



## **Staff Report for Council Public Meeting**

**Date of Meeting:** March 4, 2020

**Report Number:** SRPRS.20.032

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.20.032 – Request for Comments –  
Official Plan and Zoning By-law Amendment  
Applications – 2706379 Ontario Limited – City  
Files D01-19004 and D02-19021**

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### **Owner:**

2706379 Ontario Limited  
2499 Rutherford Road, Unit 12  
Concord, ON L4K 0J9

### **Agent:**

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

### **Location:**

Legal Description: Block 226, Plan 65M-3802  
Municipal Address: 12600 Bayview Avenue

### **Purpose:**

A request for comments concerning proposed Official Plan Amendment and Zoning By-law Amendment applications to permit the construction of a medium density residential development comprised of 19 townhouse dwelling units fronting on a private condominium lane on the subject lands.

### **Recommendation:**

- a) **That Staff Report SRPRS.20.032 with respect to the Official Plan Amendment and Zoning By-law Amendment applications submitted by 2706379 Ontario Limited for lands known as Block 226, Plan 65M-3802 (Municipal Address: 12600 Bayview Avenue), City Files D01-19004 and D02-19021, be received for information purposes only and that all comments be referred back to staff.**

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### Contact Person:

Leigh Ann Penner, Senior Planner – Subdivisions, phone number 905-771-2462 and/or Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

### Report Approval:

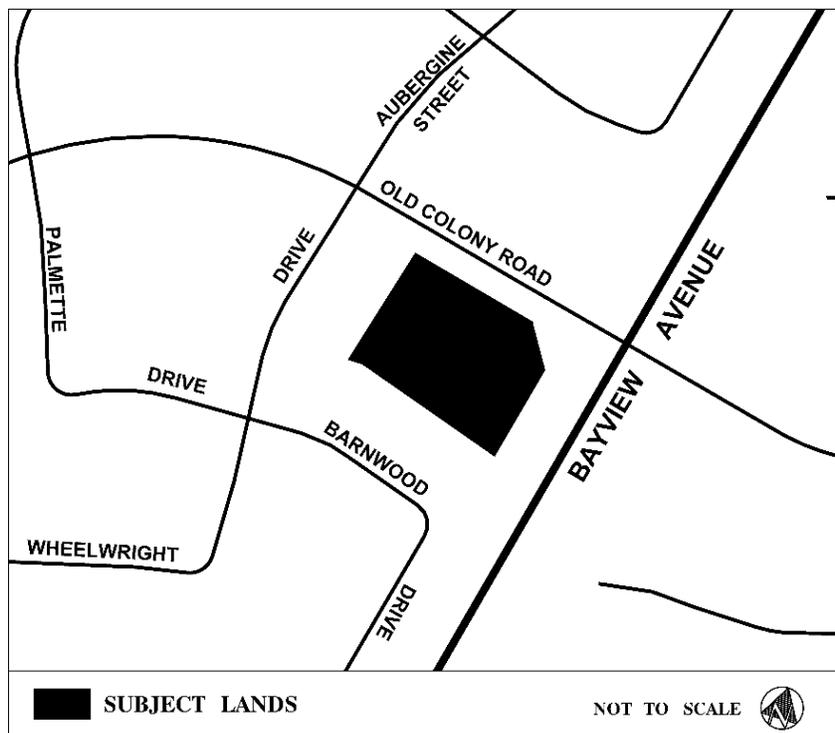
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Mary-Anne Dempster, City Manager (Acting)

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 Official Plan Amendment and Zoning By-law Amendment applications were received by the City and deemed complete on November 6, 2019. 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 applicant's development proposal 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 Old Colony Road and Bayview Avenue and are presently vacant (refer to Map 1). The lands have an area of approximately 0.39 hectares (0.96 acres) and a lot frontage of approximately 42.65 metres (139.93 feet) on Bayview Avenue and approximately 58.07 metres (190.52 feet) on Old Colony Road. Adjacent land uses include semi-detached dwellings to the west, townhouse dwellings to the south, Old Colony Road to the north and Bayview Avenue to the east (refer to Map 2).

#### Development Proposal

The applicant is seeking Council's approval of its Official Plan Amendment and Zoning By-law Amendment applications to facilitate the construction of a medium density residential development comprised of 19 townhouse dwelling units, on its land holdings (refer to Map 7). The development proposal includes 8 townhouse dwelling units fronting onto Bayview Avenue, 5 townhouse dwelling units fronting onto Old Colony Road and 6 townhouse dwelling units fronting onto an internal private laneway. Access to the site is proposed via Old Colony Road.

The 3 storey street facing townhouses (Blocks 1 and 3) are designed with principal front entrances facing Bayview Avenue and Old Colony Road, rear facing garages to be accessed from an internal private road, and outdoor amenity space for each unit to be provided by way of above-grade patios over the garages (refer to Map 8). The 3 storey lane facing townhouses (Block 2) are designed with principal front entrances and garages to be accessed from an internal private road, and outdoor amenity space for each unit to be provided by way of rear yards (refer to Map 9).

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

- **Total Lot Area:** **0.39 hectares (0.96 acres)**
- **Total Number of Units:** **19**

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- **Dwelling Unit Widths:**
  - **6.0 metres (19.68 feet):** 6 lots
  - **5.76 metres (18.90 feet):** 13 lots
- **Building Height:** 3 storeys
- **Density:** 48.41 units per hectare (19.79 units per acre)
- **Lot Coverage:** 32.75%
- **Total Parking Spaces:** 52
  - **Residential:** 47 provided (2.25 spaces per dwelling required)
  - **Visitor:** 5 provided, includes 2 accessible spaces (0.25 spaces per dwelling required)
  - **Bicycle:** 6

Applications for both Site Plan approval and draft Plan of Condominium will be required to facilitate the intended development and tenure of the lands. At the time of preparation of this report, applications for Site Plan approval and draft Plan of Condominium had not been submitted to the City.

### Supporting Documentation/Reports

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

- Planning Justification Report;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Survey;
- Concept Site Plan;
- Adjacent Property Plan;
- Elevation Plans;
- Floor Plans;
- Oak Ridges Moraine Conformity Report;
- Phase 1 Environmental Site Assessment;
- Tree Inventory and Preservation Plan;
- Urban Design Brief;
- Commercial Needs Analysis;
- Functional Servicing Report, including Water Budget Analysis;
- Traffic Impact Brief and Transportation Demand Management Report; and,
- Noise Feasibility Study.

### Official Plan Amendment Application

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 (Land Use) of the City of Richmond Hill Official Plan (the “Plan”) (refer to Map 4). The lands are further identified as an **Existing Neighbourhood Commercial Site** in accordance with Appendix 7 of the Plan (refer to Map 6). The applicant has submitted an Official Plan Amendment application to remove the subject lands from the listing of

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existing neighbourhood commercial sites in order to facilitate the development of the proposed residential development in accordance with the provisions of the **Neighbourhood** designation. In this regard, the applicant's development proposal is comprised of 19 townhouse dwelling units, and no neighbourhood commercial uses are proposed.

### Zoning By-law Amendment Application

The subject lands are zoned **Neighbourhood Commercial (NC) Zone** under By-law 85-02, as amended (refer to Map 3). The applicant has filed a proposed Zoning By-law Amendment application in order to facilitate a medium density townhouse development on its land holdings. The applicant is requesting to rezone the lands to **Multiple Residential One (RM1) Zone** under By-law 85-02, as amended, to permit block townhouse dwellings on the lands and to establish appropriate site specific development standards to implement its development proposal.

The following is a summary table outlining the relevant statistics of the applicant's development proposal relative to the **RM1 Zone** requirements for Block Townhouse dwellings, with requested and required site specific exceptions in bold:

Development Standard	RM1 Zone Standards, (Block Townhouses) By-law 85-02, as amended	Proposed Standards
Minimum Lot Frontage Interior Lot: Corner Lot:	20.0 metres (65.61 feet) 30.0 metres (98.43 feet)	Parcel A: complies Parcel B: complies Parcel C: complies
Minimum Lot Area	N/A	0.39 hectares (0.96 acres)
Maximum Lot Coverage	50%	32.75%
Minimum Required Front Yard	4.5 metres (14.76 feet)	<b>3.55 metres (11.65 feet)</b>
Minimum Required Side Yard	1.5 metres (4.92 feet)	1.54 metres (5.05 feet)
Minimum Required Flankage Yard	3.0 metres (9.84 feet)	3.55 (11.65 feet)
Minimum Required Rear Yard	4.5 metres (14.76 feet)	<b>1.49 metres (4.89 feet)</b>
Maximum Height	11.0 metres (36.09 feet)	11.0 metres (36.09 feet)
Lot Density	25-75 UPH	48.41 UPH
Parking Requirements	2.25 parking spaces per dwelling unit of which 0.25 parking spaces per dwelling unit shall be for visitor parking	complies

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The draft Zoning By-law submitted in support of the development proposal is currently under review. The site specific provisions and exceptions relating to the layout of the proposed townhouse blocks shall be considered and refined in conjunction with revisions made to the subject applications through the detailed review process. It is also noted that the applicant's draft Zoning By-law contemplates site specific development standards with respect to the future parcels of tied land to facilitate the registration of a future common element condominium.

### Planning Analysis:

Staff has undertaken a preliminary review of the applicant's development proposal based on the policy framework contained within the *Provincial Policy Statement (2014)* (the "PPS"), the *Growth Plan for the Greater Golden Horseshoe (2019)* (the "Growth Plan"), the *Oak Ridges Moraine Conservation Plan (2017)* (the "ORMCP"), the *Regional Official Plan (2010)* (the "ROP") and the City's *Official Plan (2010)* (the "Plan").

Staff notes that the City's in-force Plan is consistent with the PPS, and conforms to the Growth Plan, the Greenbelt Plan and the ROP that were in-force at the time of its approval. Since the Plan's approval, the PPS was updated in 2014, the Greenbelt Plan and ORMCP were updated in 2017, and the Growth Plan was updated in 2019. Below is a more detailed outline of the proposal relative to the ROP and the Plan.

### York Region Official Plan (2010)

The subject lands are designated **Urban Area** in accordance with Map 1 (Regional Structure) to the ROP. The **Urban Area** policies permit a full range and mix of urban uses which would permit a residential development, as proposed in the subject applications. Based on the initial comments received from the Region, the proposal is consistent with the ROP. The Region has also advised that the proposed Official Plan Amendment is exempt from Regional approval.

### City of Richmond Hill Official Plan (2010)

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 (Land Use) of the Plan (refer to Map 4). The lands are also identified as an **Existing Neighbourhood Commercial Site** on Appendix 7 of the Plan (refer to Map 6).

Permitted uses within the **Neighbourhood** designation include low-density residential uses such as single detached, semi-detached and duplex dwellings, medium density residential uses such as townhouses and walk-up apartments, neighbourhood commercial and community uses, parks and urban open spaces, and automotive service commercial uses subject to specific policy criteria as defined in Chapter 4 of the Plan. Furthermore, development within the **Neighbourhood** designation shall have building heights of up to 3 storeys and where development is located on an arterial road, the maximum building height may be 4 storeys. 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,

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general patterns of streets, blocks and lots, landscaped areas and treatments, and the general pattern of yard setbacks.

In accordance with **Section 4.9.1.2**, medium density residential uses such as townhouses are permitted within the **Neighbourhood** designation fronting onto an arterial street and on a local or collector street as identified as part of a priority infill area pursuant to **Policy 4.9.1.1(1)** or a Tertiary Plan undertaken by the City and approved by Council. Pursuant to **Policy 4.9.1.2(3)** and where permitted in accordance with the policy criteria outlined in the Plan, a maximum site density of 50 units per hectare (20 units per acre) is permitted for medium density residential uses within the **Neighbourhood** designation.

As noted previously, the lands are identified as an **Existing Neighbourhood Commercial Site** and subject to the provisions of **Section 4.9.1.3**, which provides for the retention of existing neighbourhood commercial sites.

Given that the development proposal does not include a commercial component, the submission of an Official Plan Amendment application and a Commercial Needs Study were required to determine the appropriateness of the proposal and to assess the market in terms of local retail/service space requirements in the area and the commercial viability of the site. The applicant has submitted a Commercial Needs Study, which has been peer reviewed by Kircher Research Associates Ltd. on behalf of the City. The findings of the peer review indicate that while the residential areas in the site vicinity are fully developed and the residing population is currently satisfying any retail and related service needs in other areas, the subject lands would serve as an ideal location for a neighbourhood convenience centre development.

The subject lands are situated within the **Settlement Area** of the Oak Ridges Moraine, as defined in the ORMCP. In accordance with **Policy 3.2.1.1(18)** of the Plan, all uses which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area**, subject to compliance with the provisions of the ORMCP and **Section 3.2.1.1** of the Plan. The lands are also located within a **Landform Conservation Area Category 2** in accordance with the ORMCP. The applicant has provided a landform conservation area assessment as part of the required Oak Ridges Moraine Conformity Report in accordance with **Policies 3.2.1.1(18)** and **3.2.1.1(35)** of the Plan. It should also be noted that the subject 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 (refer to Map 5). Areas of High Aquifer Vulnerability are susceptible to contamination. Certain uses that may cause contamination or negatively impact water quality, as described in **Policy 3.2.1.1(37)**, are prohibited in these areas. The residential use proposed does not conflict with these policies and are permitted.

A more detailed review and evaluation of the submitted applications in the context of applicable policies in the Plan will be completed following the receipt of comments from Council, the public and City departments/external agencies.

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### Department and External Agency Comments:

The subject Official Plan and Zoning By-law Amendment applications and 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.

#### Urban Design Section

The City's Urban Design Section has advised that the proposed 3 storey townhouses appropriately address the transition criteria for developments adjacent to existing low and medium-density neighbourhoods. Staff note that the proposed setbacks appear adequate, but the dimensions of the proposed outdoor amenity spaces for the townhouse units are not identified on the submitted Site Plan drawing. A detailed architectural review will be required and undertaken through the Site Plan Approval process.

#### Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning staff has indicated the submission of a Landscape Plan is required as part of a future Site Plan application. Staff has also advised that technical comments will be provided through the future Site Plan application.

#### Development Planning Division

Development Planning staff has completed a preliminary review of the applicant's development proposal, including plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- medium density residential uses such as townhouses are permitted within the **Neighbourhood** designation (**Policy 4.9.1.2(b)**), subject to the policies of **Section 4.9.1.2** of the Plan. In this regard, further review of the submitted applications with respect to the locational criteria for medium density residential development is required;
- in accordance with **Policy 4.9.1(4)** of the Plan, the **Neighbourhood** designation permits a maximum building height of 3 storeys, except on an arterial street (i.e. Bayview Avenue) where the maximum building height shall be 4 storeys. The subject development proposal contemplates a building height of 3 storeys, which meets the maximum height requirement in the Plan;
- in accordance with **Policy 4.9.1.2(3)** of the Plan, the **Neighbourhood** designation permits a maximum density 50 units per hectare (20 units per acre) for medium density residential development. The subject development proposal contemplates a density of 48.41 units per hectare (19.79 units per acre), which meets the density criteria as set out in the Plan;

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- the lands are designated **Settlement Area** under the Plan and the ORMCP and are subject to the policies of **Section 3.2.1.1** of the Plan. The lands are also located within a **Landform Conservation Area Category 2** in accordance with the ORMCP. The required Oak Ridges Moraine Conformity Report was provided in support of the applications in accordance with **Policies 3.2.1.1.18, 3.2.1.1.35 and 3.2.1.1(37)** of the Plan. The proposal must demonstrate how it meets the applicable policies of the Plan in this regard;
- a submitted Commercial Needs Analysis has been peer reviewed by Kircher Research Associates Ltd. on behalf of the City and concludes that while the residential areas in the site vicinity are fully developed and the residing population is currently satisfying any retail and related service needs in other areas, the subject lands would serve as an ideal location for a neighbourhood convenience centre development;
- additional review is required to determine the impact of the removal of this site from the existing neighbourhood commercial inventory of sites in this area and thereby determine the appropriateness of a medium density residential development on these lands;
- should a medium density residential development be deemed appropriate on the subject lands, appropriate development standards will be required to accommodate appropriate landscaping and outdoor amenity space;
- should a medium density residential development be deemed appropriate on the subject lands, an application for Site Plan approval will be required to facilitate the proposed development. The required Site Plan application shall be submitted prior to finalizing the implementing Zoning By-law;
- the applicant will be required to demonstrate conformity with the urban design policies of the Plan (**Section 4.9.2**) and the proposed development will be assessed on the basis of the City-wide Urban Design Guidelines;
- the applicant must satisfactorily address issues and requirements identified by City departments and external agencies that have been requested to review the applicant's development proposal. In this regard, it should be noted that a number of comments from the City departments and external agencies remain outstanding at the time of writing of this report; and,
- staff will continue to work with the applicant through the review of the form, content and appropriateness of the draft Official Plan and Zoning By-law Amendments.

A comprehensive review of the subject Official Plan and Zoning By-law Amendment applications will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public. This detailed review will be completed in advance of and addressed as part of a recommendation report to be prepared for a future Council meeting

### Other City Department and External Agency Comments

Comments have also been received from Alectra Utilities, Rogers Cable and the Regional Municipality of York, in addition to the City's Building Services Division –

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Building Section and Financial Services Division. 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.

### **Outstanding City Department and External Agency Comments**

As of the writing of this report, comments remain outstanding from the City's Development Engineering Division and Building Services Division – Zoning Section, as well as the Toronto and Region Conservation Authority, Canada Post, Enbridge Gas Inc. and Bell Canada.

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

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

### **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 Official Plan Amendment and Zoning By-law Amendment applications to permit the construction of a medium density residential development consisting of 19 townhouse 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 the contact person listed in this document.

- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Schedule A2 – Land Use
- Map 5 Official Plan Schedule A5 – ORM Areas of High Aquifer Vulnerability and Wellhead Protection Areas

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- Map 6 Official Plan Appendix 7 – Existing Neighbourhood Commercial Sites
- Map 7 Proposed Conceptual Site Plan
- Map 8 Proposed Townhouse Elevations (Street Facing)
- Map 9 Proposed Townhouse Elevations (Lane Facing)

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### Report Approval Details

Document Title:	2706379 Ontario Limited.docx
Attachments:	<ul style="list-style-type: none"><li>- MAP_1_AERIAL_PHOTOGRAPH.pdf</li><li>- MAP_2_NEIGHBOURHOOD_CONTEXT.pdf</li><li>- MAP_3_EXISTING_ZONING_S119004A_S219021A.pdf</li><li>- MAP_4_OFFICIAL_PLAN_SCHEDULE A2-LAND USE.pdf</li><li>- MAP_5_OFFICIAL_PLAN_SCHEDULE_A5 - ORM Areas of High Aquifer Vulnerability and Wellhead Protection Areas.pdf</li><li>- MAP_6_OFFICIAL_PLAN_APPENDIX_7-Existing Neighbourhood Commercial Sites.pdf</li><li>- MAP_7_PROPOSED_CONCEPTUAL SITE PLAN.pdf</li><li>- MAP_8_PROPOSED TOWNHOUSE ELEVATIONS (Street Facing).pdf</li><li>- MAP_9_PROPOSED TOWNHOUSE ELEVATIONS (Lane Facing).pdf</li></ul>
Final Approval Date:	Feb 18, 2020

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

**Gus Galanis - Feb 18, 2020 - 3:42 PM**

**Kelvin Kwan - Feb 18, 2020 - 3:50 PM**

**MaryAnne Dempster - Feb 18, 2020 - 3:55 PM**