



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

**Date of Meeting:** June 18, 2019

**Report Number:** SRPRS.19.120

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** SRPRS.19.120 – Request for Approval – Zoning  
By-law Amendment Application – Xi Liu,  
Eleonora and Dmitri Krimus – City File D02-  
17035

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### **Owners:**

Xi Liu  
25 Naughton Drive  
Richmond Hill, Ontario  
L4C 4M6

Eleonora Krimus  
29 Naughton Drive  
Richmond Hill, Ontario  
L4C 4M6

Eleonora and Dmitri Krimus  
31 Naughton Drive  
Richmond Hill, Ontario  
L4C 4M6

### **Agent:**

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

### **Location:**

Legal Description: Lots 7, 8 and 9, Plan 3799  
Municipal Addresses: 25, 29 and 31 Naughton Drive

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### **Purpose:**

A request for approval concerning a proposed Zoning By-law Amendment application to permit the creation of seven single detached residential building lots on the subject lands.

### **Recommendations:**

- a) **That the Zoning By-law Amendment application submitted by Xi Liu and Eleonora and Dmitri Krimus for the lands known as Lots 7, 8 and 9, Plan 3799 (Municipal Addresses: 25, 29 and 31 Naughton Drive), City File D02-17035, be approved subject to the following:**
  - (i) **that the lands be rezoned from Rural Residential (RR) Zone under By-law 2523, as amended, to Residential Single Family Four (R4) Zone under By-law 190-87, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.19.120; and,**
  - (ii) **that the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

### **Contact Person:**

Philip Liu, Planner I – Site Plans, phone number 905-747-6312

Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

### **Report Approval:**

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

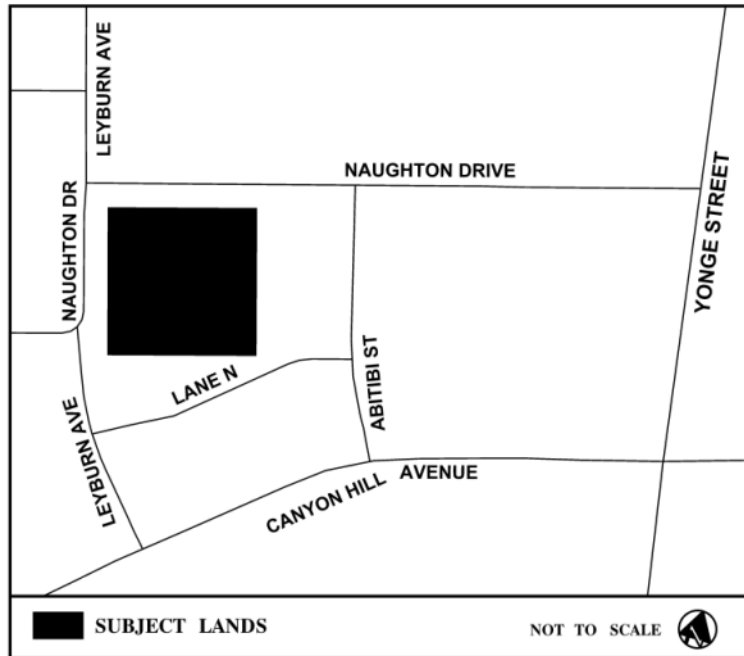
**Approved by:** Neil Garbe, City Manager

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.

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### Location Map

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



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### Background:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on March 28, 2018 wherein Council received Staff Report SRPRS.18.032 for information purposes and referred all comments back to staff. The Extract of this meeting is attached hereto as Appendix “A”. There were no members of the public who responded to the Chair’s invitation to address Council on this matter.

The comments provided by City departments and external agencies concerning the applicant’s proposed Zoning By-law Amendment have been satisfactorily addressed. In this regard, 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 southeast corner of Naughton Drive and Leyburn Avenue (refer to Maps 1 and 2) and have a total area of approximately 0.444 hectares (1.09 acres). The lands currently support three single detached dwellings fronting on to Naughton Drive, and the surrounding area includes a mix of single detached and townhouse dwellings. The dwellings at 25 and 29 Naughton Drive are to be demolished in order to facilitate the proposed development, while the dwelling at 31 Naughton Drive would be retained on a newly created lot.

#### Revised Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to facilitate the creation of seven building lots on the subject lands, and to provide for the construction of six new single detached residential dwellings and the retention of the existing building at 31 Naughton Drive (refer to Maps 5 and 6).

The development proposal has been revised since the Council Public Meeting to provide for a 1.5 metre widening along Leyburn Avenue. As a result, revisions have also been made to the proposed Zoning By-law Amendment, which now reflects a minimum interior lot area of 360 square metres (3,875.01 square feet) to facilitate two of the proposed lots. Furthermore, the development proposal has been revised to preserve three of the four City owned trees originally proposed for removal.

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

- |  |  |
|--|--|
| • <b>Total Lot Area:</b>                 | <b>0.444 hectares (1.09 acres)</b>                                 |
| • <b>Number of Dwellings:</b>            | <b>7 single detached</b>   |
| • <b>Lot Frontages (Naughton Drive):</b> | <b>12.18 metres to 12.20 metres<br/>(39.96 feet to 40.03 feet)</b> |

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- **Lot Frontages (Leyburn Avenue):** 12.20 metres to 26.88 metres (40.03 feet to 88.19 feet)
- **Lot Areas (Naughton Drive):** 372 square metres (4,004.17 square feet) to 821 square metres (8,837.17 square feet)
- **Lot Areas (Leyburn Avenue):** 828.0 square metres (8,912.52 square feet) to 830 square metres (8,934.05 square feet)
- **Building Height:** 3 storeys (11.0 metres or 36.1 feet)
- **Density:** 15.77 uph (6.42 upa)

## Planning Analysis:

### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the City of Richmond Hill’s Official Plan (2010) (the “Plan”) (refer to Map 4). Uses permitted within the **Neighbourhood** designation include primarily low and medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service uses, subject to specific policy criteria as defined in Chapter 4 of the Plan. The **Neighbourhood** designation policies also require development to be compatible with the character of the adjacent/surrounding area and have a maximum building height of three storeys. In this regard, the proposed development conforms to the **Neighbourhood** policies as the proposed single detached dwellings are a permitted form of low-rise residential use, the proposed building height of three stories is permitted, and the proposed zoning would result in a built form and development standards that are compatible with the existing character of the surrounding area.

The subject lands are also situated within the **Settlement Area** of the Oak Ridges Moraine, as defined in accordance with the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). In accordance with Section 3.2.1.1 (18) of the Plan, all uses, including the creation of new lots which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area**.

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

### Zoning By-law Amendment Application

The subject lands are currently zoned **Rural Residential (RR) Zone** under the former Township of Vaughan Zoning By-law 2523, as amended. The applicant seeks to remove the lands from Zoning By-law 2523 and rezone the lands to **Residential Single Family Four (R4) Zone** under Zoning By-law 190-87, as amended, with site specific development standards. Outlined below are the proposed development standards relative to those of the **R4 Zone** category.

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The proposed site specific exceptions are highlighted in bold below and outlined in the draft By-law found at Appendix B of this report:

Development Standard	R4 Zone Standard	Proposed Standard
Minimum Lot Frontage (Interior)	12.0 metres (39.4 feet)	Complies
Minimum Lot Frontage (Corner)	14.0 metres (45.9 feet)	Complies
Minimum Lot Area (Interior)	402.0 square metres (4,327.09 square feet)	<b>360.0 square metres (3,875.01 square feet)</b>
Minimum Lot Area (Corner)	469.0 square metres (5,048.27 square feet)	Complies
Maximum Lot Coverage	40%	Complies
Minimum Front Yard	4.5 metres (14.7 feet)	Complies
Minimum Side Yard	1.5 metres (4.9 feet)	Complies
Minimum Flankage Yard	3.0 metres (9.8 feet)	Complies
Minimum Rear Yard	7.5 metres (24.6 feet)	Complies
Maximum Height	11.0 metres (36.1 feet)	Complies
Permitted Encroachments in Yards	Roofed porches may encroach 2.5 metres (8.2 feet) into a front or rear yard provided the height does not exceed one storey	<b>Roofed porches may encroach 2.5 metres (8.2 feet) into a front or rear yard provided the height does not exceed the height of the main building</b>

Planning staff has undertaken a comprehensive review and analysis of the applicant's development proposal and is of the opinion that it is appropriate for the following reasons:

- the proposed **R4 Zone** category is compatible with much of the redevelopment in the area. For example, the lands southwest of the subject lands have also been rezoned to the **R4 Zone** category. Overall, lot areas in the surrounding area are varied and the proposed zoning category and lot sizes are in keeping with the character of the surrounding neighbourhood;
- the proposed additional residential lots and new single detached dwellings conform with the **Neighbourhood** designation policies of the Plan;
- the requested site specific provision to reduce the minimum lot area from 402 square metres (4,327.09 square feet) to 360 square metres (3,875.01 square feet) is generally consistent with the redevelopment of single detached lots in the surrounding area; and,
- the requested site specific provision to allow roofed porches to encroach 2.5 metres (8.2 feet) into a front or rear yard provided the height does not exceed the height of the main building is considered appropriate since it will not have any negative impact on neighbouring residential lots and is a minor deviation from the existing requirement, which allows an encroachment for a one-storey covered porch.

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

### **City Department and External Agency Comments:**

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

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

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

### **Relationship to the Strategic Plan:**

The applicant's development proposal aligns with **Goal Two - Better Choice in Richmond Hill** by providing housing that offers options for people at all stages of life, in addition to **Goal Four - Wise Management of Resources in Richmond Hill** by designing energy efficient dwellings and using land responsibly.

### **Conclusion:**

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the creation of seven (7) single detached residential lots on the applicant's land holdings and to facilitate the construction of six (6) new single detached dwellings. Planning staff is of the opinion that the submitted Zoning By-law Amendment application conforms to the City's Official Plan, and that the proposed development is appropriate and represents good planning. On the basis of the preceding, staff recommends that Council approve the submitted Zoning By-law Amendment application as outlined and described in this report.

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### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A Extract of Council Public Meeting C#10-18 held March 28, 2018
- Appendix B Draft Zoning By-law 77-19
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Proposed Site Plan
- Map 6 Proposed Sample Elevations



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### Report Approval Details

Document Title:	SRPRS.19.120 - 25, 29 and 31 Naughton Drive - D02-17035 (XI LIU AND ELEONORA AND DMITRI KRIMUS).docx
Attachments:	<ul style="list-style-type: none"><li>- SRPRS.19.120 - Appendix A - Council Public Meeting Extract.pdf</li><li>- SRPRS.19.120 - Appendix B - Draft Zoning By-law 77-19.pdf</li><li>- SRPRS.19.120 - Map 1 Aerial Photograph.pdf</li><li>- SRPRS.19.120 - Map 2 Neighbourhood Context.pdf</li><li>- SRPRS.19.120 - Map 3 Existing Zoning.pdf</li><li>- SRPRS.19.120 - Map 4 Official Plan Designation.pdf</li><li>- SRPRS.19.120 - Map 5 Proposed Site Plan.pdf</li><li>- SRPRS.19.120 - Map 6 Proposed Sample Elevations.pdf</li></ul>
Final Approval Date:	Jun 4, 2019

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

**Gus Galanis - Jun 3, 2019 - 8:47 PM**

**Kelvin Kwan - Jun 4, 2019 - 7:41 AM**

**Neil Garbe - Jun 4, 2019 - 10:23 AM**