



Staff Report for Council Meeting

Date of Meeting: November 25, 2020

Report Number: SRPI.20.026

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.20.026 – Request for Approval – Deeming
By-law Application – Gregory Sorbara c/o
Adriana De Gregorio – City File D27-20003**

Owner:

Gregory Sorbara c/o Adriana De Gregorio
42 Routledge Drive
Richmond Hill, ON
L4E 0C4

Agent:

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

Location:

Legal Description: Block A, Plan M-1703
Municipal Address: 148 Glenada Court

Purpose:

A request for approval of a Deeming By-law application to deem Block A, Plan M-1703 not to be a block within a registered Plan of Subdivision.

Recommendations:

- a) **That Staff Report SRPI.20.026 be received and that the Deeming By-law Application submitted by Gregory Sorbara c/o Adriana De Gregorio for the lands known as Block A, Plan M-1703 (Municipal Address: 148 Glenada Court), City File D27-20003 be approved, subject to the following:**
 - (i) **That the Deeming By-law be brought forward to the November 25, 2020 Council meeting for consideration and enactment.**

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Contact Person:

Simone Fiore, Planner II – Subdivisions, phone number 905-771-2479 and/or
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

Report Approval:

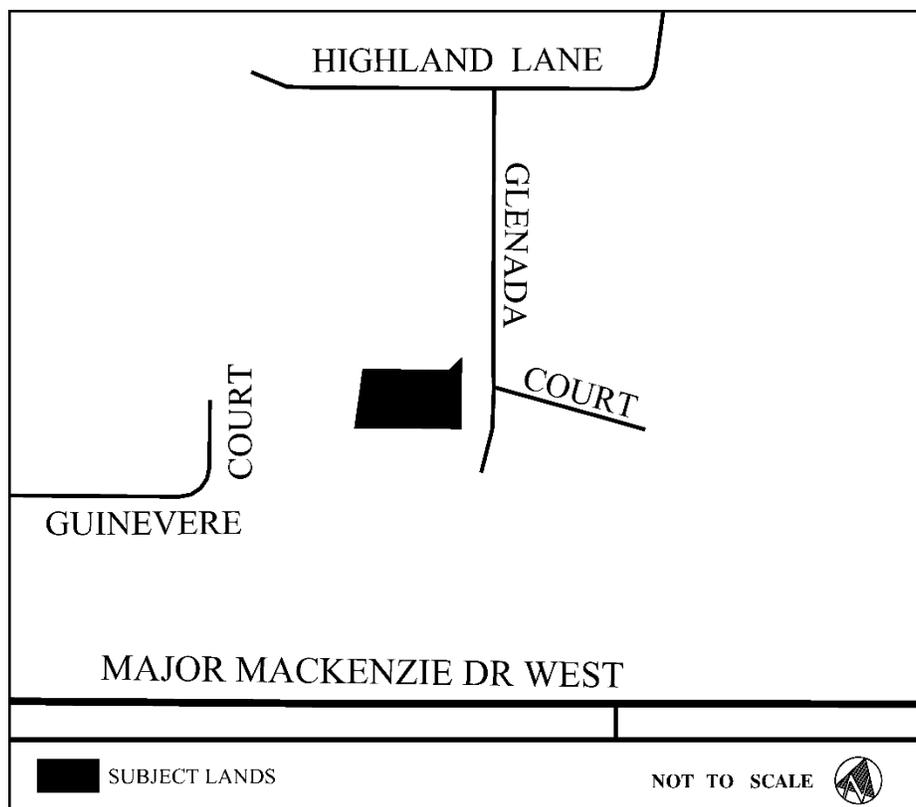
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 “Contact” above.



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Background:

The subject Deeming By-law application was received by the City on October 19, 2020 and deemed complete on October 23, 2020. The applicant is requesting approval of its request for Council to deem Block A, Plan M-1703 not to be a block within a registered Plan of Subdivision for the purposes of Section 50(3) of the *Planning Act*.

On November 21, 2019, the Committee of Adjustment approved a Consent application (File B043/19) to sever part of the adjacent property to the north as a lot addition to be merged on title with the subject lands (refer to Map 5). Minor Variance application (File A057/19) was approved concurrently to implement site specific development standards with respect to minimum lot area. As a condition of Consent approval, the applicant is required to obtain approval of a Deeming By-law application from Council in order to facilitate its development proposal.

The purpose of this report is to request approval of the applicant's Deeming By-law application in order to fulfill the conditions of the related Consent approval and to facilitate the approved lot addition.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the west side of Glenada Court south of Highland Lane (refer to Map 1). The lands have a lot frontage of approximately 27.77 metres (91.11 feet) and a lot area of approximately 709.0 square metres (7,631.61 square feet). The lands abut single detached dwellings to the north, south and west, and Glenada Court to the east. The lands are presently vacant and will be developed with a single detached dwelling in the future.

Planning Analysis:

City of Richmond Hill Official Plan

The applicant's land holdings 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 low-density residential uses, medium density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service commercial uses, subject to specific policy criteria as outlined in Chapter 4 of the Plan.

Existing Zoning By-law

The lands are zoned **Residential First Density (R1) Zone** under By-law 66-71, as amended, and a single detached dwelling is a permitted use. As noted previously, a Minor Variance application requesting relief from the required minimum lot area of 464.5 square metres (5,000 square feet) was approved for the subject lands.

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Department and External Agency Comments:

The subject application has been circulated to various City departments and external agencies for information purposes only.

Development Planning Division

Consent Application B043/19 proposes the severance of a portion of 148 Glenada Court which is to then be merged with Block A, Plan M-1703, located immediately to the south. As a condition of its approval, the applicant was required to submit a Deeming By-law application for approval by Council. The purpose of the Deeming By-law is to ensure that the severed lands from 148 Glenada Court merge on title with Block A, Plan M-1703, and that the severed lands are not conveyable as a separate parcel of land in the future.

The proposed request, if approved, would deem the subject lands to not be within a Plan of Subdivision, and have the effect of releasing the lands from Subdivision control. This will ensure that Part of Lot 7, Plan M-1703 will merge with Block A, Plan M-1703, as approved by the Committee of Adjustment on November 21, 2019 (refer to Maps 4 and 5).

Planning staff has reviewed the applicant's Deeming By-law application and have no objections to its approval as it will facilitate the direction from the Committee of Adjustment. On the basis of the preceding, it is recommended that the implementing by-law be forwarded to Council for enactment in order to deem Block A, Plan M-1703 not to be a block within a registered Plan of Subdivision for the purposes of Section 50(3) of the *Planning Act*. The proposed by-law has been attached as Appendix "A" to this report for Council's review and consideration.

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 do not have any direct implications with respect to the City's Strategic Plan. The proposed development is generally aligned with **Goal Four – Wise Management of Resources in Richmond Hill** by using land responsibly.

Conclusion:

The applicant is seeking Council's approval of their Deeming By-law application to deem Block A, Plan M-1703 not to be a block within a registered Plan of Subdivision for the purposes of Section 50(3) of the *Planning Act*. Staff supports the applicant's request on the basis that the Deeming By-law will facilitate an approved Consent application by allowing the subject lands and the beneficiary lands to merge on title.

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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.

- Appendix A, By-law 138-20
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Plan M-1703
- Map 5, Concept Plan

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Report Approval Details

Document Title:	SRPI.20.026 - Request for Approval - Deeming By-law Application - 148 Glenada Court.docx
Attachments:	<ul style="list-style-type: none">- Appendix A, By-law 138-20.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_3_EXISTING_ZONING.pdf- MAP_4_PLAN M-1703.pdf- MAP_5_CONCEPT PLAN.pdf
Final Approval Date:	Nov 6, 2020

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

Gus Galanis - Nov 4, 2020 - 9:50 AM

Kelvin Kwan - Nov 4, 2020 - 5:26 PM

MaryAnne Dempster - Nov 6, 2020 - 10:11 AM