



Staff Report for Council Public Meeting

Date of Meeting: June 19, 2019

Report Number: SRPRS.19.110

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.19.110 – Request for Comments –
Zoning By-law Amendment and Draft Plan of
Subdivision Applications – Afshin Parker – City
Files D02-19002 and D03-19002**

Owner:

Afshin Parker
313 Harris Avenue
Richmond Hill, Ontario
L4E 3M3

Agent:

Sasha Milenov
Milenov Associates Architects and Planners
63 St. Clements Avenue
Toronto, Ontario
M4R 1H1

Location:

Legal Description: Lot 2, Plan 65M-2071
Municipal Address: 313 Harris Avenue

Purpose:

A request for comments concerning proposed Zoning By-law Amendment and draft Plan of Subdivision applications to permit the construction of eight single detached dwelling units on the subject lands.

Recommendation:

- a) **That Staff Report SRPRS.19.110 with respect to the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Afshin Parker for lands known as Lot 2, Plan 65M-2071 (Municipal Address: 313 Harris Avenue),**

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City Files D02-19002 and D03-19002, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Jeff Healey, Senior Planner- Subdivisions, phone number 905-771-6452 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

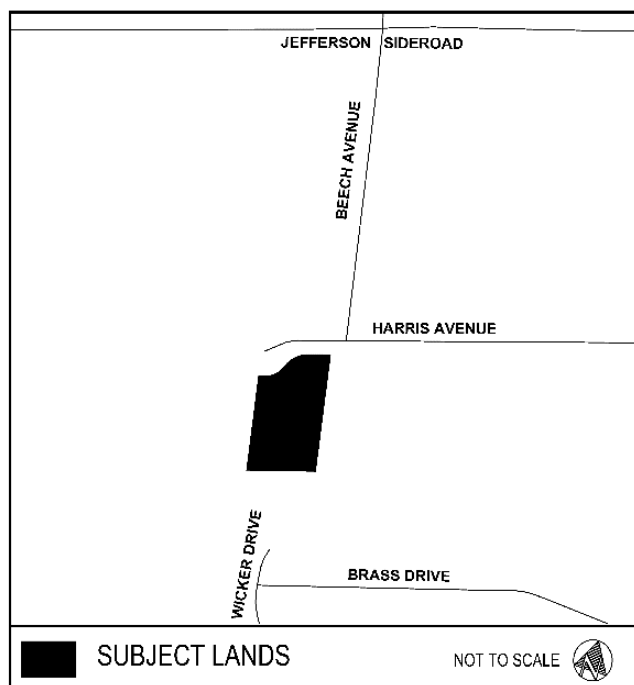
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 person listed under the “Contact Person” above.



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Background Information:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications were received on March 14, 2019 and deemed complete by the City on April 9, 2019, after Bill 139 received Royal Assent on December 12, 2017. The applications and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. The purpose of this report is to seek comments from Council and the public with respect to the subject applications, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the southwest corner of Beech Avenue and Harris Avenue and have a total lot area of 0.421 hectares (1.04 acres) (refer to Map 1). The lands currently support one single detached dwelling and accessory shed that are proposed to be demolished. The lands abut Harris Avenue to the north, a future municipal road (extension of Beech Avenue) and future single detached dwellings to the east (City File D03-14009), proposed semi-detached and townhouse dwellings to the west (City Files D02-18014 and D03-18007), and conservation lands owned by the TRCA to the south (refer to Map 2).

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to permit eight single detached dwelling units fronting onto Harris Avenue and the southerly extension of Beech Avenue (refer to Maps 5 to 7). The following is a summary table outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

Total Lot Area:	0.421 hectares (1.04 acres)
• Detached Lots:	0.411 hectares (1.01 acres)
• Public Road Block:	0.007 hectares (0.01 acres)
• 0.3 m reserve:	0.001 hectares (0.004 acres)
Total Number of Lots:	8
Density:	19 units per hectare (7.69 units per acre)

Supporting Documentation/Reports

The applicant has submitted the following documents/information to the City in support of its development proposal:

- Draft Zoning By-law;
- Draft Plan of Subdivision;
- Conceptual Site Plan;
- Planning Justification Statement;

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- Survey;
- Urban Design Brief;
- Adjacent Property Plan;
- Elevation Plans;
- Floor Plans;
- Perspective Drawings;
- Natural Heritage Assessment and Tree Preservation Plan;
- Geotechnical Investigation;
- Hydrogeological Investigation;
- Preliminary Functional Servicing and Stormwater Management Report; and,
- Sustainability Metrics.

Zoning By-law Amendment Application

The subject lands are zoned **Urban (UR) Zone** under By-law 128-04, as amended (refer to Map 3). The **UR Zone** permits existing buildings and structures, single detached dwellings on lots of record, home occupations, bed and breakfast establishments, accessory uses and public transportation, infrastructure and utilities. The form of development as proposed by the subject applications is not permitted under the **UR Zone**. Accordingly, the applicant is seeking Council's approval to rezone the subject lands to **Single Detached Four (R4) Zone** under By-law 235-97, as amended. Zoning By-law 235-97, as amended, pre-dates the adoption and approval of the City's Official Plan. Outlined below is a comparison of the proposed development standards relative to those of the associated parent zone category, with requested and required site specific exceptions in bold:

Development Standard	R4 Zone Standards, By-law 235-97, as amended	Proposed R4 Zone Standards
Minimum Lot Frontage	12.0 metres (39.37 feet) (interior lot) 14.0 metres (45.93 feet) (corner lot)	11.25 metres (36.90 feet) (interior lot) Complies
Minimum Lot Area	400 square metres (4,305.56 square feet) (interior lot) 465 square metres (5,005.21 square feet) (corner lot)	360.0 square metres (3,875.0 square feet) (interior lot) 402.03 square metres (4,327.4 square feet) (corner lot)
Maximum Lot Coverage	40%	Complies
Minimum Front Yard	4.5 metres (14.76 feet) (to dwelling) 5.8 metres (19.02 feet) (to garage)	Complies
Minimum Interior Side Yard	1.5 metres (4.92 feet)	1.2 metres (3.93 feet)
Minimum Exterior Side Yard	3.0 metres (9.84 feet)	2.5 metres (8.20 feet)
Minimum Rear Yard	7.5 metres (24.60 feet)	Complies
Maximum Building Height	11.0 metres (36.08 feet)	Complies
Minimum Parking Standards	2 spaces per unit	Complies

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Draft Plan of Subdivision Application

The applicant has submitted a draft Plan of Subdivision application that proposes the creation of eight single detached dwelling lots on its land holdings. Six detached dwellings are proposed to front along a future municipal road approved to the east (extension of Beech Avenue), while two detached dwellings are proposed to front along Harris Avenue. The proposed draft plan incorporates lot frontages ranging between 11.25 metres (36.90 feet) and 16.8 metres (55.11 feet) and lot areas ranging from 397.3 square metres (4,276.5 square feet) to 1,029.7 square metres (11,083.57 square feet). Block 10 indicates a portion of lands that will be conveyed to the City as part of an expanded right-of-way for the Harris Avenue cul-de-sac in order to meet City standards (refer to Map 5).

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 4). The **Neighbourhood** designation permits low-density residential uses such as low-rise single detached dwellings. The **Neighbourhood** designation provides opportunities for small-scale infill development. 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, general patterns of streets, blocks, and lots, landscaped areas and treatments, and the general pattern of yard setbacks.

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** and permitted uses shall be subject to the requirements of Section 19(3) and 31(4) of the ORMCP. Section 3.2.1.1.18 of the Plan outlines minimum vegetation protection zones from existing features within the Oak Ridges Moraine. The existing woodland, which is located immediately south of the subject lands, requires a 30 metre (98.42 feet) buffer. A reduced buffer to the natural heritage feature may be considered subject to the approved MESP for the area and the findings of a Natural Heritage Evaluation.

The lands are located within an Area of High Aquifer Vulnerability in accordance with Schedule A5 – ORM Areas of High Aquifer Vulnerability and Wellhead Protection Areas of the Plan. Lands within an Area of High Aquifer Vulnerability are susceptible to contamination from both human and natural impacts on water quality.

The lands are also located within a Category 2 Oak Ridges Moraine Landform Conservation Area in accordance with Schedule A6 – Landform Conservation Areas of the Plan. A Landform Conservation Area serves an important role in the ecological functions of the Oak Ridges Moraine. Section 3.2.1.1.35 of the Plan identifies that

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disturbance within a Landform Conservation Area shall be kept to a minimum for development within the **Settlement Area** and must demonstrate conformity with the ORMCP. The applicant has submitted a Natural Heritage Assessment and Tree Preservation Plan for the lands. The Assessment has not sufficiently addressed the key natural heritage features on the site, including Landform Conservation features, nor assessed the potential impacts as a result of the proposed development as described in Technical Paper #8 in the *Oak Ridges Moraine Conservation Plan*.

Harris-Beech Infill Study (2013)

The subject lands are located within the Harris-Beech Infill Study area (the Study) in accordance with Policy 4.9.1.1.1(j) of the Plan. Approved by Council in 2013, the Study provides guidance for infill development within the Harris-Beech neighbourhood. Specifically, the Study provides a number of findings intended to guide the redevelopment of the Harris-Beech neighbourhood and provides four development scenarios for both low and medium density residential uses or development within the subject lands. Outlined below is a summary of the proposal relative to the development scenarios of the Study.

- development in the form of detached dwellings on public streets is depicted in all four scenarios of the Study; and,
- the Infill Study requires a minimum lot frontage of 15 metres (49.21 feet) on existing streets, whereas the submitted development proposal includes a minimum lot frontage of approximately 11.25 metres (36.90 feet) along Harris Avenue.

A more detailed review of the subject applications will be undertaken to ensure the development is in keeping with the policies of the Plan.

Department and External Agency Comments:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications, in addition to the associated background studies and reports submitted in support of same, have been circulated to various City departments and external agencies for their review and comment. The following is a summary of the comments received as of the time of writing of this report.

Development Planning Division

In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed development is consistent with the **Neighbourhood** policies of the Plan in terms of land use and built form;
- the proposed development is generally consistent with the characteristics of Scenarios B and D as outlined in the Study;
- Lots 7 and 8 on the proposed draft Plan provide lot frontages of approximately 11.25 metres (36.90 feet), which are well below the minimum standard of 15.0 metres

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(49.21 feet) on existing streets in the Study. The applicant is to revise the draft Plan to meet the minimum lot frontage requirements of the Infill Study;

- the proposal is required to conform with the requirements of the approved Harris-Beech Master Environmental Servicing Plan (MESP), March 2014 (Final Copy June 2014). Accordingly, the proposed development must demonstrate conformity through the submission of a Natural Heritage Evaluation (NHE) and Functional Servicing Report (FSR), which are currently under review;
- in accordance with the Harris-Beech MESP, the southwest corner of the lands is located within a top of slope feature and associated 10 metre buffer. As such, further investigation into the limits of the Top of Slope and associated Woodland features will be required;
- it appears that the development proposal requires relief from the minimum lot frontage, minimum lot area, and minimum interior side yard setback provisions of the proposed **Single Detached Four (R4) Zone**. In this regard, the applicant must revise its development proposal or request additional relief along with related planning justification;
- further review into the proposed building/lot depths of proposed Lots 4, 5 and 6 is required in order to determine the appropriateness of the proposed built form and massing between said lots;
- conformity with the Category 2 Landform Conservation Area policies through the submission of a Landform Conservation Assessment is required;
- the applicant will be required to meet all mandatory requirements of the City's Sustainability Metrics;
- comments have yet to be received from the City's Development Engineering Division, Park and Natural Heritage Planning Section and the Urban Design Section. Comments from these departments are critical in determining whether there are additional technical, environmental, architectural or policy related matters with the development proposal.

Fire and Emergency Services Division

The City's Fire and Emergency Services Division has no objections to the proposed development; however, the applicant must demonstrate that adequate access will be provided to all lots and blocks within the plan prior to construction.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has requested that the applicant identify the limit of the significant woodland along the southerly property boundary of the subject lands and include limits of feature staking conducted on the property. The limits of the valley system and contiguous vegetation needs to be staked and appropriate buffers identified to be conveyed into public ownership as part of the draft Plan approval process. The TRCA has provided technical comments with respect to conformity with the Harris-Beech MESP and to include additional Erosion and Sediment Control measures on the lands (refer to Appendix "A").

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Other City Department and External Agency Comments

Comments have also been received from the City's Financial Services Division, Enbridge Gas, the Regional Municipality of York, Rogers Cable, the York Catholic District School Board and the York Region District School Board. These City departments and external agencies have no objections to the applications and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. All of the comments have been forwarded to the applicant for consideration but have not been appended to this report.

Outstanding City Department and External Agency Comments

As of the writing of this report, comments remain outstanding from the City's Development Engineering Division, Park and Natural Heritage Planning Section and Urban Design Section, in addition to Alectra Utilities and Canada Post.

Interim Growth Management Strategy

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 Number 5 (Sustainable and Innovative Community and Building Design), the applicant has submitted a *Sustainability Performance Metrics Tool* in support of its proposed draft Plan of Subdivision application demonstrating an Overall Application score of 24 points. Although the proposed development meets the minimum required 21 points for draft Plans of Subdivision, the applicant is not meeting all mandatory requirements of the Sustainability Metrics. Staff will continue to work with the applicant to ensure that the proposal meets the performance level required.

Financial/Staffing/Other Implications:

The recommendation of this report does not have any financial, staffing or other implications.

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Relationship to the Strategic Plan:

The recommendation of this report does not have any direct implications with respect to the City's Strategic Plan. An overview of how the subject applications are aligned with the Strategic Plan will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicant's development proposal.

Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development comprised of eight single detached dwelling units on the subject lands. The purpose of this report is to provide Council and the public with an overview of the development proposal and to discuss the regulatory regime governing the evaluation of these planning applications. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration.

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 Letter from TRCA dated May 27, 2019
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Zoning Map
- Map 4 Official Plan Designation
- Map 5 Proposed Draft Plan of Subdivision
- Map 6 Conceptual Site Plan
- Map 7 Proposed Elevations

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Report Approval Details

Document Title:	SRPRS.19.110 - Request for Comments –ZBA and draft Plan of Subdivision – Afshin Parker – 313 Harris Avenue .docx
Attachments:	<ul style="list-style-type: none">- SRPRS.19.110 Appendix A.pdf- SRPRS.19.110 MAP_1_AERIAL_PHOTOGRAPH.pdf- SRPRS.19.110 MAP_2_NEIGHBOURHOOD_CONTEXT_S219002_S319002.pdf- SRPRS.19.110 MAP_3_ZONING_MAP_S219002_S319002.pdf- SRPRS.19.110 MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf- SRPRS.19.110 MAP_5_PROPOSED_DRAFT_PLAN_OF_SUBDIVISION.pdf- SRPRS.19.110 MAP 6- Conceptual Site Plan.pdf- SRPRS.19.110 MAP_7_PROPOSED 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 5, 2019 - 11:42 AM

Kelvin Kwan - Jun 5, 2019 - 3:46 PM

Neil Garbe - Jun 7, 2019 - 11:46 AM