



Staff Report for Committee of the Whole Meeting

Date of Meeting: June 18, 2019

Report Number: SRPRS.19.118

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.19.118 – Request for Approval – Zoning By-law Amendment Application – Desiree Tomanelli and Ivona Tomanelli – City File D02-18010 (Related File D06-18020)**

Owner:

Desiree Tomanelli and Ivona Tomanelli
116 Lucas Street
Richmond Hill, Ontario
Lot 14, Plan 269

Agent:

Deborah Alexander
72 Herefordshire Crescent
East Gwillimbury, Ontario
L9N 0B6

Location:

Legal Description: Lot 14, Plan 269
Municipal Address: 116 Lucas Street

Purpose:

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

Recommendations:

- a) **That the Zoning By-law Amendment application submitted by Desiree Tomanelli and Ivona Tomanelli for the lands known as Lot 14, Plan 269 (Municipal Address: 116 Lucas Street), City File D02-18010, be approved, subject to the following:**

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- (i) that the subject lands be rezoned from Residential Second Density (R2) Zone to Residential Multiple First Density (RM1) Zone under By-law 66-71, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.19.118; and,
 - (ii) that the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.
- b) That 2.74 persons equivalent of additional servicing allocation be assigned to the subject lands, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11, as amended.

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:

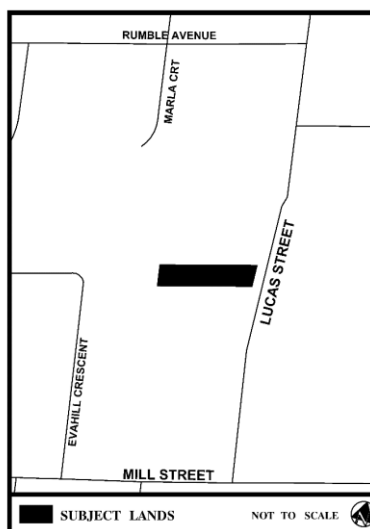
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 6, 2019, wherein Council received Staff Report SRPRS.19.008 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix A). Concerns were raised by the public with respect to the development proposal, which are detailed later in this report.

The Ward Councillor hosted a Residents Information Meeting on February 27, 2019, wherein the applicant presented a revised development proposal in response to the comments and concerns raised by staff, Council and the public respecting its original submission. A second submission was formally filed with the City on March 11, 2019, which reflects the revised proposal presented at the Residents Information Meeting and is further described below.

All comments from internal departments and external agencies have now been satisfactorily addressed by the applicant. As a result, 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 on the west side of Lucas Street, south of Rumble Avenue and have a total lot area of 0.104 hectares (0.26 acres) (refer to Maps 1 and 2). The lands are surrounded by a mix of low and medium density residential uses, with double duplex dwellings located on the abutting lands to the north, single detached dwellings to the south and east, and semi-detached dwellings and townhouse dwellings to the northeast.

Revised Development Proposal

The applicant is seeking Council's approval of its revised Zoning By-law Amendment application to permit the construction of two semi-detached dwelling units on its land holdings (refer to Maps 6 and 7). Below is a summary of the pertinent development statistics with regard to the applicant's revised proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.104 hectares (0.26 acres)
- **Total Lot Frontage:** 15.45 metres (50.69 feet)
- **Number of Units:** One Semi-Detached Dwelling (2 units)
- **Gross Floor Area (per unit):** 230.68 square metres (2,483.02 square feet)
- **Number of Storeys:** 2
- **Proposed Building Height:** 8.48 metres (27.82 feet) from average grade
9.04 metres (29.66 feet) from grade at the
centreline of the street

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Below is a summary of the pertinent revisions made to the development proposal:

- the proposed number of storeys has been reduced from 3 to 2;
- the proposed building height has been reduced from 9.5 metres (31.17 feet) to 8.48 metres (27.82 feet) from average grade. Since By-laws 371-90 and 372-90 measure building height from the elevation of the centreline of the street, the proposed height of 8.48 metres (27.82 feet) is in fact 9.04 metres (29.66 feet) from the centreline of the street. Furthermore, the height is measured to the top of the roof given the mansard roof design being proposed by the applicant;
- the proposed Gross Floor Area (GFA) has been reduced from 296.83 square metres (3,195.05 square feet) to 230.68 square metres (2,483.02 square feet) per unit;
- the Site Plan incorporates a right-of-way widening of approximately 4 metres (13.1 feet) along the frontage of the subject lands, which is to be conveyed to the City through the Site Plan approval process;
- due to the proposed conveyance of the road widening lands, the proposed lot frontages have been increased from 7.68 metres (25.33 feet) to 7.72 metres (25.33 feet) given the tapered nature of the existing lot;
- the proposed front yard setback has been updated to reflect the conveyance of the required road widening lands. In this regard, the minimum front yard setback is now approximately 6.0 metres (19.69 feet) and will be reflected in the amending Zoning By-law. Notwithstanding, the proposed semi-detached dwelling maintains the established building line of the adjacent dwellings to the north and south;
- the front Elevation Plan presented at the Residents Information Meeting and formally filed with the second submission has been revised to address technical comments raised by the City's Development Engineering Division. In this regard, the proposed garage elevation has been lowered to address the required elevation of the basement and servicing connection. These revisions will be reviewed and considered through the related Site Plan approval process; and,
- the Site Grading Plan has been revised to include an infiltration gallery in the proposed rear yards to better address on-site drainage.

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 (refer to Map 4) and are situated within the Benson/Hunt Tertiary Plan area (refer to Map 5). Low density development is permitted in the **Neighbourhood** designation and the proposed semi-detached dwellings are permitted within the Low Density Area of the Tertiary Plan subject to the approval of a Zoning By-law Amendment application, which this application seeks to achieve.

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

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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.

Given all 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.

Benson/Hunt Tertiary Plan

The subject lands are located within the “Low-Density Area” of the approved Tertiary Plan, where semi-detached dwellings are permitted subject to the approval of a Zoning By-law Amendment application (refer to Map 5). The “Low-Density Area” allows for a maximum building height of 2 storeys and new buildings are subject to applicable design criteria as set out in Section 5.0 of the Tertiary Plan. In this regard, the design of the proposed dwelling must be compatible with adjacent built form.

As previously described, the development proposal has now been revised to address concerns raised following the review of the first submission. In this regard, the number of storeys, the building height and the gross floor area have all been reduced to ensure that the proposed semi-detached dwelling is compatible with the adjacent neighbourhood and consistent with the recommendations of the Tertiary Plan. The proposed side yard setbacks are also in keeping with the pattern of redevelopment in the surrounding neighbourhood and the proposed front yard setback is in keeping with the established building line of the adjacent dwellings.

Given all the above, Planning staff is of the opinion that the subject Zoning By-law Amendment application is consistent with the recommendations and direction of the Tertiary Plan.

Revised Zoning By-law Amendment Application

The subject lands are zoned **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended, and permitted residential uses only include a single detached dwelling (refer to Map 3). Accordingly, the applicant is seeking Council’s approval to rezone the subject lands to **Residential Multiple First Density (RM1) Zone** under Bylaw 66-71, as amended, with site specific development standards to permit the construction of a semi-detached dwelling (2 units).

The following table provides a summary of the applicable standards of the existing and proposed zone categories as they apply to the proposed development. The proposed site specific exceptions are highlighted in bold below and outlined in the draft By-law found at Appendix B of this report:

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Development Standard	Existing “R2” Zone under By-law 66-71, as amended by By-laws 371-90 and 372-90	Proposed “RM1” Zone under By-law 66-71, as amended by By-laws 371-90 and 372-90	Proposed Development
Permitted Residential Uses	Single Family Detached Dwelling	Single Family Detached Dwelling, Semi-Detached Dwelling and Duplex Dwelling	Semi-Detached Dwelling
Minimum Lot Area	464.52 sq. m (5,000 sq. ft)	278.70 sq. m (3,000 sq. ft)	Complies
Minimum Lot Frontage	15.24 m (50 ft)	10.67 m (35 ft/unit)	7.72 m (25.33 ft/unit)
Maximum Lot Coverage	30%	35%	Complies
Minimum Front Yard Setback	9.1 m (29.85 ft)	9.1 m (29.85 ft)	6.0 m (19.69 ft)
Minimum Interior Side Yard Setback	2.13 m (5 ft for 1st storey, 7 ft for 2nd storey, 9 ft for 3rd storey)	2.13 m (5 ft for 1st storey, 7 ft for 2nd storey, 9 ft for 3rd storey)	1.3 m (4.27 ft)
Minimum Rear Yard Setback	7.62 m (25 ft)	7.62 m (25 ft)	Complies
Maximum Height	8.5 m (27.9 ft)	8.5 m (27.9 ft)	9.04 m (29.66 ft)
Maximum Gross Floor Area	116.58 sq. m (1,254.86 sq. ft)	116.58 sq. m (1,254.86 sq. ft)	230.68 sq. m (2,483.02 sq. ft)

The applicant is no longer proposing to delete the applicable provisions of By-laws 371-90 and 372-90 and the amending Zoning By-law has been revised accordingly. In this regard, site specific development standards are required for minimum lot frontage, minimum front yard setback, minimum side yard setback, maximum building height and maximum gross floor area.

The revised development proposal is consistent with the approved Tertiary Plan insofar as the permitted number of storeys and building height, while the proposed lot frontages, gross floor area and building setbacks are compatible with existing development and the pattern of redevelopment occurring in the surrounding neighbourhood.

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Planning staff has undertaken a comprehensive analysis of the applicant's revised development proposal and is satisfied that the proposed **RM1 Zone** category and site specific provisions are appropriate and represent good planning. On the basis of the preceding, it is recommended that the applicant's revised Zoning By-law Amendment application be approved and that the amending Zoning By-law incorporate the site specific development standards outlined in the table above and displayed in Appendix "B".

Revised Site Plan Application

A revised Site Plan application (File D06-18020) has been submitted to facilitate the applicant's latest development proposal. Revisions have been made in response to comments received by staff, Council and the public regarding the positioning and configuration of the dwellings, as well as the proposed elevations, height and massing. Additionally, the proposed semi-detached dwellings have been reconfigured with paired entrances to allow for a larger front yard landscaping area between the two proposed driveways.

At the time of writing this report, only technical matters remain to be addressed with respect to Development Engineering requirements. Notwithstanding the foregoing, staff is satisfied with the design and placement of the proposed semi-detached dwelling and will continue to work with the applicant towards the finalization and execution of a Site Plan Agreement, should Council approve the subject Zoning By-law Amendment application.

City Department and External Agency Comments:

City Department and external agency comments have been satisfactorily addressed through the second submission, and there are no further comments or objections to the Zoning By-law Amendment application. Staff is satisfied that the remaining comments related to the Site Plan application are minor and technical in nature and will not affect the approval of the Zoning By-law Amendment application. Should Council approve the Zoning By-law Amendment application, it must be emphasized that any necessary revisions to the related Site Plan will need to comply with the approved Zoning By-law, or alternatively, the applicant will need to seek further planning approvals.

Public Comments:

The following is a summary of and response to the comments and concerns expressed by members of the public in written correspondence, as well as at the Council Public Meeting and Residents Meeting held on February 6, 2019 and February 27, 2019 respectively:

- **Building Height**

Concerns were raised with respect to the height of the proposed semi-detached dwelling. As previously explained, the height of the proposed dwelling has been reduced from 3 to 2 storeys and reduced to 9.04 metres (29.66 feet) from the

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elevation of the centreline of the street. In this regard, the number of storeys is now in keeping with the Tertiary Plan and the height is compatible with existing development in the surrounding neighbourhood.

- **Gross Floor Area**

Concerns were raised with respect to the proposed Gross Floor Area (GFA) for each unit. As previously explained, the massing and overall GFA of the proposed dwelling has been reduced to 230.68 square metres (2,483.02 square feet) per unit. Although the proposed GFA exceeds the by-law standards, the proposal is compatible with existing development and the pattern of redevelopment in the surrounding neighbourhood.

- **Side Yard Setback**

Concerns were raised with respect to the proposed reduction of the side yard setbacks. The applicant is proposing minimum side yard setbacks of 1.3 metres (4.27 feet) at the front of the dwelling, increasing to 1.5 metres (4.92 feet) at the rear of the dwelling given the tapered nature of the existing lot. Given the revised height and size of the proposed dwelling, the reduced side yard setbacks will not result in any adverse impacts from a streetscaping perspective along Lucas Street. Furthermore, the proposed setbacks are compatible with existing development and the pattern of redevelopment in the surrounding neighbourhood.

- **Shadow Impact**

Concerns were raised with respect to the potential shadow impacts of the proposed development. Given the proposed height, size and setbacks of the proposed dwelling on the subject lands, and the fact that the existing building to the north is two storeys in height, the proposed development is not expected to create any adverse shadowing impacts on adjacent lands.

- **Lot Frontage**

Concerns were raised with respect to the reduced lot frontages per unit. The total lot frontage of the subject lands is 15.45 metres (50.69 feet), which exceeds the typical lot frontage standard of approximately 15.0 metres (49.21 feet) for semi-detached dwelling lots. Furthermore, the proposed lot frontages are consistent with previously approved semi-detached dwellings on Lucas Street, and are compatible with the surrounding neighbourhood.

- **Preservation of Heritage Character**

Concerns were raised with respect to the proposal altering the heritage character of the neighbourhood. The applicants have submitted a Village Core Neighbourhood Design Guidelines Checklist in support of the proposal and the architectural plans have been reviewed in accordance with these Guidelines and the Tertiary Plan. The proposed design, including the height of 2 storeys and the inclusion of single car garages, are compatible with the surrounding neighbourhood and the City's Urban

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Design and Heritage Planning Section has expressed no concerns with the proposal.

- **Loss of Trees**

Concerns were raised with respect to the proposed removal of trees. The applicant has submitted an Arborist Report and a Tree Protection Preservation Plan that have been reviewed by the City's Park and Natural Heritage Planning Section. The City will require securities and replacement plantings in support of the proposed tree removals, and tree protection measures will be required for all other trees on and abutting the subject lands which are identified for preservation. The implementation of the recommendations in the Arborist Report will be captured through the Site Plan approval process.

- **Drainage**

Concerns were raised with respect to the existing and proposed drainage on the property. The applicant has submitted a Grading Plan that provides for the introduction of two new infiltration galleries in the rear yard of each lot. Additionally, the roof has been designed to facilitate more drainage towards the street rather than towards the rear yards. Final grading and drainage will be reviewed and approved by the City's Development Engineering Division through the Site Plan approval process.

- **Traffic Impacts**

Concerns were raised with respect to traffic and pedestrian safety impacts as a result of accommodating an additional driveway on Lucas Street, which does not have a sidewalk on its west side. The City's Development Engineering Division has reviewed the applicant's development proposal and has not raised any traffic or pedestrian safety concerns. Furthermore, the applicants will be required to convey lands for a right-of-way widening to the City, which will help to facilitate any planned improvements along Lucas Street in the future.

Servicing Allocation:

The subject lands contain one single detached dwelling and are credited with 3.56 persons equivalent of servicing allocation. As the proposed development requires a total of 6.30 persons equivalent of servicing allocation (2 semi-detached dwelling units), staff recommends that 2.74 persons equivalent of additional servicing allocation be assigned to the subject lands.

Financial/Staffing/Other Implications:

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

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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 proposed Zoning By-law Amendment application to permit the construction of one semi-detached dwelling (2 units) on the subject lands. Staff is of the opinion that the submitted Zoning By-law Amendment application conforms with the Official Plan and Benson/Hunt Tertiary Plan, 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.

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 of Council Public Meeting C#04-19 held on February 6, 2019
- Appendix B – Draft Zoning By-law
- Map 1 Aerial Photo
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Benson Hunt Tertiary Plan Boundary
- Map 6 Proposed Site Plan
- Map 7 Proposed Elevations (Front)

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Report Approval Details

Document Title:	SRPRS.19.118 - Request for Approval of a Zoning By-law Amendment Application - 116 Lucas Street.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.19.118 - APPENDIX A - Council Public Meeting Extract - C04-19.pdf- SRPRS.19.118 - APPENDIX B - Draft By-law.pdf- SRPRS.19.118 - MAP 1 - AERIAL PHOTOGRAPH.pdf- SRPRS.19.118 - MAP 2 -NEIGHBOURHOOD CONTEXT.pdf- SRPRS.19.118 - MAP 3 - EXISTING ZONING.pdf- SRPRS.19.118 - MAP 4 - OFFICIAL PLAN DESIGNATION.pdf- SRPRS.19.118 - MAP 5 - BENSON HUNT TERTIARY PLAN AREA.pdf- SRPRS.19.118 - MAP 6 - REVISED SITE PLAN.pdf- SRPRS.19.118 - MAP 7 - REVISED FRONT ELEVATIONS.pdf
Final Approval Date:	Jun 7, 2019

This report and all of its attachments were approved and signed as outlined below:

Gus Galanis - Jun 4, 2019 - 2:22 PM

Kelvin Kwan - Jun 5, 2019 - 3:44 PM

Neil Garbe - Jun 7, 2019 - 9:19 AM