



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

**Date of Meeting:** November 20, 2017

**Report Number:** SRPRS.17.188

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.17.188 – Request for Approval – Zoning By-law Amendment – King Hill Holdings Inc. and Carmine Francella – Town File D02-17012**

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### **Owners:**

King Hill Holdings Inc. and Carmine Francella  
70 Gibson Drive  
Markham, Ontario  
L3R 4C2

### **Agent:**

Gatzios Planning and Development Consultants Inc.  
701 Mount Pleasant Road, 3<sup>rd</sup> Floor  
Toronto, Ontario  
M4S 2N4

### **Location:**

Legal Description: Lots 476, 479 and 480, Plan 133  
Municipal Address: Not assigned (0 Portage Avenue)

### **Purpose:**

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the creation of three (3) single detached building lots on the subject lands.

### **Recommendation:**

1. That the Zoning By-law Amendment application submitted by King Hill Holdings Inc. and Carmine Francella for the lands known as Lots 476, 479 and 480, Plan 133 (Municipal address: 0 Portage Avenue), Town File D02-17012, be approved, subject to the following:
  - a) that the subject lands be rezoned from the provisions of the former Township of King By-law 986, as amended, to “Single Detached Four (R4) Zone” under By-law 313-96, as amended, and that the amending Zoning

**By-law establish site specific development standards as outlined in Staff Report SRPRS.17.188; and,**

- b) that the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

## **Contact Person:**

Simone Fiore, Planner II – Subdivisions, phone number 905-771-2479 and/or  
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

## **Report Approval:**

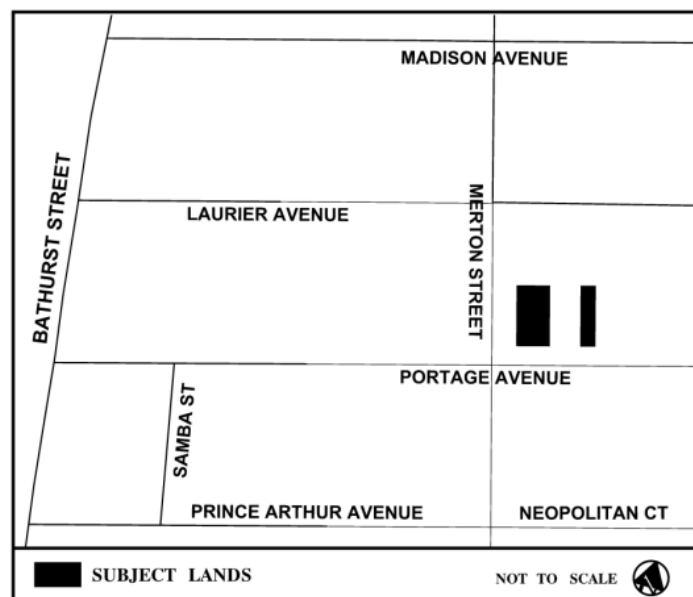
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. 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.



## Background:

The subject Zoning By-law Amendment application was presented at a statutory Council Public Meeting held on October 18, 2017 wherein Council received Staff Report SRPRS.17.140 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No comments or questions were received from either Council or the general public at the public meeting.

The purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment application to permit the creation of three (3) building lots for single detached residential purposes on its land holdings.

## Summary Analysis

### Site Location and Adjacent Uses

The subject lands are comprised of two (2) vacant parcels of land with frontages on the north side of the Portage Avenue unopened road allowance and east of the Merton Street unopened road allowance (refer to Maps 1 and 2). This portion of Portage Avenue has been constructed on Town owned land in accordance with a draft approved Plan of Subdivision (Town File 19T-13004) but has not yet been assumed by the Town. The lands have a total lot area of approximately 0.072 hectares (0.178 acres) and abut Portage Avenue to the south, existing and proposed low density residential uses to the east and north, and the Merton Street unopened road allowance to the west.

### Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to permit the creation of three (3) building lots on its land holdings. The proposal involves the development of two (2) parcels of land through lot consolidation and severance applications. The overall lotting plan will consist of three (3) new single detached dwelling lots, which includes the adjacent blocks which are not subject to this Zoning By-law Amendment application (refer to Maps 5 to 7). If approved, the applicant’s proposal would remove the subject lands from the provisions of By-law 986, as amended, of the former Township of King and rezone them to “**Single Detached Four (R4) Zone**” under By-law 313-96, as amended, with site specific development standards.

As depicted in the Proposed Development Plan (refer to Map 5), Parcel A is proposed to be severed to create Parcel A1 (which will create Lot 1) and Parcel A2, which is proposed to be added to the adjacent property (Block 25 on registered Plan of Subdivision 65M-4572) to create Lot 2. Parcel B is to be added to Blocks 26 and 27 on registered Plan of Subdivision 65M-4572 to create Lot 3 (refer to Map 8).

It should be noted that Blocks 25, 26 and 27 on registered Plan of Subdivision 65M-4572 have already been zoned to permit the proposed development of proposed Lots 1, 2 and 3 (Town File Number D02-13010). Plan of Subdivision 65M-4572 was registered at the Land Registry Office on August 17, 2017 (refer to Map 8).

The following is a summary outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area: 0.072 hectares (0.178 acres)**
- **Lot 1:**
  - **Lot Frontage: 15.52 metres (50.92 feet)**
  - **Lot Area: 460 square metres (4,951.40 square feet)**
- **Lot 2:**
  - **Lot Frontage: 12.1 metres (39.70 feet)**
  - **Lot Area: 360 square metres (3,875.01 square feet)**
- **Lot 3:**
  - **Lot Frontage: 12.1 metres (39.70 feet)**
  - **Lot Area: 360 square metres (3,875.01 square feet)**

## Planning Analysis

The subject lands are designated “**Neighbourhood**” in accordance with Schedule A2 – Land Use of the Town's Official Plan (refer to Map 4). The lands are also within the “**Settlement Area**” of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”) and are located in the Hughey West Infill Study.

Uses permitted within the “**Neighbourhood**” designation include primarily low-density residential uses, medium-density residential uses, neighbourhood commercial uses, community use, parks and open spaces, and automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Town's Official Plan. Single detached dwellings are permitted within the “**Neighbourhood**” designation. Section 4.9.2.4 of the Town's Official Plan also states that development shall be compatible with the existing character of the adjacent and surrounding area. The proposed single detached dwelling lots are compatible with the predominant building form and type of development in the area.

The subject lands are located within the “**Settlement Area**” of the Oak Ridges Moraine as defined in accordance with the *Oak Ridges Moraine Conservation Plan*. In accordance with Section 3.2.1.1 (18) of the Town's Official Plan, all uses which are otherwise permitted under the Town's Official 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 conforms with the “**Neighbourhood**” policies in the Town's Official Plan and the “**Settlement Area**” policies of the ORMCP.

## Hughey West Infill Study

As noted in the preceding section, the subject lands are located within the Hughey West Infill Study area (“Study”) that was approved by Council in 2007. This study applies to the area bounded by Bathurst Street to the west, Prince Arthur Avenue to the south, Verdi Road to the east and the valley and conservation lands of the East Humber River

to the north and east. The Study was prepared as an update to the Bathurst Street Neighbourhood Infill Study (“Bathurst Study”) approved by Council 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, including a more connected and functional street network and opportunities for a variety of residential forms of development. In addition to guiding the general pattern of infill development within the neighbourhood, the Study contains Urban Design Guidelines that provide direction for the architectural design and treatment of individual units.

Among the recommendations of the Study is the closure of Bathurst Street accesses for a number of alternate streets. Portage Avenue is to remain open as an “entrance street” to facilitate permanent access into the neighbourhood. As noted above, the subject lands currently have frontage on the unopened portion of Portage Avenue. Infill development comprised of single detached dwellings is generally supported by the Infill Study for entrance streets. Single detached dwelling units with a minimum lot frontage of 12 metres (39.37 feet) are contemplated by the Infill Study. In addition to the above guidelines with respect to lot fabric, the recommendations of the Study allow for an appropriate variation in setbacks, with a focus on front yards that enhance the street edge.

Planning staff is satisfied that the proposed dwelling lots are consistent with the recommendations of the Study for development on “entrance streets” and are in keeping with the overall development patterns of the surrounding neighbourhood.

## Proposed Zoning By-law Amendment

The subject lands are currently subject to the provisions of former Township of King By-law 986, as amended, which contains general land use provisions in the absence of specific zoning categories (refer to Map 3). In this regard, the applicant is seeking Council’s approval to rezone the subject lands to “**Single Detached Four (R4) Zone**”, under By-law 313-96, as amended, with specific provisions respecting minimum lot area and maximum lot coverage. The following table outlines the proposed **R4 Zone** standards relative to the standards requested by the applicant:

Development Standard	R4 Zone Standards, By-law 313-96, as amended	Proposed Standards
Minimum Lot Area (Corner)	465 square metres (5,005.22 square feet)	<b>460 square metres (4,951.40 square feet)</b>
Minimum Lot Area (Interior)	400 square metres (4,305.56 square feet)	<b>360 square metres (3,875.01 square feet)</b>
Minimum Lot Frontage (Corner)	14 metres (45.93 feet)	15.53 metres (50.95 feet)
Minimum Lot Frontage (Interior)	12 metres (39.37 feet)	12.18 metres (39.96 feet)
Maximum Lot Coverage	40%	<b>43%</b>

The applicant originally sought a Holding (H) provision for the proposed **R4 Zone**, which would be removed once the Town, in consultation with the Regional Municipality of York, is satisfied of the following:

- that there is sufficient servicing capacity for the water and/or sanitary sewer services;
- that Council has allocated the sanitary sewer and/or water capacity to allow the development to proceed; and,
- that the Town is satisfied that each individual lot complies with the Zoning By-law.

In light of the servicing provisions of By-law 109-11, staff is of the opinion that a Holding (H) symbol is not required to protect the Town's interests as part of this application.

Planning staff has undertaken a comprehensive analysis of the applicant's development proposal and is satisfied that the proposed **R4 Zone** category and site specific provisions are appropriate to facilitate the applicant's development proposal on the subject lands. On the basis of the preceding, it is recommended that the applicant's Zoning By-law Amendment application be approved and that the amending Zoning By-law incorporate the proposed site specific development standards outlined in the table above and displayed in Appendix "B".

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

### **Development Planning Division**

Planning staff has reviewed the applicant's development proposal and is of the opinion that it has appropriate regard for and is generally consistent with the broader policy direction for this part of the Town as outlined in the Official Plan. On this basis, it is recommended that the subject Zoning By-law Amendment application be approved for the following reasons:

- the proposal conforms to the "**Neighbourhood**" policies of the Town's Official Plan;
- the area in which the subject lands are located is identified as a Priority Infill Area in accordance with Section 4.9.1.1.1 (L) and is subject to the recommendations of the Hughey West Infill Study. In this regard, Planning staff is satisfied that the development proposal meets the general intent and recommendations of the Hughey West Infill Study;
- the proposed lot frontages are consistent with the objectives of the Hughey West Infill Plan for development on "entrance streets" and are in keeping with the overall development patterns of the surrounding neighbourhood;
- the development proposal conforms to the applicable development policies of the *Oak Ridges Moraine Conservation Plan*; and,
- circulated Town departments and external agencies have no further concerns or comments regarding the subject Zoning By-law Amendment application.

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

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

Comments received through the circulation of the applicant's development proposal from Town departments and external agencies have been satisfactorily addressed. Town departments and external agencies have no further comments or objections with respect to the application.

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

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

### **Relationship to 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 proposal to facilitate the creation of three (3) single detached building lots on its land holdings. The submitted Zoning By-law Amendment application conforms with the Town's Official Plan and is consistent with the recommendations in the Hughey West Infill Study. In light of the preceding, staff is of the opinion that the proposed amendment 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 from Council Public Meeting C#34-17 held October 18, 2017 Public Meeting
- Appendix B, Draft Zoning By-law
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Proposed Development Plan
- Map 6 Lotting and Adjacent Property Plan
- Map 7 Concept Elevation Plans
- Map 8 Registered Plan 65M-4572



## Report Approval Details

Document Title:	SRPRS.17.188 - Request for Approval - 0 Portage Avenue - King Hill Holdings Inc. and Carmine Francella.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A, CPM Extract.pdf</li><li>- Appendix B, 103-17.pdf</li><li>- 2_17012A.pdf</li><li>- MAP_1_AERIAL_PHOTOGRAPH.pdf</li><li>- MAP_2_NEIGHBOURHOOD_CONTEXT_S217012A.pdf</li><li>- MAP_3_EXISTING_ZONING_S217012A.pdf</li><li>- MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf</li><li>- MAP_5_PROPOSED_DEVELOPMENT_PLAN.pdf</li><li>- MAP_6_LOTTING_AND_ADJACENT_PROPERTY_PLAN.pdf</li><li>- MAP_7_CONCEPT_ELEVATION_PLANS.pdf</li><li>- MAP_8_REGISTERED_PLAN_65M-4572.pdf</li></ul>
Final Approval Date:	Nov 8, 2017

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

**Gus Galanis - Nov 2, 2017 - 2:28 PM**

**Kelvin Kwan - Nov 8, 2017 - 11:49 AM**

**Neil Garbe - Nov 8, 2017 - 12:48 PM**