



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

**Date of Meeting:** September 22, 2021

**Report Number:** SRPI.21.084

**Department:** Planning and Infrastructure

**Division:** Development Planning

**Subject:** SRPI.21.084 – Request for Comments – Official Plan and Zoning By-law Amendment Applications – 9593 Bathurst Street – City Files: D001-21004 and D02-21007

---

### **Owner:**

2628908 Ontario Limited  
410 Chrislea Road, Suite 20  
Woodbridge, ON L4L 8B5

### **Agent:**

Neuhaus Developments Limited  
410 Chrislea Road, Suite 20  
Woodbridge, ON L4L 8B5

### **Location:**

**Legal Description:** Part of Lots 20 and 21, Registered Plan 2027  
**Municipal Addresses:** 9593 Bathurst Street

### **Purpose:**

A request for comments concerning proposed Official Plan and Zoning By-law Amendment applications to permit a medium density residential development on the subject lands.

### **Recommendation:**

- a) That Staff Report SRPI.21.084 with respect to Official Plan and Zoning By-law Amendment Applications submitted by 2628908 Ontario Limited for lands known as Part of Lots 20 and 21 Registered Plan 65M-2027 (Municipal Address: 9593 Bathurst Street), City Files D01-21004 and D02-21007, be received for information purposes only and that all comments be referred back to staff.

## Page 2

### Contact Person:

Sandra DeMaria, Senior Planner - Subdivisions, phone number 905-747-6312 and/or Deborah Giannetta, Manager of Development - Site Plans, phone number 905-771-5542

### Report Approval:

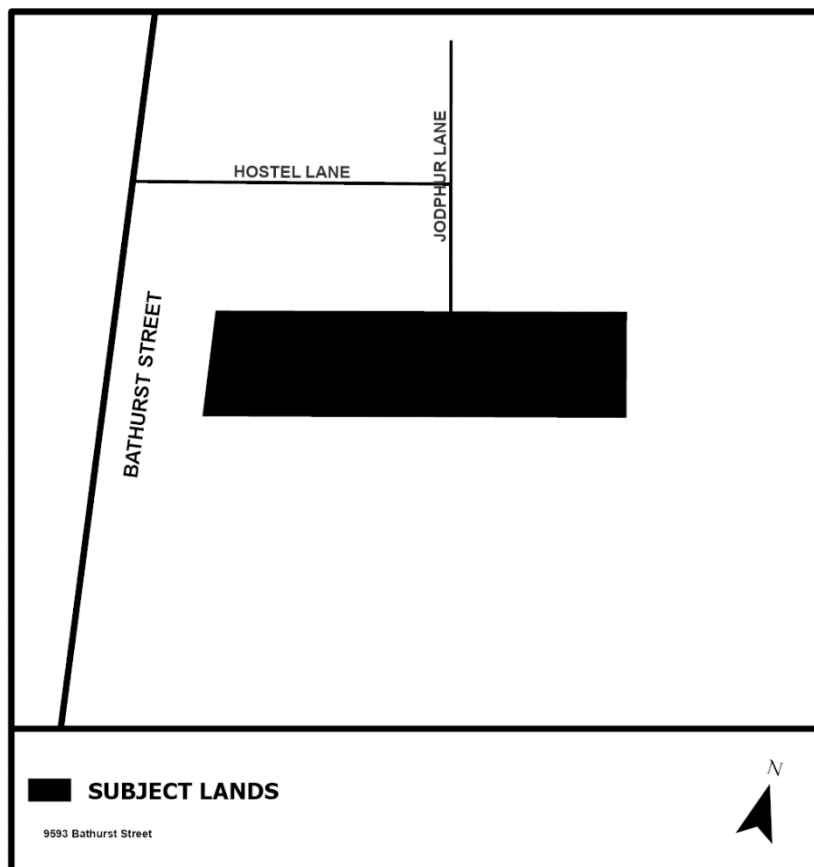
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Infrastructure

**Approved by:** Mary-Ann 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.



## Page 3

### Background Information:

The subject Official Plan and Zoning By-law Amendment applications were received and deemed complete on June 21, 2021. The applications and supporting materials have been circulated to relevant City departments and external agencies for review and comment. Accordingly, the purpose of this report is to seek comments from Council and the public with respect to the subject applications 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 on the east side of Bathurst Street, between Weldrick Road and Pemberton Road and have a total lot area of 0.12 hectares (0.30 acres) (refer to Map 1). The lands presently support a single detached dwelling and detached garage that are to be demolished to facilitate the proposed development. Abutting uses include residential uses (townhouses) to the north, an established low-density residential neighbourhood to the east comprised of single detached dwellings, the parking lot of the Grace Baptist Church of Richmond Hill to the south and Bathurst Street to the west (refer to Map 2).

#### Development Proposal

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit a four storey residential apartment building with 13 dwelling units, 22 parking spaces and a shared access via the existing townhouse development to the north located on the lands known municipally as 9601 Bathurst Street (refer to Maps 5 to 9).

The following is a summary table outlining the relevant statistics of the applicant's development proposal based on the plans and drawings submitted in support of its development proposal:

• <b>Total Lot Area:</b>	<b>0.123 hectares (0.304 acres)</b>
• <b>Lot Frontage:</b>	<b>17.8 metres (58.40 feet)</b>
• <b>Building Height:</b>	<b>14.8 metres (14.21 feet) or 4 storeys</b>
• <b>Number of Residential Units:</b>	<b>13</b>
• <b>Parking Spaces:</b>	<b>22 parking spaces</b>
• <b>Bicycle Parking:</b>	<b>12 spaces</b>
• <b>Lot Coverage:</b>	<b>52%</b>
• <b>Total Gross Floor Area:</b>	<b>1,822 sq. metres (19,615 sq. feet)</b>
• <b>Amenity Area (Roof Terrace):</b>	<b>387 sq. metres (4,165.77 sq. feet)</b>
• <b>Density:</b>	<b>105 units per hectare (42.7 units per acre)/1.48 FSI</b>

## Page 4

It should be noted that at the time of the preparation of this report, a related Site Plan application has not yet been submitted to the City in conjunction with the subject Official Plan and Zoning By-law Amendment applications.

### Supporting Documentation/Reports

- Planning Justification Report;
- Draft Zoning By-law Amendment;
- Draft Official Plan Amendment;
- Plan of Survey;
- Site Plan and Statistics;
- Underground Parking plans;
- Floor Plans;
- Mechanical Floor plans;
- Rooftop plans;
- Building Elevations;
- Building Sections;
- Urban Design Brief;
- Functional Servicing and Stormwater Management Reports;
- Grading and Servicing Plans;
- Transportation Impact Study/Parking Study;
- Hydrogeological Report;
- Geotechnical Report;
- Phase One Environmental Site Assessment;
- Noise Report;
- Landscape Plans; and
- Tree Inventory and Preservation Report and Plan.

### Official Plan and Zoning By-law Amendment Applications

The applicant's Official Plan Amendment application proposes to amend the density provisions of the **Neighbourhood** policies of the City's Official Plan in order to permit an increase in the maximum permitted density from 50 units per hectare (20 units per acre) to 105.6 units per hectare (42.7 units per acre).

The applicant is also seeking approval of a related Zoning By-law Amendment application to rezone the lands from **Second Density Residential (R2) Zone** under Zoning By-law 2523, as amended (refer to Map 3) to **Multiple Family Two (RM2) Zone** as well as site-specific development standards to facilitate the proposed residential apartment building with site specific development standards as follows:

## Page 5

Development Standard	Proposed Development Standards
Minimum Lot Frontage	17.674 metres (57 feet)
Minimum Lot Coverage	52%
Minimum Setbacks North property line South property line Rear yard (east) Front Yard (west)	1.5 metres (4.9 feet) 1.25 metres (4.1 feet) 7.5 metres (24.6 feet) 3.05 metres (10.0 feet)
Maximum Building Height	4 storeys (14.8 metres)
Maximum Gross Floor Area	1,822 square metres (19,612.49 square feet)
Maximum Floor Space Index	1.48
Minimum Landscape Area	15%
Parking <ul style="list-style-type: none"> <li>Residential</li> <li>Visitor</li> </ul>	22 spaces 20 2

The appropriateness of the proposed zoning provisions, as well as the need for the establishment of additional development standards will continue to be evaluated through the review of the applications with regard to policy conformity, land use compatibility, urban design and function. Prior to finalization of the Zoning By-law Amendment, a full review of an associated Site Plan Application will be required.

## Planning Analysis:

Staff has undertaken a preliminary review and evaluation of the applicants' development proposal based on the policy framework contained within the *Provincial Policy Statement* (2020) (the "PPS"), the *Growth Plan for the Greater Golden Horseshoe* (2019) (the "Growth Plan"), the *Regional Official Plan* (2010) (the "ROP") and the City's Official Plan (the "Plan").

Staff notes that the City's in force Plan is consistent with the *PPS* and conforms with the *Growth Plan* and the ROP that were in force at the time of its approval. Since the Plan's approval, the *PPS* was updated in 2020 and the *Growth Plan* was updated in 2019. In this regard, both York Region and the City are currently undertaking Municipal Comprehensive Reviews (MCRs) to update their respective Official Plans as necessary to align with more recent Provincial planning direction. Below is a more detailed outline of the proposal relative to the current Regional and City Official Plans.

## Page 6

### York Region Official Plan

The subject lands are designated **Urban Area** in accordance with Map 1 (Regional Structure) of the ROP and further identified as being located on a **Regional Rapid Transit Corridor** in accordance with Map 11 (Transit Network) of the ROP. Lands designated **Urban Area** are intended to support a full range and mix of urban uses which are intended to accommodate a significant portion of planned growth within the Region. In this regard, the **Urban Area** policies would permit a medium density residential development as proposed by the subject applications.

The subject applications have been circulated to York Region for review and comment; however, comments have not yet been provided from the Region as of the writing of this report. As a result, a more detailed review and evaluation of the proposed amendments in the context of the applicable policies in the ROP will form part of the future recommendation report to Council where deemed necessary.

### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use (refer to Map 4) of the City of Richmond Hill Official Plan (the Plan) and are located within a priority infill area as identified in **Section 4.9.1.1** of the Plan bounded by Stockdale Crescent to the north, Bathurst Street to the west, Weldrick Road to the south and Yonge Street to the east. The **Neighbourhood** designation permits low density residential uses including single detached dwellings and provides opportunities for small-scale infill development, including medium density residential uses such as low-rise townhouses and walk up apartments.

Further, the **Neighbourhood** designation allows development up to a maximum of three storeys, except on an arterial street where the maximum building height can be four storeys. In accordance with **Section 4.9.2** of the Plan, development is to 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 and lots, landscaped areas and treatments, and the general pattern of yard setbacks.

Based on a preliminary review of the proposed development relative to the **Neighbourhood** policies, it appears the subject proposal is generally consistent with respect to land use; however, the proposal does not conform with the applicable density provisions of the Plan applicable to the subject lands.

### Zoning

The subject lands are zoned **Second Density Residential (R2) Zone** under Zoning By-law 2523, as amended (refer to Map 3), which permits, amongst other uses, single detached dwellings but does not permit the proposed four storey apartment building.

## Page 7

### 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 the 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 this report.

#### 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 four storey residential apartment building is generally consistent with the policies of the medium density permissions of the **Neighbourhood** designation based on its frontage on an arterial street;
- notwithstanding the preceding, the proposed density of 105.6 units per hectare (42.7 units per acres) greatly exceeds the permitted maximum site density of 50 units per hectare (20 units per acre) as outlined in the Plan;
- staff have concerns with the compatibility of the proposed development with the existing built form and character of the surrounding area; in particular with respect to the proximity and height of the proposed residential building to the existing 3 storey townhouses to the north and the existing single detached dwellings to the east;
- staff also has concerns with the lack of landscaping, buffering and screening of the proposed parking area, given that the development is to abut existing low density residential uses;
- the appropriateness of the proposed shared access via the existing development to the north as the sole access for the proposed development will need to be carefully considered based on its current design and capacity;
- the applicant must satisfactorily address comments and requirements identified by City departments and external agencies that have been requested to review the development proposal;
- a Site Plan application has not yet been submitted. The applicant is encouraged to seek Site Plan approval prior to a recommendation being brought forward and the finalization of the Zoning By-law amendment; and,
- staff will continue to review the form, content and appropriateness of the proposed draft Official Plan and Zoning By-law Amendments as well as the site specific standards requested by the applicant with respect to the form, content and appropriateness of the amendments.

A comprehensive review of the subject application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council

## **Page 8**

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.

### **Urban Design and Heritage Section**

Urban Design staff have advised of concerns related to the massing and design of the proposed building, as well as the lack of landscaping to be provided on the subject lands. In addition, staff has advised that an Urban Design Brief and streetscape renderings will be required as part of the Site Plan approval process (see Appendix A).

### **Park and Natural Heritage Planning**

Park and Natural Heritage staff have identified concerns with the density of the proposed development and the resultant impact on the limited landscaping to be provided. The proposed apartment building and parking area is to comprise almost the entirety of the property leaving very little space for meaningful landscaping. In addition to the above, Parks staff have advised that they will require a landscape buffer to the rear (eastern) portion of the subject property to soften/screen the view of the proposed building and parking area to the adjacent residential properties to the east (see Appendix B).

### **Waste Management**

Waste Management staff have advised that the development must follow the City's Waste Management Design and Collection Standards for Development and demonstrate conformity to the Specifications Manual by submitting a Waste Management Plan showing access routes, signage, waste storage rooms and size of waste collection pads, among other things (see Appendix C).

### **Other City Departments and External Agency Comments**

Comments have been received from, Alectra Utilities, Enbridge Gas Distribution Inc., Fire and Emergency Services and Corporate and Financial Services Department. These City departments and external agencies have no objections to the application and/or have provided technical comments to be considered by the applicant during a more detailed implementation stage of the approval process. These comments have not been appended to this report.

The development proposal is still under review by the City's Development Engineering Division, Canada Post, the Toronto and Region Conservation Authority, the Regional Municipality of York and Bell Canada.

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

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



## **Page 9**

### **Relationship to Council's Strategic Priorities 2020-2022:**

The recommendation of this report does not have any direct implications with respect to Council's Strategic Priorities. An overview of how the subject applications are aligned with Council's Strategic Priorities will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicant's development proposal.

### **Climate Change Considerations:**

The recommendations of this report do not have any direct implications with respect to Council's Climate Change Considerations at this time. An overview of how the subject applications support Council's climate change mitigation and/or adaptation measures to reduce carbon emissions 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 and Zoning By-law Amendment applications to permit a four storey residential apartment building. 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. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix A, Urban Design and Heritage comments dated August 6, 2021
- Appendix B, Park and Natural Heritage Planning comments dated July 14, 2021
- Appendix C, Waste Management comments dated July 27, 2021
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Existing Official Plan Designation
- Map 5 Proposed Concept Site Plan
- Map 6 North Elevation
- Map 7 South Elevation
- Map 8 East Elevation
- Map 9 West Elevation

## Page 10

### Report Approval Details

Document Title:	SPRI.21.084 - Official Plan and Zoning By-law Amendment Applications, City Files D01-21004 and D02-21007.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A.docx</li><li>- Appendix B.docx</li><li>- Appendix C.docx</li><li>- Map 1 - Aerial Photograph.docx</li><li>- Map 2 - Neighbourhood Context.pdf.docx</li><li>- Map 3 - Existing Zoning.docx</li><li>- Map 4 - Official Plan Designation.docx</li><li>- Map 5 - Proposed Site Plan.docx</li><li>- Map 6 - North Elevation.docx</li><li>- Map 7 - South Elevation.docx</li><li>- Map 8 - East Elevation.docx</li><li>- Map 9 - West Elevation.docx</li></ul>
Final Approval Date:	Sep 3, 2021

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

**Gus Galanis - Sep 2, 2021 - 11:00 AM**

**Kelvin Kwan - Sep 2, 2021 - 1:12 PM**

**MaryAnne Dempster - Sep 3, 2021 - 1:05 PM**