



Staff Report for Council Public Meeting

Date of Meeting: February 3, 2021

Report Number: SRPI.21.013

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.21.013 – Request for Comments – Zoning By-law Amendment Application – Marina Shcolyar – City File D02-20021 (Related File D06-20048)

Owner:

Marina Shcolyar
18 Erica Road
Vaughan, Ontario
L4J 2G1

Agent:

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

Location:

Legal Description: Lot 69 and Part of Lot 68, Plan 2300
Municipal Address: 109 Benson Avenue

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to facilitate the construction of a residential development comprised of two semi-detached and three street townhouse dwelling units on the subject lands.

Recommendation:

- a) That Staff Report SRPI.21.013 with respect to the Zoning By-law Amendment application submitted by Marina Shcolyar for the lands known as Lot 69 and Part of Lot 68, Plan 2300 (Municipal Address: 109 Benson Avenue), City File D02-20021, be received for information purposes only and that all comments be referred back to staff.

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Contact Person:

Amanda Dunn, Planner II – Site Plans, phone number 905-747-6480 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

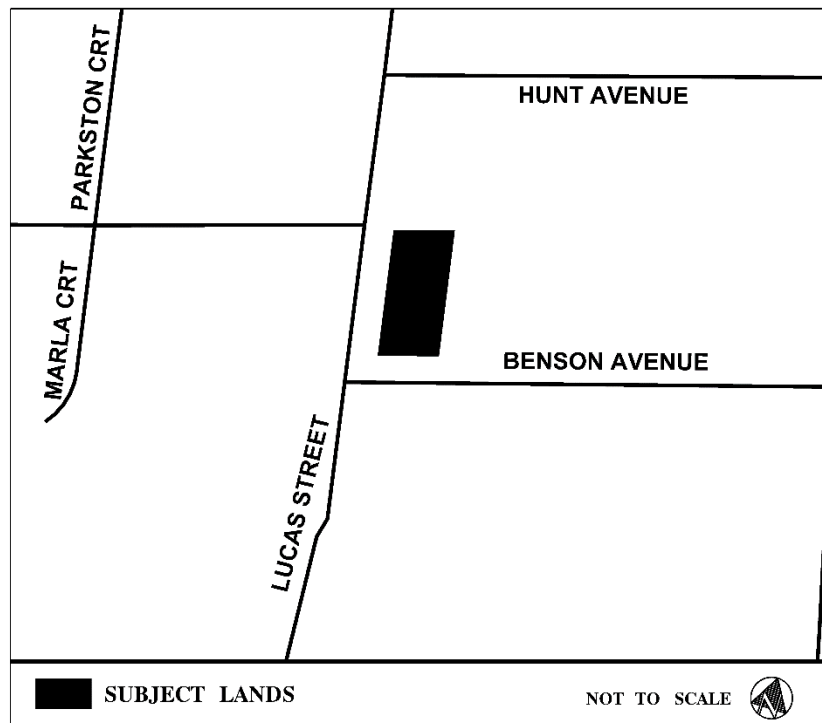
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 the “Contact Person” above.



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Background Information:

The subject Zoning By-law Amendment application and related Site Plan application (City File D06-20048) were received and deemed complete by the City on October 13, 2020. The applications 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 subject Zoning By-law Amendment application pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Summary Analysis:

Site Location and Adjacent Uses

The applicant's land holdings are located at the northeast corner of Benson Avenue and Lucas Street and have a total lot area of 0.097 hectares (0.24 acres). The lands have a lot frontage of approximately 21.8 metres (71.5 feet) along Benson Avenue, a lot frontage of approximately 45.12 metres (148 feet) along Lucas Street and currently support a one storey single detached dwelling that is proposed to be demolished (refer to Maps 1 and 2). The lands abut single detached dwellings to the north, Benson Avenue to the south, townhouse dwellings to the east and Lucas Street to the west.

Development Proposal

The applicant is seeking approval of its Zoning By-law Amendment application to permit the construction of a residential development comprised of two semi-detached and three street townhouse dwelling units on its land holdings (refer to Maps 6 to 8). The following is a summary of the pertinent development statistics of the subject development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** **0.0976 hectares (0.24 acres)**
- **Proposed Number of Units:** **5**
 - **Semi-Detached Dwellings:** **2**
 - **Townhouse Dwellings:** **3**
- **Proposed Gross Floor Area:**
 - **Semi-Detached Dwelling Units:** **149 to 162 sq. metres (1604 to 1747 sq. feet)**
 - **Townhouse Dwelling Units:** **185 to 187 sq. metres (1993 to 2016 sq. feet)**
- **Proposed Lot Frontage:**
 - **Semi-Detached Dwelling Units:** **9.68 metres (31.75 feet)**
 - **Townhouse Dwelling Units:** **6.0 metres (19.68 feet) to 8.45 metres (27.72 feet)**
- **Proposed Number of Storeys:** **3**
- **Proposed Building Height**
 - **Semi-Detached Dwelling Units:** **10.45 metres (34.28 feet)**
 - **Townhouse Dwelling Units:** **10.72 metres (35.17 feet)**
- **Proposed Parking Spaces:** **2 per unit (single car garage and driveway)**
- **Proposed Density:** **51 units per hectare (20 units per acre)**

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Supporting Documentation/Reports

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

- Planning Justification Report;
- Draft Zoning By-law Amendment;
- Sustainability Metrics;
- Topographical Survey;
- Context Plan;
- Site Plan;
- Site Grading and Servicing Plans;
- Erosion and Sedimentation Plan;
- Elevation, Cross Section and Floor Plans;
- Exterior Cladding Materials;
- Colour Renderings;
- Arborist Report;
- Tree Inventory and Preservation Plan;
- Landscape Plans;
- Urban Design Brief;
- Functional Servicing and Stormwater Management Report;
- Construction Management Plan;
- Geotechnical Investigation;
- Hydrogeology Review; and,
- Site Access Review.

Zoning By-law Amendment Application

The subject lands are zoned **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended (refer to Map 5). Permitted uses under the **Residential Second Density (R2) Zone** include residential, institutional, recreational and home occupation uses. Semi-detached and townhouse dwellings are not permitted under the **R2 Zone** category, which restricts residential uses to single family detached dwellings.

Accordingly, the applicant is seeking Council's approval to rezone the subject lands to **Residential Multiple First Density (RM1) Zone** in order to permit the proposed semi-detached dwellings and **Residential Multiple Second Density (RM2) Zone** to permit the proposed street townhouse dwellings on the subject lands, with site specific exceptions for reduced minimum lot frontage and minimum lot area, reduced minimum front yard, side yard and rear yard setbacks, as well as increased maximum lot coverage.

The following is a summary table outlining the relevant statistics of the applicant's development proposal relative to the typical **RM1** and **RM2 Zone** requirements for semi-detached dwellings and townhouse dwellings respectively. The applicant's proposed site specific provisions are highlighted in bold:

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Development Standard	Existing “R2” Zone under By-law 66-71, as amended	Proposed “RM1” Zone under By-law 66-71, as amended	Proposed “RM2” Zone under By-law 66-71, as amended	Proposed Development	
				RM1 Zone	RM2 Zone
Permitted Residential Uses	Single Family Detached Dwelling	Single Family Detached, Semi-Detached and Duplex Dwellings	Triplex, Double-Duplex, Maisonette, Row-House and Multiple Dwellings	Semi-Detached Dwelling	Townhouse Dwelling
Minimum Lot Area	464.52 sq. metres (5,000 sq. feet)	278.71 sq. metres (3,000 sq. feet)	232.26 sq. metres (2,500 sq. feet)	209.29 sq. metres (2,252.78 sq. feet)	154.6 sq. metres (1,664.10 sq. feet)
Minimum Lot Frontage	15.24 metres (50 feet)	10.67 metres (35 feet) *on a corner lot 22.86 metres (75 feet)	30.48 metres (100 feet)	9.67 metres (31.73 feet)	6 metres (19.68 feet)
Maximum Lot Coverage	30%	35%	30%	Complies	48%
Minimum Front Yard Setback	Established Building Line or 6.01 metres (20 feet)	Established Building Line or 6.01 metres (20 feet)	Established Building Line or 6.01 metres (20 feet)	Complies	Complies
Minimum Interior Side Yard Setback (1st Storey)	1.21 metres (4 feet)	1.21 metres (4 feet)	1.21 metres (4 feet)	1.2 metres (3.94 feet)	1.2 metres (3.94 feet)
Minimum Interior Side Yard Setback (2nd Storey)	1.82 metres (6 feet)	1.82 metres (6 feet)	1.82 metres (6 feet)	1.2 metres (3.94 feet)	1.2 metres (3.94 feet)
Minimum Interior Side Yard Setback (3rd Storey)	2.43 metres (8 feet)	2.43 metres (8 feet)	2.43 metres (8 feet)	1.2 metres (3.94 feet)	1.2 metres (3.94 feet)
Minimum Flankage/ Exterior Side Yard Setback	3.048 metres (10 feet)	3.048 metres (10 feet)	3.048 metres (10 feet)	N/A	2.43 metres (7.97 feet)
Minimum Rear Yard Setback	7.62 metres (25 feet)	7.62 metres (25 feet)	7.62 metres (25 feet)	7.51 metres (24.64 feet)	7.03 metres (22.97 feet)
Maximum Height	10.6 metres (35 feet)	10.6 metres (35 feet)	13.7 metres (45 feet)	Complies	Complies
Max Distance of Driveway to Intersection	For a corner lot, no part of any driveway shall be closer than 30 feet to the intersection of any two streets			5 metres (16.40 feet)	5 metres (16.40 feet)

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Site Plan Application

The applicant has submitted a Site Plan application to address various design and technical aspects with respect to its development proposal, including the following:

- architectural design and unit typologies, building setbacks, unit widths and building heights;
- streetscaping, landscaping and tree planting; and,
- site servicing, grading, drainage and stormwater management.

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 3). 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 the specific policy criteria as outlined in Chapter 4 of the Plan. In addition, the subject lands are situated within the boundaries of the Benson/Hunt Tertiary Plan approved by Council for this area of the City.

Development within the **Neighbourhood** designation shall have building heights of up to 3 storeys on local and collector streets, and 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, general patterns of streets, blocks, lots and lanes, landscaped areas and treatments and the general pattern of yard setbacks, including the criteria set out in a Tertiary Plan approved by Council.

In accordance with **Section 4.9.1.2**, of the Plan, medium density residential development may be permitted within the **Neighbourhood** designation on lands that have frontage onto a local street and only in proximity to an existing medium density residential development as identified in a Tertiary Plan undertaken by the City and approved by Council. Where permitted, the maximum site density for medium density residential uses within the **Neighbourhood** designation shall be 50 units per hectare (20 units per acre).

Benson/Hunt Tertiary Plan

The subject lands are located within the study area boundaries of the Benson/Hunt Tertiary Plan (the "Tertiary Plan") (refer to Map 4). The Benson/Hunt Tertiary Plan area is located in the neighbourhood west of the **Downtown Local Centre** and generally includes lots fronting onto Leventdale Road, Hunt Avenue, Benson Avenue, Mill Walk Court, Mill Street, Lucas Street and Hall Street. The Benson/Hunt neighbourhood is undergoing considerable development pressures and is generally characterized by

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mature trees, unique landscaping features, and a blend of older and newer dwellings. The objective of the Tertiary Plan is to guide intensification of the neighbourhood, to provide direction on the appropriate location and design guidelines for medium density residential development, and to address the appropriate transition from low to medium density residential development. In accordance with **Section 4.9.2(4)** of the Plan, development shall conform with the criteria described in the Tertiary Plan approved by Council for the area.

The Benson/Hunt Tertiary Plan is characterized by three distinct areas: **Low-Density Area**, **Medium-Density Area** and **Transition Area**. In accordance with **Section 4.0** of the Tertiary Plan, the subject lands are located within the **Transition Area** (refer to Map 4). The purpose of the **Transition Area** is to provide a clear boundary for the development of medium density residential uses and to provide transition to the **Low-Density Area**. In this regard, the **Transition Area** permits townhouse dwellings, semi-detached dwellings and single detached dwellings, subject to the Urban Design Guidelines in **Section 5.0**.

The **Transition Area** provides for a maximum building height of 2 storeys adjacent to existing low density dwellings and a maximum building height of 3 storeys adjacent to existing medium density dwellings. In order to ensure appropriate transition to **Low-Density Areas**, new dwellings within the **Transition Area** shall be subject to site-specific design guidelines with respect to building height, building setbacks, site planning, landscape design and grading criteria, in accordance with **Section 5.3** of the Tertiary Plan.

Section 5.3.1 of the Tertiary Plan identifies that street townhouses shall only be permitted to front onto Benson Avenue and Hunt Avenue and may flank onto Lucas Street. Further, **Section 5.1.3** provides that street townhouses shall have a minimum unit width of 6.5 metres. Semi-detached dwellings and townhouse dwellings shall be 2 storeys in height or stepped down to 2 storeys adjacent to **Low-Density Areas**. To the immediate west of the subject lands is a **Low-Density Area**, to the east is a **Medium-Density Area**, and to the immediate north and south are **Transition Areas**. The **Transition Area** guidelines identify that built form shall incorporate main entries and enhanced design elements/features. Further, landscaping shall have regard for maintaining the existing coniferous trees along Lucas Street, where possible, or provide new trees that create connected canopy and shaded pedestrian streetscape in this location.

A detailed review and evaluation of the subject proposal relative to the above noted policies will be completed following the receipt of comments from Council, the public, City departments and external agencies.

Department and External Agency Comments:

The subject Zoning By-law Amendment and Site Plan applications, and the associated background studies and reports submitted in support of same, have been circulated to

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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.

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has recommended the acceptance of cash-in-lieu of parkland dedication and has identified that a minimum of 45% of the area of a front yard shall be used for no other purpose than landscaping. Further, Parks staff notes that the Benson/Hunt Tertiary Plan states that existing vegetation such as mature trees should be preserved and incorporated where possible. Staff strongly recommends that the applicant provide a revised development concept that will keep development outside of the minimum tree protection zone (TPZ) and will retain and incorporate the existing mature coniferous trees as part of the development proposal. Additional comments have been provided with respect to tree removal/compensation, the location of a proposed infiltration gallery, minimum soil volumes, street tree requirements and sustainability metrics (refer to Appendix A).

Urban Design Section

The City's Urban Design Section has provided comments with respect to the City-Wide Urban Design Guidelines, Benson-Hunt Tertiary Plan and the Village Core Neighbourhood Design Guidelines. Urban Design staff has identified that the character of the streetscape along Lucas Street should be preserved though denser planting along said street. Staff are in agreement with the proposed townhouse unit width reduction from 6.5 metres to 6.0 metres, and recommend the pairing of the proposed driveways along Benson Avenue. Further, staff has provided recommendations related to the proposed built design of both the proposed townhouse dwelling units and semi-detached dwelling units in order to meet the City's applicable Urban Design Guidelines (refer to Appendix B).

Development Planning Division

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 that are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed semi-detached and townhouse dwellings are permitted within the **Neighbourhood** designation of the Official Plan and within the **Transition Area** of the Tertiary Plan approved by Council;
- the Official Plan permits a maximum density of 50 units per hectare (20 units per acre) for medium density residential development. While the overall density of the applicant's development proposal is 51 units per hectare, the area of the subject lands at 0.097 hectares (0.24 acres) yields an allowable 4.88 dwelling units. On the basis that the applicant is proposing a total of 5 dwelling units on the subject lands,

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staff is satisfied that the proposed density conforms with the applicable policies of the Plan;

- the design, massing, setbacks and footprint of the proposed dwellings will be assessed on the basis of the guidelines contained within the Benson/Hunt Tertiary Plan and shall maintain general compatibility with adjacent and surrounding development;
- staff notes that the provisions of the Tertiary Plan restrict semi-detached and townhouse dwelling units to a maximum height of 2 storeys adjacent to existing low density dwellings and 3 storeys adjacent to medium density dwellings. The applicant's development proposal is for 3 storey dwellings. As the subject lands are adjacent to both low and medium density uses, staff will continue to review the appropriateness of the proposed building height, particularly for the proposed semi-detached dwelling units on Lucas Street;
- the approved Tertiary Plan requires a minimum townhouse unit width of 6.5 metres (21.32 feet), whereas the applicant is proposing townhouse unit widths of 6.0 metres (19.68 feet). In this regard, staff will continue to review the appropriateness of the proposed reduction to the proposed townhouse unit widths;
- the appropriateness of the proposed site specific provisions including setback reductions will be evaluated on their own merits; and,
- the applicant shall satisfactorily address any issues identified by various City departments and external agencies that have provided or will provide comments as part of the circulation of the development applications.

A comprehensive review of the subject applications will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public. The detailed review will be completed and be 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 the City's Financial Services Division, Community Services Department and Building Division - Zoning Section, in addition to the Regional Municipality of York, the Toronto and Region Conservation Authority (TRCA), and Canada Post. 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, the subject applications remain under review by the City's Fire and Emergency Services Division, Building Division and Development Engineering Division, in addition to Alectra Utilities, Enbridge Gas, the Conseil Scolaire Catholique MonAvenir, the York Region District School Board and Rogers Cable Communications.

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Interim Growth Management Strategy

Council has approved and implemented a comprehensive strategy comprised of eight growth management eligibility criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The criteria are as follows:

1. *Providing community benefits and completion of required key infrastructure.*
2. *Developments that have a mix of uses to provide for live-work relationships.*
3. *Developments that enhance the vitality of the Downtown Core.*
4. *Higher-order transit supportive development.*
5. *Developments that represent sustainable and innovative community and building design.*
6. *Completion of communities.*
7. *Small scale infill development.*
8. *Opportunities to provide affordable housing.*

Additionally, in accordance with Council direction, as part of the review of the above noted IGMS Criteria No. 5 (Sustainable and Innovative Community and Building Design), Council has directed that staff use the Sustainability Metrics minimum threshold scores to ensure that a consistent performance level is met. Accordingly, for Site Plan applications, the minimum approved threshold score range is 32 to 45 points. The applicant has submitted a completed Sustainability Metrics Implementation Tool with a score of 32 points which meets the minimum threshold. The applicant's submission is still under review, and staff will continue to work with the applicant to explore opportunities to improve the score and to ensure the proposed sustainability measures are appropriate and feasible.

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.

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Conclusion:

The applicant is seeking Council's approval of a proposed Zoning By-law Amendment application to permit a residential development comprised of two semi-detached and three townhouse dwelling units on its land holdings. The purpose of this report is to provide Council and the public with an overview of the applicant's 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, Official Plan Designation
- Map 4, Benson/Hunt Tertiary Plan
- Map 5, Existing Zoning
- Map 6, Proposed Site Plan
- Map 7, Proposed Renderings – Townhouse Dwelling Units
- Map 8, Proposed Renderings – Semi-Detached Dwelling Units
- Appendix A, Memo from the Park and Natural Heritage Planning Section dated November 12, 2020.
- Appendix B, Memo from the Urban Design Section dated December 14, 2020.

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Report Approval Details

Document Title:	SRPI.21.013- Request for Comments - Zoning By-law Amendment - City File D02-20021 - 109 Benson.docx
Attachments:	<ul style="list-style-type: none">- SRPI.21.013_Appendix A - Park and Natural Heritage Planning.pdf- SRPI.21.013_Appendix B - Urban Design.pdf- SRPI.21.013_MAP_1_AREIAL PHOTO.pdf- SRPI.21.013_MAP_2_NEIGHBOURHOOD CONTEXT.pdf- SRPI.21.013_MAP_3_OFFICIAL_PLAN_DESIGNATION.pdf- SRPI.21.013_MAP_4_BENSON TERTIARY PLAN.pdf- SRPI.21.013_MAP_5_EXISTING ZONING.pdf- SRPI.21.013_MAP_6_PROPOSED_SITE_PLAN.pdf- SRPI.21.013_MAP_7_PROPOSED_RENDERINGS - TOWNHOUSE DWELLING UNITS.pdf- SRPI.21.013_MAP_8_PROPOSED_RENDERINGS - SEMI-DETACHED DWELLING UNITS.pdf
Final Approval Date:	Jan 14, 2021

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

Gus Galanis - Jan 12, 2021 - 11:13 AM

Kelvin Kwan - Jan 14, 2021 - 9:50 AM

MaryAnne Dempster - Jan 14, 2021 - 2:12 PM