



Staff Report for Council Meeting

Date of Meeting: July 8, 2020
Report Number: SRPRS.20.100

Department: Planning and Regulatory Services
Division: Development Planning

Subject: SRPRS.20.100 - Request for Approval - Zoning By-law Amendment Application - Vladimir Mirkin and Svetlana Platonova - City File D02-19019

Owners:

Vladimir Mirkin and Svetlana Platonova
301 Harris Avenue
Richmond Hill, Ontario
L4E 3M3

Agent:

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

Location:

Legal Description: Lot 4, Registered Plan 65M-2071
Municipal Address: 301 Harris Avenue

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to permit the creation of two additional building lots on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment application submitted by Vladimir Mirkin and Svetlana Platonova for the lands known as Lot 4, Registered Plan 65M-2071 (Municipal Address: 301 Harris Avenue), City File D02-19019, be approved, subject to the following:
 - (i) that the subject lands be rezoned from Urban (UR) Zone under By-law 128-04, as amended, to Single Detached Six (R6) Zone under By-law 235-97, as amended, as outlined in Staff Report SRPRS.20.100; and,

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- (ii) that the amending Zoning By-law be brought forward to the July 8, 2020 Council meeting for consideration and enactment.

Contact Person:

Joseph M. Liberatore, Planning Technician, phone number 905-747-6354 and/or
Denis Beaulieu, Manager of Development - Subdivisions, phone number 905-771-2540

Report Approval:

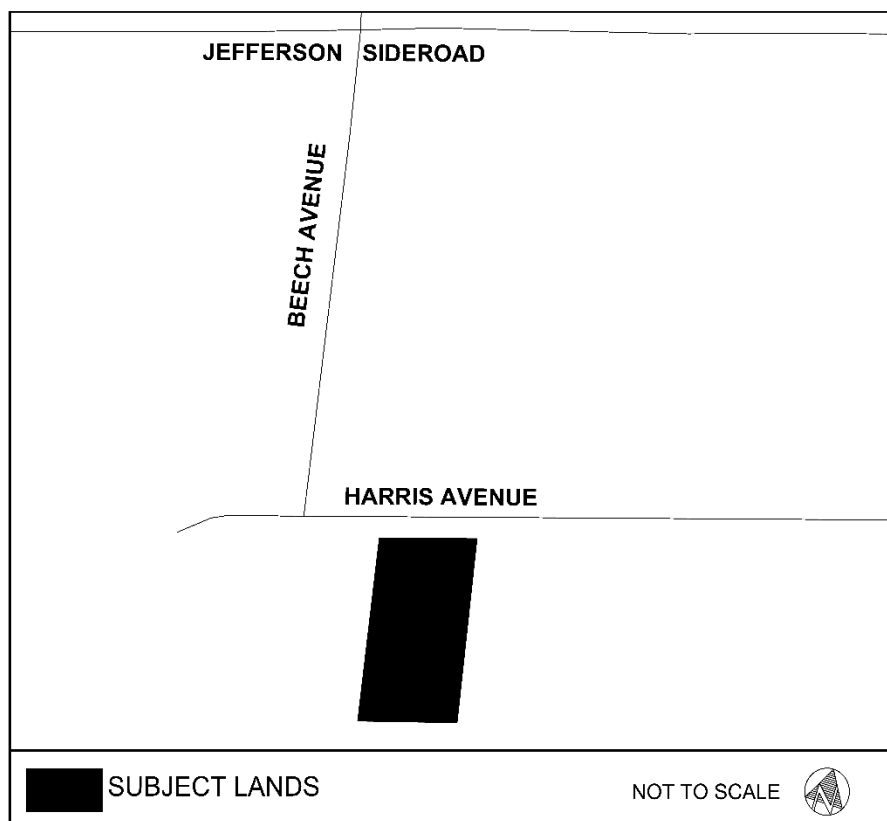
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Mary-Anne Dempster, City Manager

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:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on February 19, 2020 wherein Council received Staff Report SRPRS.20.028 for information purposes and directed that all comments be referred back to staff for further consideration (refer to Appendix “A”). No members of the public spoke to the application and no concerns were raised by Council at the meeting.

All comments from internal departments and external agencies have now been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment application.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Harris Avenue, east of Beech Avenue (refer to Map 1). The lands have a total lot area of approximately 0.4198 hectares (1.037 acres) and a lot frontage of 47.16 metres (154.72 feet) along Harris Avenue. The lands currently support a two-storey single detached dwelling that is proposed to be demolished to facilitate the applicant’s development proposal.

The lands are located within a mature residential neighbourhood which is undergoing infill development and abut Harris Avenue to the north, natural heritage features to the south, existing single detached dwellings to the east and a draft approved Plan of Subdivision (City File D03-14009) consisting of 6 single detached dwelling units to the west (refer to Map 2).

Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to permit the creation of two additional building lots, resulting in a total of three lots for single detached residential purposes on its land holdings (refer to Map 6). 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 Lot Area:** 0.4198 hectares (1.037 acres)
- **Total Lot Frontage:** 47.16 metres (154.72 feet)
- **Proposed Lot 1 (West):**
 - **Lot Frontage:** 15.2 metres (49.87 feet)
 - **Lot Area:** 1,347 square metres (14,498.99 square feet)
- **Proposed Lot 2 (Middle):**
 - **Lot Frontage:** 15.2 metres (49.87 feet)
 - **Lot Area:** 1,349 square metres (14,520.52 square feet)
- **Proposed Lot 3 (East):**
 - **Lot Frontage:** 16.5 metres (54.13 feet)
 - **Lot Area:** 1,502 square metres (16,167.39 square feet)
- **Total Number of Units:** 3
- **Number of Storeys:** 2
- **Proposed Density:** 7.15 units per hectare (17.67 units per acre)

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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") and are located within the Harris-Beech Infill Study area, as outlined in **Section 4.9.1.1.1(j)** of the Plan (refer to Map 4). Uses permitted within the Neighbourhood designation include primarily low-density residential uses. In this regard, single detached dwellings as proposed by the subject application are permitted within the **Neighbourhood** designation.

Section 4.9.2 of the Plan also requires development to be compatible with the character of the adjacent and surrounding areas with respect to the predominant building forms and types, massing, and the general pattern of yard setbacks. Where development is subject to an Infill Plan or Tertiary Plan, development shall be evaluated on the basis of the criteria as set out in the applicable Infill Plan or Tertiary Plan approved by Council for the area. As noted previously, the lands are located within the Harris-Beech Infill Study area and are subject to the guidelines which are discussed in greater detail below.

The subject lands are also located within the **Settlement Area** of the Oak Ridges Moraine as defined in accordance with the *Oak Ridges Moraine Conservation Plan* ("ORMCP"). As per **Section 3.2.1.1(18)** of the Plan, all uses that are otherwise permitted under the Plan shall be permitted within the **Settlement Area**. Furthermore, **Section 3.2.1.1(21)** of the Plan applies with respect to Minimum Area of Influence and Vegetation Protection Zones, which implements the Key Natural Heritage Feature policies of the ORMCP. The applicant has submitted a Natural Heritage Evaluation ("NHE") prepared by Beacon Environmental in support of the proposed development. The NHE has determined that the subject lands are not impacted by any Key Natural Heritage Features and are not within the Minimum Area of Influence and Vegetation Protection Zones as prescribed in both the Plan and the ORMCP.

The lands are also 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. Lands within an Area of High Aquifer Vulnerability are susceptible to contamination from both human and natural impacts on water quality. **Section 3.2.1.1(37)** of the Plan identifies additional uses prohibited within an Area of High Aquifer Vulnerability. The proposed residential uses are not anticipated to affect the Area of High Aquifer Vulnerability.

Lastly, the subject lands are located within a **Category 2 Oak Ridges Moraine Landform Conservation Area** in accordance with Schedule A6 – Landform Conservation Areas of the Plan. The landform conservation policies of the Plan implement the ORMCP and serve to ensure that development and site alteration minimize disturbances to landform character in accordance with **Section 3.2.1.1.35**. In this regard, when reviewing development applications within Settlement Areas of the ORMCP, approval authorities and proponents of development must identify planning,

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design and construction practices that will keep disturbance to landform character to a minimum where possible, including:

- maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
- limiting the portion of the net developable area of the site that is disturbed to not more than 50 percent of the total area of the site; and,
- limiting the portion of the net developable area of the site that has impervious surfaces to not more than 20 per cent of the total area of the site.

The submitted NHE addresses the landform conservation policies of the ORMCP and provides that minor grading will be required to accommodate the proposed development, but that best efforts will be implemented so as not to affect the landform characteristics. Detailed Grading Plans will be required at the Consent approval stage. Given the depth of the proposed lots, there will be sufficient opportunity to minimize grading, site alteration and impervious surfaces on the subject lands, including the preservation of an existing mature hedgerow along the south property line in the rear yard.

Given all of the above, staff is of the opinion that the applicant's development proposal conforms with the applicable provisions of the Official Plan and the *Oak Ridges Moraine Conservation Plan*.

Harris-Beech Infill Study

The subject lands are located within the boundaries of the Harris-Beech Infill Study (the "Study"), which was approved by Council on February 24, 2014. The Study provides design objectives to guide future infill development along new and existing residential streets. The Study primarily focuses on larger infill developments contemplated within the Study area and provides general guidelines for redevelopment on existing streets in various conceptual development scenarios. The general intent of the Study is to ensure that new development fits contextually within the existing neighbourhood.

The applicant's proposal is generally aligned with the recommendations in Scenario D of the Study and the guidelines for Low-Density Housing Forms along existing streets direct the preservation of existing vegetation and recommend the establishment of minimum lot frontages of 15 metres (49.2 feet) and a maximum building height of 2 storeys (refer to Map 5).

Given all of the above, Planning staff is of the opinion that the proposed lots and single detached dwellings are consistent with the recommendations of the Study and are in keeping with the overall development patterns of the surrounding neighbourhood.

Zoning By-law Amendment Application

The subject lands are zoned **Urban (UR) Zone** under By-law 128-04, as amended (refer to Map 3). The applicant proposes to rezone the subject lands to **Single Detached Six (R6) Zone** under Zoning By-law 235-97, as amended, to facilitate the creation of two additional building lots on its land holdings. The proposed zoning would

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allow for the creation of building lots with reduced lot frontages, lot areas and side yard setbacks than those permitted under the current zoning.

The following table provides a summary of development standards applicable to the proposed **Single Detached Six (R6) Zone** category under Zoning By-law 235-97, as amended. No site-specific exceptions have been requested.

Development Standards	Proposed R6 Zone under By-law 235-97, as amended	Proposed Development
Minimum Lot Frontage (Interior)	15.0 metres (49.21 feet)	Complies
Minimum Lot Area (Interior)	500.0 square metres (5,381.96 square feet)	Complies
Maximum Lot Coverage	40%	Complies
Minimum Required Front Yard	4.5 metres (14.76 feet)	Complies
Minimum Required Side Yard	1.5 metres (4.92 feet)	Complies
Minimum Required Rear Yard	7.5 metres (24.61 feet)	Complies
Maximum Height	11.0 metres (36.09 feet)	Complies

Planning staff has reviewed the applicant's Zoning By-law Amendment request and finds that the proposal to rezone the subject lands to **Single Detached Six (R6) Zone** under By-law 235-97, as amended, is consistent with the overall policy direction for the area. Furthermore, staff is of the opinion that the proposed new development standards associated with the **R6 Zone** are appropriate in consideration of the overall design of the development proposal, as well as the built form envisioned for the Harris-Beech Infill Study area.

It should be noted that the development proposal will be facilitated through the submission and approval of future Consent applications.

City Department and External Agency Comments:

Circulated City departments and external agencies have no further comments or objections with respect to the proposed Zoning By-law Amendment application. Technical comments will be addressed through the subsequent Consent and Site Alteration Permit application processes.

The following sections provide an overview of the comments received from the circulated departments and external agencies for consideration of the future Consent applications.

Development Engineering Division

The City's Development Engineering Division has advised that there are currently no servicing connections to the subject lands and that municipal services will be installed along Harris Avenue in conjunction with the draft approved Plan of Subdivision to the north (File 19T-14008). In this regard, grading and servicing will need to be coordinated with the adjacent lands and an updated Functional Servicing Report will be required at the Consent application stage.

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Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has no objection to the proposed Zoning By-law Amendment application and advises that the tree preservation, removal, replacement and compensation requirements will be further refined through the subsequent Site Alteration Permit and Consent processes. Parks staff further advises that the mature hedgerow in the rear yard of the subject lands is to be protected from injury or destruction from construction activities associated with the grading works and the construction of the new dwellings.

Toronto and Region Conservation Authority (TRCA)

The TRCA has provided their clearance for the subject Zoning By-law Amendment application and have provided stormwater quality and quantity control measures to be considered in the future Consent applications. Further, TRCA staff has advised that a permit will not be required in accordance with Ontario Regulation 166/06 prior to any works occurring on the subject property, as the lands are located outside of a TRCA regulated area.

Development Planning Division

Planning staff has undertaken a comprehensive review and analysis of the applicant's development proposal and provides the following for consideration:

- the proposed single detached dwellings are permitted within the **Neighbourhood** designation of the Plan and within the Harris-Beech Infill Study approved by Council;
- the proposed development contemplates a site density of 7.15 units per hectare (17.67 units per acre) which promotes small-scale residential infill intensification in a built-up area and which is encouraged and reinforced through the Plan;
- the proposed lotting configuration and zone category have consideration for the existing pattern of development that has been approved in the adjacent draft Plan of Subdivision (City File 19T-14008) on the north side of Harris Avenue;
- the applicant has submitted a revised Natural Heritage Evaluation ("NHE") that clarifies there are no Key Natural Heritage Features on the subject lands, nor are the lands within a Minimum Area of Influence and Vegetation Protection Zones as delineated by the Plan and the ORMCP. Accordingly, a buffer zone to the existing hedgerow will not be required in order to facilitate the applicant's development proposal; and,
- the proposed lots have sufficient depth to facilitate a development envelope which can minimize the amount of grading, site alteration and impervious surfaces in order to protect the landform and the existing mature hedgerow along the southerly property line. In this regard, detailed Grading Plans will be required at the Consent and Site Alteration Permit stages of the approval process.

In accordance with the comments above, Planning staff have no further comments or objections with respect to the Zoning By-law Amendment application.

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Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The recommendations of this report are aligned with **Goal Two - Better Choice in Richmond Hill** by providing housing that offer options for people at all stages of life, in addition to **Goal Four - Wise Management of Resources in Richmond Hill** by designing energy efficient dwellings and using land responsibly.

Conclusion:

The applicant is seeking Council's approval of its proposed Zoning By-law Amendment application to permit the creation of two additional building lots on its land holdings. Staff is of the opinion that the submitted application conforms to the City's Official Plan and the *Oak Ridges Moraine Conservation Plan*, and that the proposed development is appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application in accordance with the direction 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 contact person listed in this document.

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Zoning Map
- Map 4, Official Plan Designation
- Map 5, Harris-Beech Infill Study - Scenario D
- Map 6, Proposed Lotting Plan
- Appendix A, Extract from Council Public Meeting C#05-20 held February 19, 2020
- Appendix B, Draft Zoning By-law

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Report Approval Details

Document Title:	SRPRS.20.100 - Request for Approval - Zoning By-law Amendment Application - D02-19019.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.20.100 - MAP_1_AERIAL_PHOTOGRAPH.pdf- SRPRS.20.100 - MAP_2_NEIGHBOURHOOD_CONTEXT.pdf- SRPRS.20.100 - MAP_3_EXISTING_ZONING.pdf- SRPRS.20.100 - MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf- SRPRS.20.100 - MAP_5_HARRIS_BEECH_INFILL_STUDY.pdf- SRPRS.20.100 - MAP_6_PROPOSED_LOTTING_PLAN.pdf- SRPRS.20.100 - Appendix A.pdf- SRPRS.20.100 - Appendix B.pdf
Final Approval Date:	Jun 17, 2020

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

Gus Galanis - Jun 17, 2020 - 10:23 AM

Kelvin Kwan - Jun 17, 2020 - 10:34 AM

MaryAnne Dempster - Jun 17, 2020 - 1:35 PM