By-Law Amendment Application

Zoning By-law 91-13 zones the subject lands as follows (refer to Map 3):

- **“Residential Multiple One [RM1] Zone”**;
- **“Semi-detached One [RD1] Zone”**;
- **“Single Detached Three [R3] Zone”**;
- **“Single Detached Five [R5] Zone”**; and
- **“Single Detached Six [R6] Zone”**.

The applicant’s Zoning By-law Amendment request does not seek to change any of the current zoning classifications on the subject lands. The applicant is requesting Council’s approval to apply site specific development standards, amend special provisions and amend general provisions affecting the **“Residential Multiple One Zone [RM1]”**, **“Semi-detached One [RD1] Zone”**, **“Single Detached Three [R3] Zone”** and **“Single Detached Five [R5] Zone”**. These changes are summarized as the following (refer to Appendix B and Maps 5, 6 and 7):

Proposed Development Standards:

- **“Residential Multiple One [RM1] Zone”**: increase in lot coverage from 55% to 60%; and,
- **“Semi-detached One [RD1] Zone”**: increase in lot coverage from 50% to 55%.

Proposed Special Provisions:

- **“Single Detached Three [R3] Zone”**, **“Semi-detached One [RD1] Zone”** and View Terminus Locations (2): to remove the requirements for pairing of side yard setbacks. This will allow greater flexibility for lots located at “T” intersections in order to provide a visual terminus at the ends of views down the streets. Modifications are required to the special provisions to provide greater flexibility, and remove the requirements that larger required side yards be paired on adjacent lots;
- **“Single Detached Three [R3] Zone”**, **“Single Detached Five [R5] Zone”**, and **“Semi-detached One [RD1] Zone”**: to add a provision to allow attached garages via a breezeway thereby reducing the required rear yard from 7.5 metres to 6.0 metres where a unit is accessed by a driveway crossing a side lot line that is adjacent to a lane;

- **“Residential Multiple One [RM1] Zone”**: to add a provision to allow for a decrease in the minimum required side yard of an attached or detached garage located in the rear yard of a street townhouse lot from 1.5 metres to 1.2 metres to allow space for an enclosed stair case accessing a secondary suite above the attached or detached garage; and
- to permit a 1.2 metre rear yard setback for an attached garage, where the dwelling unit is accessed by a driveway crossing a side lot line adjacent to a lane. This will accommodate for a breezeway connection to a garage located in the rear yard.

Proposed General Provisions:

- to increase the maximum floor area for a detached garage with an enclosed stair case to a secondary suite from 40 to 55 square metres;
- to increase the maximum height of a detached garage from 7.5 metres to 8.5 metres to accommodate a pitched roof above the secondary suite; and,
- to permit secondary suites above an attached garage located in the rear yards of street townhouse lots in the RM1 Zone, and to allow for a secondary suite above an attached or detached garage on a street townhouse lot that abuts a lane.

In summary, the proposed Zoning By-law Amendment will have the effect of:

- accommodating access stairs to a secondary suite located on top of a detached or attached garage that is accessed from a lane;
- accommodating a covered breezeway access to a rear-lane garage;
- ensuring that a secondary suite is permitted for townhouse units as proposed; and,
- facilitating the proposed built form.

Town staff has completed a detailed review and evaluation of the submitted application and considers the proposed exceptions to be minor in nature and in keeping with the intent of By-law 91-13 and the Town’s Official Plan.

Department and External Agency Comments

The subject Zoning By-law Amendment application and the associated plans and reports submitted in support of same were circulated to various Town departments and external agencies for review and comment. The following is a summary of all the comments.

Development Planning Division

Planning staff has reviewed the applicant’s development proposal and notes that the purpose of the Zoning By-law Amendment application is to amend certain development standards, special provisions and general provisions of the various zoning classifications to facilitate permitted secondary suites above attached and detached

garages. Following a comprehensive review of the applicant's request, staff considers the proposed Zoning By-law Amendment to be minor in nature and therefore recommends approval of the application on the basis of the following:

- the proposed Zoning By-law Amendment conforms with the policies of the **Neighbourhood** designation and therefore does not require an Official Plan Amendment;
- the **Neighbourhood** designation permits a maximum density of 50 units per hectare (20 units per acre) and a maximum building height of three (3) storeys on local streets and four (4) storeys on arterial streets. The overall site density is in keeping with the density criteria in accordance with OPA 270. Further, the built form is proposed to be three (3) storeys in height and therefore meets the height requirements established by OPA 270;
- the proposed Zoning By-law Amendment does not result in any changes to the Registered Plan of Subdivision (19T-030001 / 65M-4547);
- the applicant is proposing to maintain all existing zoning classifications identified on the subject lands as per Zoning By-law 91-13;
- Zoning By-law 91-13 already permits secondary suites within all residential zones including R3, R5, R6, RD1 and RM1 Zones;
- for townhouse units [**RM1 Zone**], secondary suites are permitted over a detached garage where a garage fronts onto a lane. By-law 91-13 currently does not permit a secondary suite over an attached garage within the RM1 Zone. Staff are satisfied that the proposed plans can accommodate attached garages on townhouse units as submitted to the Town;
- the increase in lot coverage for the townhouse units (from 55% to 60 %) and semi-detached units (from 50% to 55%) has been reviewed by staff and considered to be acceptable in order to facilitate the secondary suites;
- the submitted plans have been reviewed for appropriateness of overall functioning of the lots within the Plan of Subdivision and staff are satisfied with the overall site layout and function of each of the affected lots;
- with respect to the issue of light pollution, OPA 270 contains policies relating to the minimization of light pollution and light trespass on the Observatory Lands. The draft Plan of Subdivision implemented the policies of OPA 270 which was approved by the OMB. The proposed modifications to By-law 91-13 do not have an effect on the draft approved and now registered Plan of Subdivision. Staff note that any additional lighting impacts on the Observatory Lands resulting from the secondary suites will be kept to a minimum as the proposed affected lots are situated near and/or adjacent to Bayview Avenue which is an arterial street.

- the proposed Zoning By-law Amendment meets the parking requirements set out in Zoning By-law 91-13;
- secondary suites have been mandated by the Province and as such, the Town has implemented this requirement within Zoning By-law 91-13, including parking requirements;
- staff note that the proposed Zoning By-law Amendment does not deviate from the original application approved by the OMB. In addition, staff are satisfied that the proposed Zoning By-law Amendment application will allow the intended housing form to be built; and,
- in consideration of the preceding, the applicant's Zoning By-law Amendment request is considered appropriate for the lands and constitutes good planning.

Urban Design and Heritage Section

The Zoning By-law Amendment has been assessed on the basis of the Urban Design Guidelines within OPA 270 and staff are supportive of the applicant's proposed Zoning By-law Amendment. The Town will assess Architectural Control of the secondary suites via the Council approved Architectural Control Guidelines for the David Dunlap Observatory Lands.

Building Services Division (Zoning)

Building Services staff provided comments on the applicant's draft Zoning By-law Amendment with respect to the applicability of the requested changes to the development standards, special provisions and general provisions of By-law 91-13. Zoning staff has no concerns with the applicant's proposed Zoning By-law Amendment.

Development Engineering Division

In response to comments received from the public, the Development Engineering Division has confirmed that the tributary area contributing to infiltration flows remains unchanged and would not be increased as a result of the secondary suites. Further, the additional population generated flows would amount to a 1% increase in pipeflow which would not have any significant impact on the system's overall performance.

Toronto and Region Conservation Authority

In response to comments initially received from the TRCA, the applicant submitted additional information addressing concerns pertaining to capacity of the stormwater management pond and impact of the water balance for the site with the consideration of the secondary suites. The Town's Development Engineering Division and the TRCA have carefully reviewed the additional information submitted and are satisfied with the conclusions and recommendations that the increase in the impervious area will have no impact on the stormwater management pond and that the water balance remains unchanged. As a result, both the Town and the TRCA can confirm that the underlying aquifer complex will not be negatively impacted and will not require dewatering.

Other Departments/External Agencies

Comments have also been received from Enbridge Gas Distribution, Rogers Cable Communications, Power Stream, Canada Post, Canadian National Railway Properties Inc., the Town's Financial Services Division, the Town's Fire Services Division, the Town's Parks and Natural Heritage Planning Section, the Town's Policy Planning Division, the Regional Municipality of York, the York Region District School Board, and the York Catholic District School Board. These Town departments and external agencies have no objections to the application.

Financial/Staffing/Other Implications

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

Relationship to Strategic Plan

The proposed development is aligned with **Goal Two of the Town's Strategic Plan – Better Choice in Richmond Hill** by providing a range of housing that provides options for people at all stages of life. The proposal would also align with **Goal Four of the Strategic Plan – Wise Management of Resources in Richmond Hill** by using land responsibly.

Conclusions

The applicant is seeking Council's approval of a Zoning By-law Amendment to facilitate the implementation of various housing types permitted by the Official Plan and Zoning By-law 91-13. A statutory Council Public Meeting was held on June 7, 2017 and concerns were raised by Council and members of the public with respect to compliance with the Official Plan and Zoning By-law, the lack of provision of accessible units, and negative impacts associated with increased traffic, lack of space for snow removal and waste pick up, generation of light pollution, the quality and quantity of stormwater and the aquifer complex. Town staff is satisfied that the applicant has satisfactorily addressed these concerns.

The submitted Zoning By-law Amendment application is consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan*, the York Region Official Plan and the Town's Official Plan. Furthermore, the proposed Zoning By-law Amendment would facilitate the implementation of a permitted use which has been mandated by the Provincial Government. In light of the preceding, the applicant's requested changes to By-law 91-13 are considered minor and appropriate, and constitute good planning. In this regard, staff recommends approval of the submitted Zoning By-law Amendment application 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 C#20-17, held June 7, 2017
- Appendix B, Draft Zoning By-law 96-17
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Proposed Zoning Standards & Special Provisions
- Map 6 Proposed General provisions
- Map 7 (A – D) Proposed Site Plans and Elevations