



Staff Report for Committee of the Whole Meeting

Date of Meeting: December 4, 2019

Report Number: SRPRS.19.193

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.19.193 – Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Zonix Kent Inc. – City Files D02-17006 and D03-17002**

Owner:

Zonix Kent Inc.
46 Steeles Avenue East
Thornhill, Ontario
L3T 1A2

Agent:

Evans Planning Inc.
8481 Keele Street, Unit 12
Vaughan, Ontario
L6A 2V7

Location:

Legal Description: Part of Lot 37, Plan 202
Municipal Address: 356 King Road

Purpose:

A request for approval regarding proposed Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the construction of a residential development comprised of 6 semi-detached dwelling units, a medium density residential development block comprised of 4 townhouse dwelling units and the completion of a draft approved municipal road on the subject lands.

Recommendations:

- a) **That the revised Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Zonix Kent Inc. for lands known as Part of Lot**

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37, Plan 202 (Municipal Address: 356 King Road), City Files D02-17006 and D03-17002, be approved, subject to the following:

- (i) that the subject lands be rezoned from Residential Urban (RU) Zone under By-law 1275, as amended, to Semi-Detached One (RD1) Zone and Multiple Residential One (RM1) 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.19.193;**
 - (ii) that the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment;**
 - (iii) that the Plan of Subdivision as depicted on Map 5 to Staff Report SRPRS.19.193 be draft approved subject to the conditions as set out in Appendix “C”;**
 - (iv) that prior to draft plan 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 a condition be added with respect to the applicable cost sharing requirement, if required;**
- b) That in accordance with the provisions of Subsection 45(1.4) of the *Planning Act*, Zonix Kent Inc. be permitted to submit a Minor Variance application to the Committee of Adjustment in order to seek relief from the provisions of the Zoning By-law, if required, prior to the second anniversary of the day on which the subject Zoning By-law Amendment is approved;**
 - c) That pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft Zoning By-law to implement the proposed development on the subject lands;**
 - d) That Council approve a Site Plan Control By-law to implement the applicant’s sustainability commitments and that said by-law be brought forward to a regular meeting of Council for consideration and enactment; and,**
 - e) That 15.34 persons equivalent of additional servicing allocation be assigned to the subject lands, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11, as amended.**

Contact Person:

Katherine Faria, Planner II, Subdivisions, phone number 905-771-5543
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

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Report Approval:

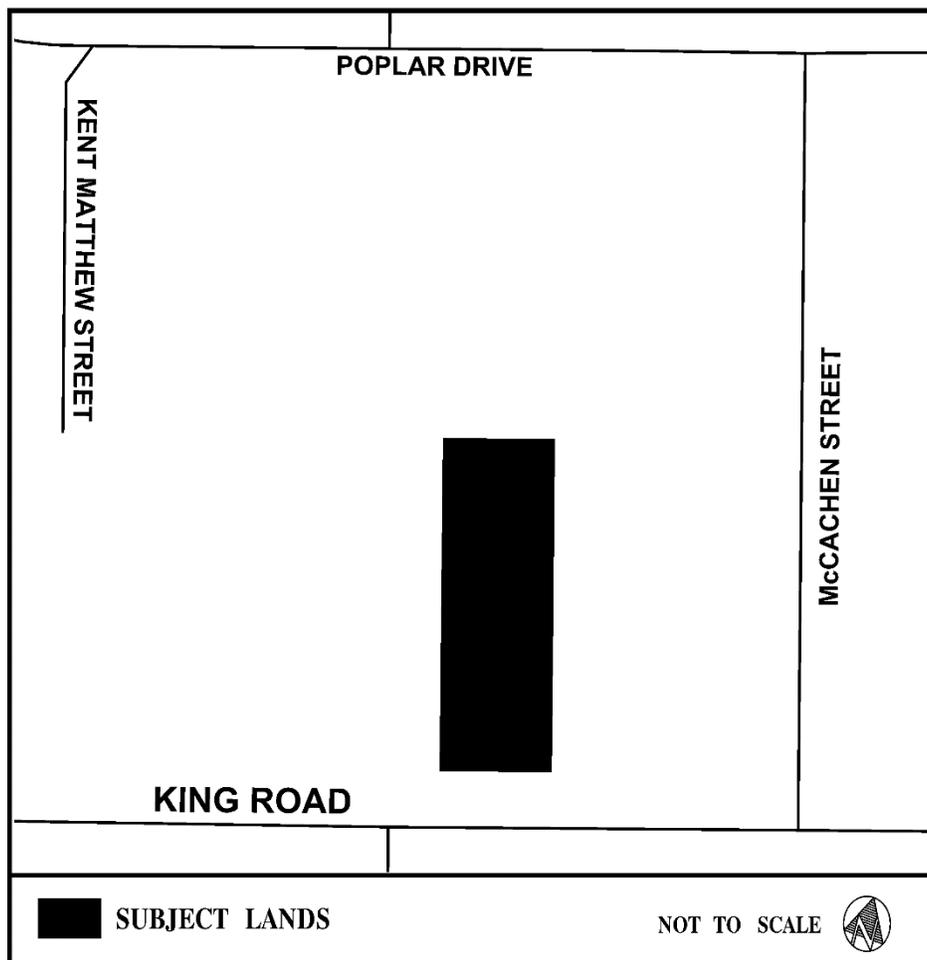
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 the person listed under “Contact Person” above.



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Background:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications were considered at a statutory Council Public Meeting on September 6, 2017 wherein Council received Staff Report SRPRS.17.146 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 with respect to the applicant’s development proposal. However, additional correspondence was provided at the Council Public Meeting by the adjacent landowner concerning cost sharing for the construction of municipal services on the lands to the west of the subject lands. Additional details regarding this matter are provided in the later sections of this report.

In response to comments received with respect to the applicant’s initial development proposal, the applicant filed revised submissions in April 2018, October 2018, and March 2019 contemplating the addition of a proposed townhouse development block fronting King Road, as well as to address various technical matters. All comments from internal departments and external agencies as they relate to this stage of the approval process have now been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s revised Zoning By-law Amendment and draft Plan of Subdivision applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the north side of King Road, west of McCachen Street and have a total area of approximately 0.278 hectares (0.69 acres). The surrounding area is predominantly comprised of low density residential uses (refer to Map 1). It should be noted that a draft Plan of Subdivision application (City File D03-15010) contemplating semi-detached and townhouse dwellings has been draft approved for the abutting lands to the west of the subject development. In addition, applications to permit a proposed medium density residential development have been submitted and are currently under review for the adjacent lands to the east (City Files D01-17008, D02-17038 and D03-17011).

Revised Development Proposal

The applicant is seeking Council’s approval of its revised Zoning By-law Amendment and draft Plan of Subdivision applications to permit the construction of 6 semi-detached dwelling units, a medium density residential development block comprising 4 townhouse dwelling units, and the completion of a new municipal road contemplated as part of the draft approved Plan of Subdivision to the west (City File D03-15010). The applicant’s revised development proposal contemplates, among other matters, modifications to the original proposal as described below (refer to Maps 4 and 5):

- the addition of a block to accommodate the construction of 4 townhouse dwelling units fronting on King Road; and,

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- a reduction in the number of semi-detached dwelling units from 8 to 6 units.

The applicant has submitted a Conceptual Site Plan (“Concept”) depicting both the footprints for the proposed semi-detached dwelling units and a preliminary site design for a proposed, future common element condominium townhouse development within Block 4 (refer to Maps 5 and 6). On the basis of the Concept submitted to the City, the applicant’s revised development proposal comprises 4 townhouse dwelling units to be oriented towards King Road and having vehicular access from a proposed private lane. In this regard, it is envisioned that the proposed private lane would provide for a future interconnection between the new municipal road to be constructed to the west of the subject lands and future development to the east.

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

• Total Lot Area:	0.278 hectares (0.69 acres)
○ Townhouse Block Area:	0.127 hectares (0.31 acres)
○ Semi-Detached Dwelling Area:	0.137 hectares (0.34 acres)
○ Road Widening Area:	0.009 hectares (0.02 acres)
• Number of Semi-Detached Dwelling Units:	6
• Number of Townhouse Dwelling Units:	4
• Minimum Lot Frontage (Semi-Detached Lots):	15.0 metres (49.2 feet)
• Minimum Lot Area (Semi-Detached Lots):	445 square metres (4,789.9 square feet)
• Townhouse Unit Width:	6.7 metres (22 feet) – 6.85 metres (22.5 feet)
• Density:	36 units per hectare (14.5 units per acre)

It should be noted that the applicant has yet to file a Site Plan application with respect to the proposed townhouse development at the time of writing of this report. In addition, draft Plan of Condominium and Part Lot Control Exemption applications will be required to facilitate the proposed common element condominium tenure and to establish the future parcels of tied land for this component of the applicant’s revised development proposal.

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 2). Uses permitted within the **Neighbourhood** designation include primarily low-density residential uses as well as medium-density residential uses as proposed within the applicant’s revised development proposal, subject to specific policy criteria as defined in Chapter 4 of the Plan. In accordance with **Section 4.9.1.2** of the Plan, medium density residential uses

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may be permitted on lands having frontage on an arterial street and shall have a maximum permitted site density of 50 units per hectare.

The **Neighbourhood** designation policies of the Plan stipulate a maximum building height of 4 storeys on an arterial street and a maximum of 3 storeys in all other areas of the **Neighbourhood** designation. In accordance with **Section 4.9.2** of the Plan, site design which would inhibit future infill development shall not be permitted. 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 general pattern of yard setbacks. Where development is subject to an infill plan or tertiary plan, the criteria as set out in an infill plan or tertiary plan approved by Council shall apply. The subject lands are situated within a Priority Infill Area in accordance with **Section 4.9.1.1** of the Plan.

The subject lands are located on the Oak Ridges Moraine and are located 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 the Plan and applicable Secondary Plans, as amended from time to time shall be permitted. In addition, permitted uses shall 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.

Puccini Drive Neighbourhood Residential Infill Study

The subject lands are situated within the boundaries of the Puccini Drive Neighbourhood Infill Study ("Study") endorsed by Council in 1998. The Study recommends higher density housing in the form of townhouses and walk-up apartments along the edges of the neighbourhood, minimum lot frontages of 15 metres (50 feet) for existing streets, the provision of traffic calming measures on Puccini Drive, and the protection of natural features in the area.

The Study recommends that development be oriented towards King Road and that townhouses have frontages of at least 6.0 metres (20 feet). Where medium density residential uses are proposed near existing low density development, greater setbacks, landscape buffers and fencing should be considered to lessen the impacts of new intensified development. The Study also recommends that no additional driveways from King Road or Bathurst Street be permitted. Within backlot areas in the study area, development should provide for minimum lot frontages of 12.0 metre (40.0 feet).

The Study recommends that lands along the King Road and Bathurst Street be zoned **Multiple Residential One (RM1) Zone** under By-law 313-96, as amended, with exceptions as outlined in the Study. In addition, the Study recommends that lands within

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backlot areas be zoned under the **Residential Wide Shallow One (RWS1) Zone** under By-law 313-96, as amended, with exceptions as outlined in the Study.

The proposed townhouse block fronting on King Road conforms with the locational criteria for medium density residential uses within the **Neighbourhood** designation and meets the intent of the Study with respect to land use and design. It should be noted that semi-detached dwellings as proposed for the balance of the subject lands are not specifically contemplated for lands within the study area. Notwithstanding the foregoing, the proposed semi-detached dwelling lots are compatible with and in keeping with the development patterns of the adjacent and surrounding areas and are generally permitted within the **Neighbourhood** designation in accordance with the policies of the Plan.

On the basis of the preceding, Planning staff has reviewed the applicant's revised development proposal and is of the opinion that it conforms with the relevant policies of the City's Official Plan and meets the general principles of the Study that has been approved by Council for the area.

Revised Zoning By-law Amendment Application

The subject lands are zoned **Residential Urban (RU) Zone** under By-law 1275, as amended, which would not permit the land uses contemplated by the applicant's revised development proposal (refer to Map 3). Accordingly, the applicant is proposing to rezone the lands to **Semi-Detached One (RD1) Zone** and **Multiple Residential One (RM1) Zone** under By-law 313-96, as amended, with site-specific development standards to permit the construction of 6 semi-detached dwelling units and 4 townhouse dwelling units on the subject lands.

The following table provides a general summary of the applicable standards within the proposed zoning categories under By-law 313-96, as amended, including site-specific provisions proposed by the applicant:

Standard	RD1 Zone (Semi-Detached Dwellings)	Proposed Site-Specific Provision	RM1 Zone	Proposed Site-Specific Provision
Minimum Lot Frontage	14.6 metres (47.9 feet)	Complies	30 metres (98.4 feet)	25 metres (82 feet)
Minimum Lot Area (Interior)	485.0 square metres (5,220.5 square feet)	445.0 square metres (4,789.9 square feet)	N/A	800.0 square metres (8,611.1 square feet)
Maximum Lot Coverage	50%	Complies	50%	60%
Minimum Front Yard	4.5 metres (14.8 feet)	Complies	4.5 metres (14.8 feet), subject to additional criteria	Complies
Minimum Side Yard	1.5 metres (4.9 feet), subject to additional criteria	Complies	1.5 metres (4.9 feet)	Complies

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Minimum Rear Yard	7.5 metres (24.6 feet)	Complies	7.5 metres (24.6 feet)	3 metres (9.8 feet)
Maximum Height	11.0 metres (36.1 feet)	Complies	11.0 metres (36.1 feet)	Complies

In addition to the site-specific provisions noted above, the applicant has requested site-specific development standards to facilitate the proposed townhouse dwelling units with respect to maximum number of units, minimum setback to a private garage, encroachments, landscaping and parking. With the exception of minimum lot area, the proposed semi-detached dwelling lots would comply with all other applicable provisions of the **Semi-Detached One (RD1) Zone** under By-law 313-96, as amended (refer to Appendix “B”).

The applicant has submitted a Conceptual Site Plan in support of its development proposal (refer to Map 6). It should be noted that the provisions pertaining to the minimum lot area and minimum lot frontage as outlined in the proposed draft Zoning By-law Amendment would provide for the creation of a parcel of tied land as part of a future common element condominium development. In this regard, the applicant’s request for site-specific provisions for minimum rear yard and porch encroachments are to address the placement of the proposed townhouse dwelling units in relation to the proposed private laneway as depicted on the applicant’s Conceptual Site Plan.

Staff has undertaken a preliminary review of the submitted Conceptual Site Plan and the applicant has satisfactorily addressed the comments and concerns as they relate to this stage in the approval process; however, the submission of a Site Plan application will be required to facilitate the proposed condominium townhouse development. It should be noted that a number of technical and design-related matters will need to be reviewed by relevant City departments and external agencies upon submission of a Site Plan application and prior to final approval of the proposed medium density residential development, including but not limited to the alignment of the proposed private laneway. Should any additional relief be requested by the applicant in order to facilitate the proposed future medium density residential development, approval would need to be sought through the appropriate planning applications.

Planning staff has reviewed the applicant’s Zoning By-law Amendment request and is satisfied that the proposed **RM1** and **RD1 Zone** categories, including site specific provisions conform with the applicable policies of the Official Plan, meet the general principles established within the Puccini Drive Neighbourhood Infill Study and are appropriate for the orderly development of the lands.

Revised Draft Plan of Subdivision Application

The applicant’s revised draft Plan of Subdivision provides for the creation of 3 semi-detached dwelling lots (Blocks 1, 2 and 3), one townhouse block (Block 4), a road widening block adjacent to King Road (Block 5) and two 0.3 metre reserve blocks (Blocks 6 and 7). In addition, the applicant’s revised draft Plan of Subdivision contemplates the completion of a new municipal road allowance to be constructed as

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part of a draft approved Plan of Subdivision on the abutting lands to the west (City File D03-15010).

Subject to the conditions of draft approval contained in Appendix “C” attached hereto, staff is of the opinion that the revised draft Plan of Subdivision applications 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.

A Site Plan application will be required to facilitate the proposed townhouse development on the subject lands. In this regard, a detailed review of the proposed townhouse development will be conducted at such time as and as part of a complete Site Plan submission to the City. The following sections provide an overview of the applicable 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 “C” attached hereto.

Development Engineering Division

The City’s Development Engineering Division has provided conditions of draft approval with respect to the applicant’s draft Plan of Subdivision application. As noted in the previous sections of this report, correspondence concerning cost sharing for the construction of municipal services to the west of the subject lands was received at the Council Public Meeting. However, at the time of writing of this report, specific details regarding 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.

Development Engineering staff has also provided comments to be considered as part of a more detailed stage in the approval process pertaining to noise mitigation.

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 has provided comments to be considered at the detailed design review for the draft Plan of Subdivision application and/or as part of a future Site Plan application with respect to tree preservation, sustainability metrics, and landscaping and tree planting.

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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 comments pertaining to the drainage, servicing capacity allocation, and existing infrastructure.

Development Planning Division

Development Planning staff has completed a review of the applicant's revised development proposal and provides the following comments:

- the proposed semi-detached dwelling lots are permitted within the **Neighbourhood** designation in accordance with the policies of the Plan;
- the proposed townhouse dwelling block meets the locational criteria and maximum permitted density for medium density residential development within the **Neighbourhood** designation as outlined in the Plan;
- the proposed semi-detached and townhouse dwelling units are compatible with the character of adjacent and surrounding lands, are in keeping with existing development patterns within the surrounding area, and meet the general principles of the Puccini Drive Neighbourhood Infill Study;
- the proposed **RM1** and **RD1** zone categories, including site-specific provisions are in keeping with the overall policy direction for this area of the City and are appropriate in consideration of the context within this area of the City;
- the proposed townhouse development shall be assessed for compliance with the City-wide Urban Design Guidelines, as well as the relevant design guidelines as outlined in the Puccini Drive Neighbourhood Infill Study; and,
- the applicant will be required to submit Site Plan, draft Plan of Condominium, Part Lot Control Exemption and Private Street Naming applications to facilitate the proposed townhouse development.

Planning staff has undertaken a comprehensive review and analysis of the applicant's revised development proposal 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 applicant's revised draft Plan of Subdivision and Zoning By-law Amendment applications be approved.

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. Staff has reviewed the applicant's Metrics submission and finds it acceptable as the proposed development demonstrates an overall "Application" score of 28 points, which achieves a "good" score and meets the threshold score of 21 points for draft Plans of Subdivision applications (refer to Appendix D). In order to secure implementation of the sustainability commitments at the Building Permit stage, staff

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recommends that a Site Plan Control By-law be passed and a Sustainability Agreement be required for the subject lands.

The subject lands comprise one existing lot, resulting in a servicing allocation credit of 3.56 persons equivalent. In consideration that a total of 6 semi-detached dwelling lots are proposed to be constructed on the subject lands, staff recommends that an additional 15.34 persons equivalent of municipal servicing allocation be assigned to the subject lands.

It should be noted that consideration of servicing allocation assignment with respect to the proposed medium density residential development block will be undertaken as part of a future Site Plan approval process. In this regard, the applicant will be required to submit a Sustainability Performance Metrics Tool that satisfies the applicable minimum threshold score at that time.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The applicant's revised development proposal aligns with **Goal Two – Better Choice in Richmond Hill** in providing for a range of housing options within the City, as well as **Goal Four – Wise Management of Resources** in Richmond Hill in utilizing available land responsibly.

Conclusion:

The applicant is seeking Council's approval of its revised Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development comprised of 6 semi-detached dwelling units, 4 townhouse dwelling units, and the completion of a new municipal road on its land holdings. Staff has completed a comprehensive review and evaluation of the applicant's revised development proposal and is of the opinion that the submitted applications conform with the applicable policies of the Plan and have regard for the criteria described under Subsection 51(24) of the *Planning Act*. In light of the preceding, the applicant's revised development proposal represents good planning and is appropriate for the orderly development of the lands. On the basis of the preceding, staff recommends that Council approve the subject applications, subject to the conditions and directions outlined 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 the contact person listed in this document.

- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Original Draft Plan of Subdivision
- Map 5, Revised Draft Plan of Subdivision
- Map 6, Proposed Conceptual Site Plan
- Appendix A, Extract from Council Public Meeting C#27-17 held September 6, 2017
- Appendix B, Draft Zoning By-law
- Appendix C, Schedule of Draft Plan of Subdivision Conditions
- Appendix D, Applicant's Sustainability Metrics Chart

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Report Approval Details

Document Title:	SRPRS.19.193 - Request for Approval - Zoning By-law Amendment and Draft Plan of Subdivision Applications.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.19.193 Map 1.pdf- SRPRS.19.193 Map 2.pdf- SRPRS.19.193 Map 3.pdf- SRPRS.19.193 Map 4.pdf- SRPRS.19.193 Map 5.pdf- SRPRS.19.193 Map 6.pdf- SRPRS.19.193 Appendix A.pdf- SRPRS.19.193 Appendix B.pdf- SRPRS.19.193 Appendix C.pdf- SRPRS.19.193 Appendix D.pdf
Final Approval Date:	Nov 20, 2019

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

Gus Galanis - Nov 20, 2019 - 11:06 AM

Kelvin Kwan - Nov 20, 2019 - 11:23 AM

Neil Garbe - Nov 20, 2019 - 1:19 PM