



## **Staff Report for Council Meeting**

**Date of Meeting:** March 11, 2020

**Report Number:** SRPRS.20.037

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.20.037 – Request for Approval – Draft  
Plan of Subdivision Application – Tania  
Alexandra Pacitto – City File D03-19001**

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### **Owner:**

Tania Alexandra Pacitto  
154 Oxford Street  
Richmond Hill, Ontario L4C 4L7

### **Agent:**

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

### **Location:**

Legal Description: Part of Lot 44, Plan 1999  
Municipal Address: 154 Oxford Street

### **Purpose:**

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

### **Recommendations:**

- a) **That the draft Plan of Subdivision application submitted by Tania Alexandra Pacitto for lands known as Part of Lot 44, Plan 1999 (Municipal Address: 154 Oxford Street), City File D03-19001, be approved, subject to the following:**
  - (i) **that the Plan of Subdivision as depicted on Map 4 to Staff Report SRPRS.20.037 be draft approved, subject to the conditions as set out in Appendix “B” hereto;**

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- (ii) **that prior to draft approval being granted, the applicant pay the applicant processing fee in accordance with the City's Tariff of Fees By-law 108-19;**
- b) **That Council approve the Site Plan Control By-law as set out in Appendix "C" to Staff Report SRPRS.20.037 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,**
- c) **That 14.04 persons equivalent of 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 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

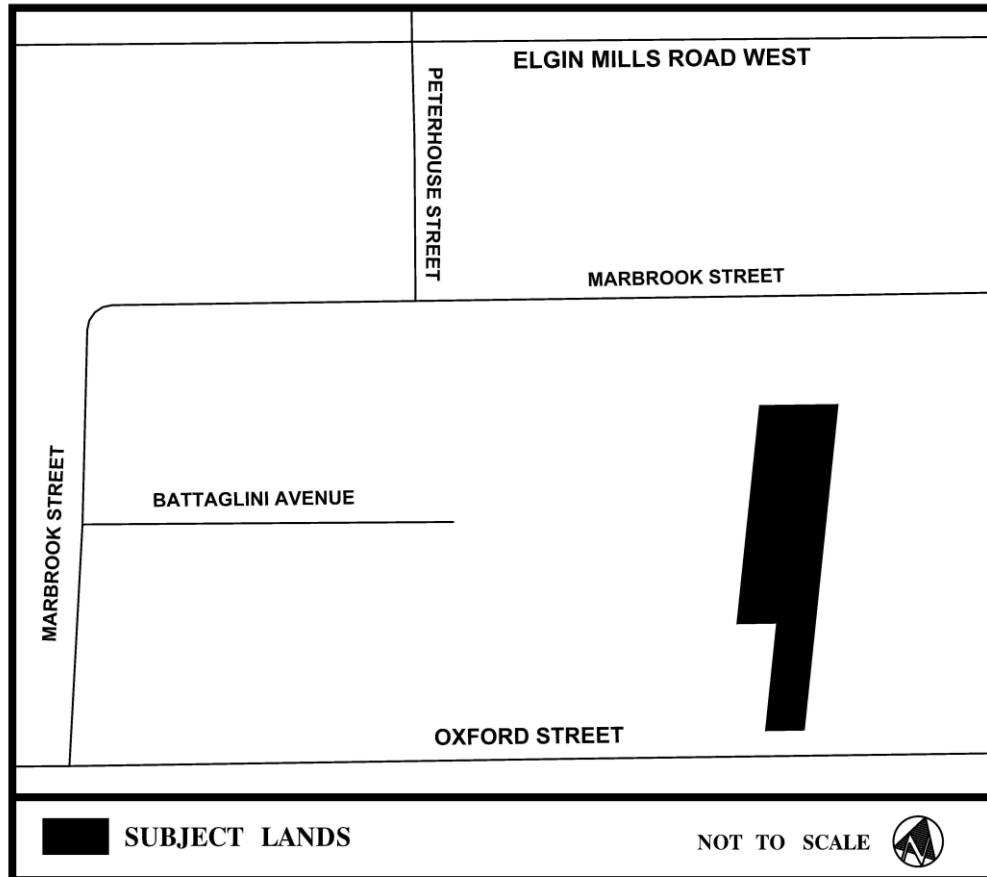
**Approved by:** Mary-Anne Dempster, Interim City Manager

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.

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### 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 22, 2019 wherein Council received Staff Report SRPRS.19.090 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 August 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, south of Marbrook Street and have a total area of approximately 0.34 hectares (0.84 acres) (refer to Map 1). The lands support an existing single detached dwelling that is proposed to be retained and abut Oxford Street to the south and low density residential uses to the north, west and east. It should be noted that a draft Plan of Subdivision (City File D03-18001) has been draft approved for the adjacent lands situated to the west of the subject development, municipally known as 158, 160, 162 and 170 Oxford Street. The above draft Plan of Subdivision contemplates a total of 15 single detached residential lots and the 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 five single detached dwelling lots and the extension of Battaglini Avenue on the subject lands (refer to Map 4). The applicant’s development proposal contemplates the existing single detached dwelling located at 154 Oxford Street to be retained, as well as four additional single detached dwelling lots having frontage on the proposed 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:

- |                                 |                                     |
|---------------------------------|-------------------------------------|
| • <b>Total Area:</b>            | <b>0.339 hectares (0.84 acres)</b>  |
| ○ <b>Residential Lot Area:</b>  | <b>0.276 hectares (0.68 acres)</b>  |
| ○ <b>Street Area:</b>           | <b>0.062 hectares (0.15 acres)</b>  |
| ○ <b>Reserve Block Area:</b>    | <b>0.001 hectares (0.002 acres)</b> |
| • <b>Total Number of Units:</b> | <b>5</b>                            |

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- **Existing Lot Frontage (Oxford Street):** 15.71 metres (51.5 feet)
- **Proposed Lot Frontages (Extension):** approximately 15.6 metres (51.2 feet)
- **Proposed Lot Areas:**
  - **Lot 1:** approximately 520 square metres (5,597.23 square feet)
  - **Lot 2:** approximately 520 square metres (5,597.23 square feet)
  - **Lot 3:** approximately 527 square metres (5,672.58 square feet)
  - **Lot 4:** approximately 527 square metres (5,672.58 square feet)
  - **Lot 5:** approximately 665 square metres (7,158 square feet)

## 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). 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. 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 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. 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 be subject to the requirements of Section 19(3) and 31(4) of the ORMCP and Section 3.2.1.1 of the Plan. It should be noted that Schedule A4 of the Plan identifies the presence of a *Significant Woodland* to the east of the subject lands. Notwithstanding

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the preceding, the submitted Natural Heritage Evaluation has been reviewed by the appropriate departments and agencies and staff is satisfied that adjacent vegetation does not meet the applicable criteria to be considered a *Significant Woodland*.

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 and **Third Density Residential (R3) Zone** under By-law 2523, as amended (refer to Map 3). Single detached dwellings as proposed by the subject application are permitted within both the **R6** and **R3 Zones**. In accordance with the submitted draft Plan of Subdivision, proposed Lots 1 and 3 are located within the **R6 Zone**, whereas proposed Lots 2, 4 and 5 are located within the **R3 Zone**. The following is a summary table outlining the relevant development standards of the **R6** and **R3 Zones**:

Development Standard	R6 Zone	R3 Zone
Minimum Lot Frontage, Interior Lot	15 metres (49.2 feet)	15.24 metres (50 feet)
Minimum Lot Area, Interior Lot	502 metres (5,403.5 square feet)	557.42 square metres (6,000 square feet)
Minimum Front Yard	4.5 metres (14.8 feet)	7.62 metres (25 feet)
Minimum Side Yard	1.5 metres (4.9 feet)	1.52 metres (5 feet)
Minimum Rear Yard	7.5 metres (24.6 feet)	7.62 metres (25 feet)
Maximum Lot Coverage	40%	30%
Maximum Height	11 metres (36.1 feet)	10.67 metres (35 feet)

Planning staff has reviewed the applicant's draft Plan of Subdivision, including proposed lot areas and is satisfied that the proposed lot pattern is compatible with surrounding lot fabric and appropriate for the development of the lands.

On the basis of the materials submitted to the City, all of the lots proposed as part of the applicant's draft Plan of Subdivision would comply with the minimum lot frontage requirements of the applicable Zoning By-laws. However, the proposed lot areas for Lots 2 and 4 are approximately 520 square metres and 527 square metres in size respectively, which would not comply with the minimum lot area requirements under By-law 2523, as amended. In this regard, the appropriate relief from the applicable provisions of the Zoning By-law will need to be sought and any approvals must be final

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and binding prior to final approval and registration of the applicant's draft Plan of Subdivision. It should be noted that at the time of writing of this report, relief from the Zoning By-law has not been sought by the applicant in support of the submitted draft Plan of Subdivision.

### **Proposed Draft Plan of Subdivision**

The submitted draft Plan of Subdivision application contemplates the creation of four additional single detached residential lots and the extension of Battaglini Avenue. In this regard, the proposed development comprises an existing lot maintaining frontage on Oxford Street and four proposed lots to be established within the rear portion of the subject lands, which are to have frontage onto the proposed easterly extension of Battaglini Avenue. As noted previously, the adjacent draft approved Plan of Subdivision (City File D03-18001) contemplates the extension of Battaglini Avenue, which would connect the current easterly terminus of Battaglini Avenue to the boundary of the subject lands (refer to Map 4). The applicant's proposed draft Plan of Subdivision includes a reserve block adjacent to the easterly limit of the subject lands.

Subject to the conditions of draft approval contained in Appendix "B" attached hereto, staff is of the opinion that the proposed development conforms with the Plan and has appropriate regard for the criteria under Subsection 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 circulation departments and agencies at the time of writing of this report. Applicable conditions of draft approval are contained in Appendix "B" 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, including requirements with respect to cost recovery for servicing.

#### **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, as well as comments to be considered during a more detailed stage in the approval process. In addition, Park and Natural Heritage Planning staff recommend that Council resolve to accept cash-in-lieu of parkland dedication due to the proximity of the subject lands to Karindon Park.

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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 general comments pertaining to the provision of sidewalk facilities, servicing allocation and the submitted Functional Servicing Report.

### Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority has reviewed the applicant's draft Plan of Subdivision and has provided technical comments related to hydrogeology and water balance mitigation measures to be addressed as part of the detailed design phase of the proposed development. As the subject lands are not located within TRCA's Regulated Area, a permit under Ontario Regulation 166/06 is not required with respect to the proposed development.

### 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 residential development is permitted within the **Neighbourhood** designation of the Plan; and,
- the proposed lot sizes are compatible and generally in keeping with the established lot patterns within the area.

As noted in the earlier sections of this report, proposed Lots 2 and 4 do not comply with the minimum required lot area on the basis of the plans submitted to the City. In this regard, any approvals granted to provide relief from the applicable provisions of the Zoning By-law(s) must be final and binding prior to registration of the subdivision.

In addition, the applicant has indicated that the existing single detached dwelling located on the subject lands is proposed to remain. In accordance with the conditions of draft approval as set out in Appendix "B", confirmation that the existing dwelling would comply with the applicable provisions of the Zoning By-law(s) will be required prior to registration of the subdivision.

### 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 development proposal. The submitted Metrics demonstrates an Overall Application score of 22 points, which achieves a "good" score in accordance with the City's sustainability performance



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criteria. Staff has reviewed the applicant's submission, including proposed implementation measures and finds it acceptable. To secure implementation of the sustainability commitments at the Building Permit stage, staff recommends that Site Plan Approval be required for the subject lands.

The subject lands comprise one existing single detached dwelling lot, resulting in a servicing allocation credit of 3.56 persons equivalent. In consideration that a total of four additional single detached dwelling lots are proposed, municipal servicing allocation for an additional 14.04 persons will be required.

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

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

### **Relationship to the Strategic Plan:**

The recommendations of this report are aligned with **Goal Two – Better Choice in Richmond Hill** in expanding options for housing within the City, as well we **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 five 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 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.

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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, Proposed Draft Plan of Subdivision
- Appendix A, Extract from Council Public Meeting C#23-19 held May 22, 2019
- Appendix B, Schedule of Draft Plan of Subdivision Conditions
- Appendix C, Draft Site Plan Control By-law

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### Report Approval Details

Document Title:	SRPRS.20.037 - Request for Approval - Draft Plan of Subdivision Application.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPRS.20.037 Map 1.pdf</li><li>- SRPRS.20.037 Map 2.pdf</li><li>- SRPRS.20.037 Map 3.pdf</li><li>- SRPRS.20.037 Map 4.pdf</li><li>- SRPRS.20.037 Schedule A.pdf</li><li>- SRPRS.20.037 Schedule B.pdf</li><li>- SRPRS.20.037 Schedule C.pdf</li></ul>
Final Approval Date:	Feb 24, 2020

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

**Gus Galanis - Feb 21, 2020 - 2:59 PM**

**Kelvin Kwan - Feb 21, 2020 - 3:07 PM**

**MaryAnne Dempster - Feb 24, 2020 - 5:49 PM**