



Staff Report for Committee of the Whole Meeting

Date of Meeting: November 20, 2017

Report Number: SRPRS.17.189

Department: Planning and Regulatory Services

Division: Development Planning

Subject: Request for Approval – Zoning By-law
Amendment Application – MING ZHANG AND
WEI ZHANG – Town File D02-17001 (Related
Files: D06-17001 and D06-17003)
(SRPRS.17.189)

Owner:

Ming Zhang and Wei Zhang
18 Kellogg Crescent
Richmond Hill, Ontario
L4E 0T3

Agent:

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

Location:

Legal Description: Part of Lot 2, Plan 201
Municipal Address: 10 Bayview Court South

Purpose:

A request for approval concerning a Zoning By-law Amendment application to facilitate the creation of one (1) additional building lot on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment application submitted by Ming Zhang and Wei Zhang for lands known as Part of Lot 2, Plan 201, municipally known as 10 Bayview Court South, Town File D02-17001, be approved, subject to the following;

- i. **That the subject lands be rezoned from Agricultural (A) Zone under Zoning By-law 1703, as amended, to Single Detached Six (R6) Zone under Zoning By-law 313-96, as amended, with site specific development standards, as outlined in Staff Report SRPRS.17.189; and,**
- ii. **That Council approve the draft Zoning By-law Amendment as set out in Appendix “B” to SRPRS.17.189.**

Contact Person:

Philip Liu, Planner I – Site Plans, phone number 905-747-6312 and/or
Deborah Giannetta, Acting Manager of Development – Site Plans, phone number 905-771-5542

Report Approval:

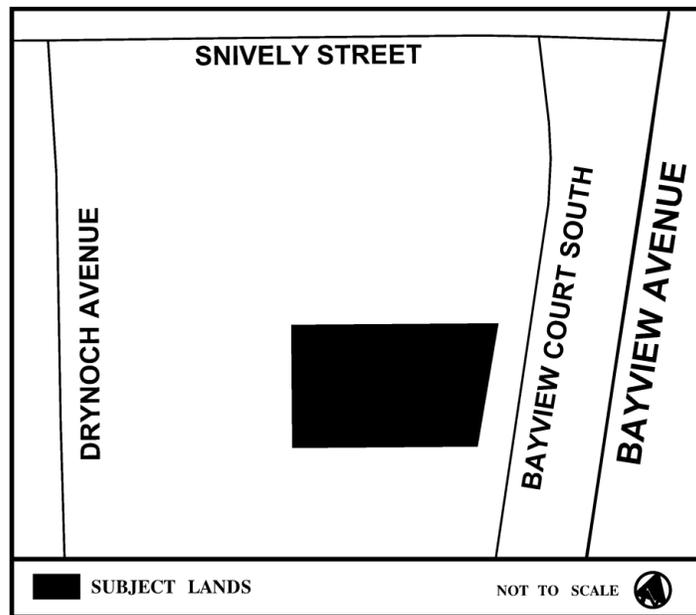
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 person listed under “Contact Person” above.



Background Information:

The subject Zoning By-law Amendment and related Site Plan applications were received by the Town and deemed complete on February 2, 2017. A statutory Council Public Meeting was held on June 21, 2017 wherein Council received Staff Report SRPRS.17.102 for information purposes and referred all comments back to staff (refer to Appendix “A”). No issues were raised from the public or Council at the meeting.

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 Bayview Court South, south of Snively Street and have a lot area of 0.14 hectares (0.35 acres). The lands support one (1) single detached dwelling that is proposed to be demolished as part of the subject development proposal. The lands abut residential uses to the north, west, and south and Bayview Court South to the east (refer to Maps 1 and 2).

Development Proposal

The applicant is seeking Council’s approval to amend the Zoning By-law to facilitate a future severance that would create one (1) additional building lot on the subject lands. Two (2) new single detached dwellings are proposed to be constructed, one on the retained lot and the other on the new lot. 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 Town:

- **Total Area:** 0.14 hectares (0.35 acres)
- **Total Number of Units:** 2
- **Proposed Building Heights:** 2 storeys
- **North Lot**
 - Proposed Lot Area: 739.6 square metres (7,961.0 square feet)
 - Proposed Lot Frontage: 15.2 metres (50.0 feet)
 - Proposed Lot Coverage: 31.6%
- **South Lot**
 - Proposed Lot Area: 698 square metres (7,513.0 square feet)
 - Proposed Lot Frontage: 15.2 metres (50.0 feet)
 - Proposed Lot Coverage: 34.4%

Planning Analysis:

Town of Richmond Hill Official Plan (2010)

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

The **Neighbourhood** designation generally permits low and medium density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, as well as automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. The proposed development conforms with the **Neighbourhood** policies as follows:

- the proposed additional single detached lot that is intended to accommodate a new single detached dwelling is a permitted form of low density residential;
- the proposed building height of two storeys conforms with the maximum building height requirement of three storeys within the **Neighbourhood** designation; and,
- the proposed **R6 Zone** classification would result in a built form that is compatible with the existing character of the adjacent and surrounding area with respect to predominant building forms and types, massing, landscaped areas and treatments, and general patterns of yard setbacks.

The subject lands are also located within the **Settlement Area** of the Oak Ridges Moraine as defined in accordance with the ORMCP. In accordance with Section 3.2.1.1 (18) of the Plan, all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**. In addition, the subject lands are located within the 120-metre Minimum Area of Influence of a Provincially Significant Wetland (PSW). This PSW is associated with the Wilcox – St.George wetland complex of the Humber River watershed located north, east and south of the subject lands. Notwithstanding the preceding, the proposed development conforms to the **Settlement Area** policies as follows:

- the proposed single-detached lot and new dwellings are a permitted form of low-rise residential in the **Settlement Area**;
- there are no Key Natural Heritage Features or Hydrologically Sensitive Features on the subject property; and,
- the property is outside the Minimum Vegetation Projection Zone associated with the Wilcox – St.George PSW. Thus, staff is satisfied that there will be no negative impacts on the nearby natural heritage features or the ecological integrity of the Oak Ridges Moraine as a result of the proposed development.

Given all of the above, staff is of the opinion that the submitted Zoning By-law Amendment application has appropriate regard for, and is generally consistent with, the broader policy direction for this part of the Town as outlined in the Plan.

Proposed Zoning By-Law Amendment

The subject lands are currently zoned **Agricultural (A) Zone** under Zoning By-law 1703, as amended (refer to Map 4). This zone category primarily permits agricultural uses with associated dwellings and accessory buildings, a golf course and domestic or household arts uses permitted within residential zones. The provisions of the **Agricultural (A) Zone** require a minimum lot area of 4.05 hectares (10 acres) and do not have a minimum lot frontage requirement. The proposed new building lot and dwellings as proposed are not permitted under the current zoning category.

Accordingly, the applicant is proposing to rezone the subject lands to **Single Detached Six (R6) Zone** under By-law 313-96, as amended, with a site specific exception for a reduced minimum side yard setback of 1.2 metres (3.9 feet). Outlined below is a comparison of the proposed development relative to the standards of the **R6 Zone**. It should be noted that the proposal meets all zoning provisions of the proposed **R6 Zone** category save and except the minimum side yard setback requirement.

Development Standard	R6 Zone	Proposed North Lot	Proposed South Lot
Minimum Lot Area	500.0 sq. metres (5381.96 sq. feet)	739.6 square metres (7960.0 square feet)	698.8 square metres (7521.0 square feet)
Minimum Lot Frontage	15.0 metres (49.21 feet)	15.24 metres (50 feet)	15.24 metres (50 feet)
Minimum Front Yard	4.50 metres (14.76 feet)	9.14 metres (29.9 feet)	7.26 metres (24.4 feet)
Minimum Side Yard	1.5 metres (4.92 feet)	North side: 1.25 metres (4.1 feet) South side: 1.50 metres (5.1 feet)	North side: 1.50 metres (5.1 feet) South side: 1.25 metres (4.1 feet)
Minimum Rear Yard	7.5 metres (24.61 feet)	17.69 metres (58.0 feet)	16.46 metres (54.0 feet)
Maximum Height	11.0 metres (36.1 feet)	8.85 metres (29.04 feet)	8.88 metres (29.13 feet)
Maximum Lot Coverage	40%	31.6%	34.4%

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 zoning standards of By-law 1703, as amended, date back to 1962 and reflect the previous agricultural use of the subject lands and the surrounding area. Since then, Bayview Court South and the neighbourhood to the west have experienced considerable development;

- the proposed **R6 Zone** category is consistent with much of the redevelopment in the area and the proposed building lots are consistent with the emerging lotting fabric in the neighbourhood; and,
- the requested site specific provision to reduce the permitted side yard interior setback from 1.5 metres (4.92 feet) to 1.2 metres (3.9 feet) is in keeping with new development standards applied throughout the Town.

Thus, staff is of the opinion that the development as proposed constitutes good planning. On the basis of the preceding, it is recommended that the applicant's Zoning By-law Amendment applications be approved.

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 is appropriate. Accordingly, staff recommends that the subject Zoning By-law Amendment application be approved on the following basis:

- the proposed additional residential lot intended to accommodate a single detached dwelling is consistent with the **Neighbourhood** designation of the Plan;
- the development proposal conforms with the applicable development policies of the ORMCP;
- the proposed **Single Detached Six (R6) Zone** category under Zoning By-law 313-96, as amended, and the site specific zoning provisions, is in keeping with the lot fabric and redevelopment in the area, and therefore constitutes proper and orderly planning;
- the proposed dwellings are currently under review for Site Plan approval. The applicant will be required to address all comments from relevant Town departments and external agencies before the finalization of Site Plan Approval; and,
- a future severance application to create one (1) additional building lot will be required to facilitate the proposed development.

Parks and Natural Heritage Planning Section

Parks and Natural Heritage Planning Section staff has reviewed the applicant's development proposal and has no objection to the proposed Zoning By-law Amendment. However, staff are seeking the protection of a tree on the neighboring property. Staff will continue to work with the applicant in this regard as part of the finalization of their Site Plan application.

Other Departments/External Agencies

Comments received through the circulation of the applicant's development proposal from Town departments and external agencies have been satisfactorily addressed and there are no further comments or objections to the Zoning By-law Amendment application.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The applicant's development proposal would align with **Goal Two - Better Choice in Richmond Hill** by providing housing that offers options for people at all stages of life. The proposal would also align with **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 one (1) additional building lot on its land holdings. Planning staff are of the opinion that the submitted Zoning By-law Amendment application maintains the general intent of the goals, objectives and policies of the Plan. The proposed development is considered appropriate and in keeping with the character of the surrounding area. Based on the aforementioned, staff recommends approval of the submitted Zoning By-law Amendment application as outlined and described within 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, Council Public Meeting Extract C# 23-17 Held June 21, 2017
- Appendix B, Draft Zoning By-law 104-17
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Proposed Site Plan – North Lot
- Map 6 Proposed Site Plan – South Lot
- Map 7 Proposed Elevations – North Lot
- Map 8 Proposed Elevations – South Lot

Appendix A

Council Public Meeting Extract C# 23-17 held June 21, 2017

3.1 Request for Comments – Zoning By-law Amendment Application – Ming Zhang and Wei Zhang – Part of Lot 2, Plan 201 – 10 Bayview Court South – File Number D02-17001 – (Staff Report SRPRS.17.102)

Simone Fiore of the Planning and Regulatory Services Department provided an overview of the proposed Zoning By-law Amendment application and related Site Plan applications to facilitate the creation of one (1) additional building lot on the subject lands. Ms. Fiore advised that staff's recommendation was that the staff report be received for information purposes only and all comments be referred back to staff.

Joanna Fast, Evans Planning Inc., agent for the applicant, advised that the Zoning By-law Amendment application was submitted to allow for a severance on the subject lands and that the request was similar to a number of properties in the area that have been redeveloped. Ms. Fast advised that they had reviewed staff comments and were working towards a re-submission and were in attendance to hear the comments from Council and the public.

There were no members of the public who responded to the Chair's invitation to address Council on this matter.

Moved by: Councillor Beros
Seconded by: Regional and Local Councillor Spatafora

That staff report SRPRS.17.102 with respect to the Zoning By-law Amendment application submitted by Ming Zhang and Wei Zhang for lands known as Part of Lot 2, Plan 201 (municipal address: 10 Bayview Court South), File Number D02-17001, be received for information purposes only and that all comments be referred back to staff.

Carried

Appendix B

The Corporation of the Town of Richmond Hill

By-law 104-17

A By-law to Amend By-law 313-96, as amended of

The Corporation of the Town of Richmond Hill and

By-law 1703, as amended, of the former Township of Whitchurch

Whereas the Council of The Corporation of the Town of Richmond Hill (the “Corporation”) at its Meeting of November 20, 2017, directed that this by-law be brought forward to Council for its consideration;

The Council Of The Corporation Of The Town Of Richmond Hill Enacts As Follows:

1. That By-law 1703, as amended, of the former Township of Whitchurch (“By-law 1703”) be and hereby is further amended by removing those lands shown on Schedule “A” to this By-law 104-17 (“the Subject Lands”) and further, that any provisions of By-law 1703, that previously applied to the Subject Lands shall no longer apply to the Subject Lands.
2. That By-law 313-96, as amended, of The Corporation of the Town of Richmond Hill (“By-law 313-96”) be and is hereby further amended as follows:
 - (a) by expanding the area of By-law 313-96 to include the Subject Lands;
 - (b) by rezoning the Subject Lands to “Single Detached Six (R6) Zone” under By-law 313-96; and,
 - (c) by adding the following to **Section 7 – EXCEPTIONS**:

“7.181

Notwithstanding any other inconsistent or conflicting provision of By-law 313-96, as amended, of the Corporation, the following special provision shall apply to the lands zoned “Single Detached Six (R6) Zone” and more particularly shown as “R6” on Schedule “A” to By-law 104-17 and denoted by a bracketed number (7.181):

- i. Minimum Side Yard Setback (Interior): 1.2 metres (3.9 feet)”

3. All other provisions of By-law 313-96, as amended, not inconsistent with the foregoing, shall continue to apply to the Subject Lands shown on Schedule “A” attached hereto.
4. The imperial measurements found in this by-law in brackets are provided for information purposes only and are intended to be an approximate conversion of the metric measurements. The metric or SI measurements shall be deemed to be the standards established by this by-law and, wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurement shall apply.
5. Schedule “A” attached to By-law 104-17 is declared to form a part of this by-law.

Passed This Day Of , 2017.

The Corporation Of The Town Of Richmond Hill

Explanatory Note To By-Law 104-17

By-law 104-17 affects lands known as Part of Lot 2, Plan 201 and municipally known as 10 Bayview Court South.

These lands are zoned “Agriculture (A) Zone” under By-law 1703, as amended.

The purpose of By-law 104-17 is to rezone the subject lands to “Single Detached Six (R6) Zone” under By-law 313-96, as amended, with a site specific development standard to facilitate the future creation of an additional single detached lot and two (2) new single detached dwellings for the lands shown on Schedule “A”.

Report Approval Details

Document Title:	SRPRS.17.189 - 10 Bayview Court South - D02-17001 (MING ZHANG AND WEI ZHANG).docx
Attachments:	<ul style="list-style-type: none">- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217001A.pdf- MAP_3_EXISTING_ZONING_S217001A.pdf- MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_5_PROPOSED_SITE_PLAN_NORTH_LOT.pdf- MAP_6_PROPOSED_SITE_PLAN_SOUTH_LOT.pdf- MAP_7_PROPOSED_ELEVATION_NORTH_LOT.pdf- MAP_8_PROPOSED_ELEVATION_SOUTH_LOT.pdf- SCHEDULE A.pdf
Final Approval Date:	Nov 8, 2017

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

Gus Galanis - Nov 8, 2017 - 10:21 AM

Kelvin Kwan - Nov 8, 2017 - 11:45 AM

Neil Garbe - Nov 8, 2017 - 12:44 PM