



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

**Date of Meeting:** November 6, 2019

**Report Number:** SRPRS.19.180

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.19.180 - Request for Approval – Draft  
Plan of Subdivision Application – Multiple  
Owners - City File D03-18001**

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### **Owners:**

Gino and Marina De Angelis  
160 Oxford Street  
Richmond Hill, Ontario  
L4C 4L7

Nicola and Carmela De Angelis  
158 Oxford Street  
Richmond Hill, Ontario  
L4C 4L7

Giuseppe and Linda Mary Manserra  
170 Oxford Street  
Richmond Hill, Ontario  
L4C 4L7

2579784 Ontario Inc.  
9120 Leslie Street, Unit 108  
Richmond Hill, Ontario  
L4B 3J9

### **Agent:**

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

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### Location:

Legal Description: Part of Lots 45, 46, 47 and 48, Plan 1999

Municipal Addresses: 158, 160, 162 and 170 Oxford Street

### Purpose:

A request for approval concerning a proposed draft Plan of Subdivision application to permit a residential development comprised of 15 single detached dwelling lots on the subject lands.

### Recommendations:

- a) **That the draft Plan of Subdivision application submitted by Gino and Marina De Angelis, Nicola and Carmela De Angelis, Giuseppe and Linda Mary Manserra, and 2579784 Ontario Inc. for lands known as Part of Lots 45, 46, 47 and 48, Plan 1999 (Municipal Addresses: 158, 160, 162 and 170 Oxford Street), City File D03-18001, be approved, subject to the following:**
  - (i) **that the Plan of Subdivision as depicted on Map 4 to Staff Report SRPRS.19.180 be draft approved, subject to the conditions as set out in Appendix “B” hereto;**
  - (ii) **that prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the City’s Tariff of Fees By-law 65-18 and that draft Condition 29 in Appendix “B” be finalized with respect to the applicable cost sharing requirement; and,**
- b) **That the authority to assign 49.09 persons equivalent of additional servicing allocation to the proposed development to be constructed on the subject lands be delegated to the Commissioner of Planning and Regulatory Services subject to the criteria in the City’s Interim Growth Management Strategy, and that the assigned servicing allocation be released in accordance with the provisions of By-law 109-11.**

### Contact Person:

Katherine Faria, Planner II, Subdivisions, phone number 905-771-5543 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

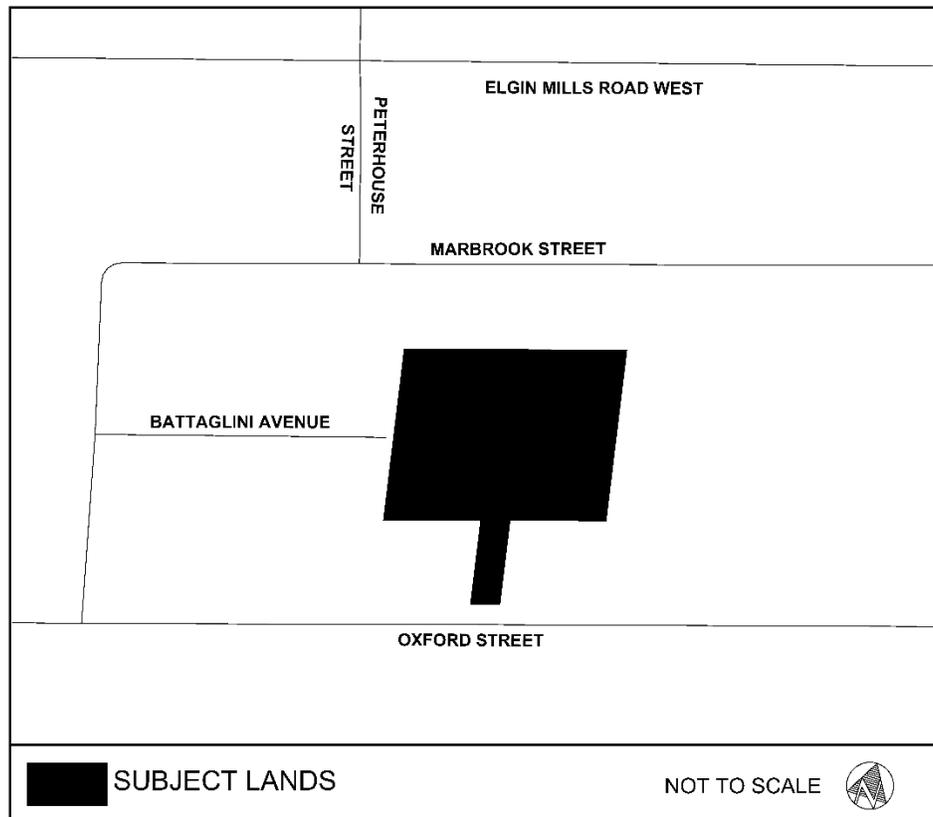
**Approved by:** Neil Garbe, City Manager

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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 “Contact Person” above.



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### **Background:**

The subject draft Plan of Subdivision application was considered at a statutory Council Public Meeting held on May 30, 2018 wherein Council received Staff Report SRPRS.18.095 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No concerns were raised by Council or members of the public at the Council Public Meeting with respect to the subject proposal.

The applicant filed a resubmission with respect to its draft Plan of Subdivision application in January 2019 to address various technical matters. All comments from internal departments and external agencies as they relate to this stage of the approval process have been satisfactorily addressed by the applicant. In this regard, the purpose of this report is to seek Council’s approval of the applicant’s draft Plan of Subdivision application, subject to the conditions as outlined in Appendix “B” of this report.

### **Summary Analysis:**

#### **Site Location and Adjacent Uses**

The subject lands are located on the north side of Oxford Street, east of the easterly terminus of Battaglini Avenue and have a total combined area of approximately 1.038 hectares (2.56 acres) (refer to Map 1). The subject lands currently support 4 existing single detached dwellings, which are to be retained with the exception of the existing dwelling at 162 Oxford Street.

The proposed development generally comprises the rear portions of the lands municipally known as 158, 160, 162 and 170 Oxford Street in addition to maintaining frontage through a portion of the lands at 162 Oxford Street. In this regard, the Committee of Adjustment conditionally approved Consent Applications B028/17 and B029/17 on May 23, 2019 to permit the creation of two additional residential lots on the lands known as 162 Oxford Street. The two new lots, which will maintain frontage on Oxford Street, do not form part of the subject draft Plan of Subdivision.

It should be noted that a draft Plan of Subdivision application (City File D03-19001) has been submitted and is currently under review for the adjacent lands situated to the east of the subject development, municipally known as 154 Oxford Street. The above draft Plan of Subdivision contemplates a total of five single detached residential lots and the proposed further extension of Battaglini Avenue.

#### **Development Proposal**

The applicant is seeking Council’s approval of its draft Plan of Subdivision application to facilitate a residential development comprised of 15 single detached dwelling lots and the extension of Battaglini Avenue on the subject lands. The applicant’s development proposal contemplates one single detached dwelling lot having frontage onto Oxford Street, in addition to 14 single detached dwelling lots having frontage on the proposed

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easterly extension of Battaglini Avenue. The following is a summary of the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Area:** **1.038 hectares (2.56 acres)**
  - **Residential Lot Area:** **0.813 hectares (2.01 acres)**
  - **Street Area:** **0.224 hectares (0.55 acres)**
  - **Reserve Block Area:** **0.001 hectares (0.002 acres)**
- **Total Number of Units:** **15**
- **Proposed Lot Frontages:** **Approximately 15.17 metres (49.77 feet) to 18.29 metres (60 feet)**
- **Proposed Number of Storeys:** **2**

As noted above, a revised submission was filed with respect to the applicant's draft Plan of Subdivision application to address various technical matters including servicing, stormwater management and water balance.

## Planning Analysis:

### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A – Land Use of the City's Official Plan (the "Plan") (refer to Map 2). The predominant use of land within the **Neighbourhood** designation shall be for low-rise residential uses, including single detached dwellings. The subject lands are also situated within a priority infill area in accordance with Section 4.9.1.1 of the Plan.

In accordance with Section 4.9.1 of the Plan, development shall be compatible with the adjacent and surrounding area. In this regard and pursuant to Policy 4.9.2 (4), development shall be compatible with the existing character of adjacent and surrounding areas with respect to predominant building forms and types, massing, general patterns of streets, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks.

With respect to building height, development within the **Neighbourhood** that is not located on an arterial street is restricted to a maximum height of 3 storeys. In addition, site design that would inhibit infill development shall not be permitted. The proposed single detached dwellings are permitted in accordance with the **Neighbourhood** policies of the Plan and the proposed lot fabric is compatible with the established patterns of development on adjacent and surrounding lands.

The subject lands are located on the Oak Ridges Moraine and are within the **Settlement Area** as defined in accordance with the *Oak Ridges Moraine Conservation Plan (ORMCP)*. Pursuant to Section 3.2.1.1 of the Plan, all uses including the creation of new lots which are otherwise permitted under this Plan and applicable Secondary Plans, as amended from time to time shall be permitted. In addition, permitted uses shall

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be subject to the requirements of Section 19(3) and 31(4) of the ORMCP and Section 3.2.1.1 of the City's Official Plan. Neither Key Natural Heritage Features (KNHFs) nor Key Hydrologically Sensitive Features (HSFs) as prescribed by the ORMCP have been identified within or adjacent to the subject lands.

Given all of the above, staff is of the opinion that the applicant's development proposal conforms to the applicable policies of the Plan.

### Existing Zoning By-law

The subject lands are currently zoned **Single Family Six (R6) Zone** under By-law 2523, as amended by By-law 150-90, as amended (refer to Map 3), which permits single detached dwellings as proposed by the subject application. The following is a summary table outlining the relevant development standards of the **R6 Zone**:

Development Standard	R6 Zone Requirements
Minimum Lot Frontage, Interior	15 metres (49.2 feet)
Minimum Lot Area, Interior	502 square metres (5,403.5 square feet)
Maximum Lot Coverage	40%
Minimum Front Yard	4.5 metres (14.8 feet)
Minimum Rear Yard	7.5 metres (24.6 feet)
Minimum Side Yard	1.5 metres (4.9 feet)
Maximum Height	11 metres (36.1 feet)

On the basis of the materials submitted to the City, the proposed lots are to comply with the standard provisions of the **R6 Zone**, including minimum lot frontage and minimum lot area. In this regard, relief from the current zoning provisions has not been sought in conjunction with the applicant's draft Plan of Subdivision application. Prior to final approval, the applicant will be required to demonstrate that the proposed development does not create areas of non-compliance with respect to existing development on adjacent lands, including existing dwellings on Oxford Street.

### Proposed Draft Plan of Subdivision

The submitted draft Plan of Subdivision application comprises a total of 15 single detached residential lots, with one proposed residential lot having frontage on Oxford street and an additional 14 residential lots fronting onto the proposed easterly extension of Battaglini Avenue (refer to Map 4). In addition to the single detached dwelling lots, the applicant's proposed draft Plan of Subdivision contemplates the creation of a reserve block adjacent to the easterly limit of the subject lands.

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Staff has reviewed the applicant's proposed draft Plan of Subdivision and subject to the conditions of draft approval contained in Appendix "B" attached hereto, is of the opinion that the proposed development conforms with the City's Official Plan and has appropriate regard for the criteria under Section 51(24) of the *Planning Act*.

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

All circulated City departments and external agencies have indicated no objections, have provided comments to be considered at a more detailed stage in the approval process, and/or have provided conditions of draft approval with respect to the proposed draft Plan of Subdivision application, including the City's Park and Natural Heritage Planning Section, the City's Development Engineering Division, the City's Urban Design Section, and the Regional Municipality of York. The following sections provide an overview of the comments received from circulated departments and agencies at the time of writing of this report, and applicable conditions of draft approval are contained in Appendix "B", attached hereto.

#### **Development Engineering Division**

The City's Development Engineering has provided conditions of draft approval with respect to the applicant's draft Plan of Subdivision application. Development Engineering staff has advised that a condition pertaining to cost recovery will be required; however, at the time of writing of this report, specific details concerning the request remain under review. On the basis of the preceding, staff recommends that the above details be finalized prior to draft approval being granted for the applicant's draft Plan of Subdivision.

#### **Park and Natural Heritage Planning Section**

The City's Park and Natural Heritage Planning Section has provided conditions of draft approval with respect to the applicant's draft Plan of Subdivision. In addition, Park and Natural Heritage Planning staff recommends that cash-in-lieu of parkland dedication be accepted with respect to the subject development due to the proximity of the subject lands to Karindon Park.

#### **Regional Municipality of York**

The Regional Municipality of York has provided conditions of draft approval with respect to the applicant's draft Plan of Subdivision application, in addition to general comments pertaining to the provision of sidewalk facilities, servicing allocation, and the submitted Functional Servicing Report.

#### **Toronto and Region Conservation Authority**

The Toronto and Region Conservation Authority has reviewed the applicant's draft Plan of Subdivision and has provided technical comments with respect to water balance and requirements related to the Credit Valley, Toronto and Region and Central Lake Ontario (CTC) Source Protection Plan to be addressed as part of the detailed design phase of

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the proposed development. As the subject lands are not located with TRCA's regulated Area, the TRCA has indicated that it defers the review of the proposal with respect to stormwater quantity and water quality control criteria to the City.

### **Development Planning Division**

Planning staff has undertaken a comprehensive review and analysis of the applicant's proposed draft Plan of Subdivision and finds that it has appropriate regard for and is consistent with the broader policy direction for this part of the City as outlined within the Plan. On this basis, it is recommended that the draft Plan of Subdivision application be approved for the following reasons:

- the proposed low density development is permitted within the **Neighbourhood** designation of the Plan; and,
- the proposed lots comply with the minimum lot frontage and minimum lot area provisions of the Zoning By-law applicable to the subject lands. In addition to the foregoing, the proposed built form and lot fabric are considered appropriate for the orderly development of the subject lands and are in keeping with the evolving character of the neighbourhood.

### **Interim Growth Management Strategy:**

Council has approved and implemented a comprehensive strategy comprised of eight growth management criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The applicant has submitted a Sustainability Metrics Tool (the "Metrics") in support of its proposed draft Plan of Subdivision application. However, at the time of writing of this report, the Metrics remain under review with respect to the appropriateness of the proposed sustainability measures. In this regard, staff will continue to work with the applicant in meeting the City's minimum score requirements applicable to the subject development in order to enable the consideration of servicing allocation assignment in the future.

The subject lands contain one existing single detached dwelling, resulting in a servicing allocation credit of 3.56 persons equivalent. In consideration that a total of 15 single detached dwelling lots are proposed, municipal servicing allocation for an additional 49.09 persons will be required.

In consideration of the above and in order to streamline the servicing allocation assignment process for the proposed development, staff recommends that Council delegate its authority to assign allocation to the Commissioner of Planning and Regulatory Services.

### **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 recommendations of this report are generally aligned with **Goal Two – Better Choice in Richmond Hill** in expanding options for housing within the City, as well as **Goal Four – Wise Management of Resources in Richmond Hill** in supporting responsible use of available land.

### Conclusion:

The applicant is seeking Council's approval of its draft Plan of Subdivision application to facilitate a residential development comprised of 15 single detached dwelling lots and the easterly extension of Battaglini Avenue on its land holdings. The proposed draft Plan of Subdivision conforms with the applicable policies of the City's Official Plan and has regard for the criteria described under Subsection 51(24) of the *Planning Act*. In light of the preceding, the proposed development represents good planning and is appropriate for the orderly development of the lands. Therefore, it is recommended that Council approve the subject draft Plan of Subdivision application subject to the conditions outlined 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 the contact person listed in this document.

- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Proposed Draft Plan of Subdivision
- Appendix A, Extract from Council Public Meeting C#18-18 held May 30, 2018
- Appendix B, Schedule of Draft Plan of Subdivision Conditions

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### Report Approval Details

Document Title:	SRPRS.19.180 - Request for Approval - Draft Plan of Subdivision.docx
Attachments:	- SRPRS.19.180 Appendix A.pdf - SRPRS.19.180 Appendix B.pdf - SRPRS.19.180 Map 1.pdf - SRPRS.19.180 Map 2.pdf - SRPRS.19.180 Map 3.pdf - SRPRS.19.180 Map 4.pdf
Final Approval Date:	Oct 23, 2019

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

**Gus Galanis - Oct 23, 2019 - 12:41 AM**

**Kelvin Kwan - Oct 23, 2019 - 7:24 AM**

**Neil Garbe - Oct 23, 2019 - 9:54 AM**