



Staff Report for Council Meeting

Date of Meeting: November 10, 2021

Report Number: SRPI.21.102

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.21.102 – Request for Approval – A
Proposed Amendment to the City's Site Plan
Control By-law

Location:

Legal Description: Lot 208, Plan M-37

Municipal Address: 57 Beaufort Hills Road

Purpose:

A request for approval of an amendment to the City's Site Plan Control By-law in order to impose Site Plan Control on the lands known as Lot 208, Plan M-37 (57 Beaufort Hills Road).

Recommendation:

- a) That Council approve the proposed amendment to the City's Site Plan Control By-law 137-09, amended, as set out in Appendix "C" to Staff Report SRPI.21.102 for the lands known as Lot 208, Plan M-37 (Municipal Address: 57 Beaufort Hills Road) and that said by-law be brought forward to the November 10, 2021 Council meeting for consideration and enactment.

Contact Person:

Sarah Mowder, Acting Planner II – Site Plans, phone number 905-771-5475 and/or Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

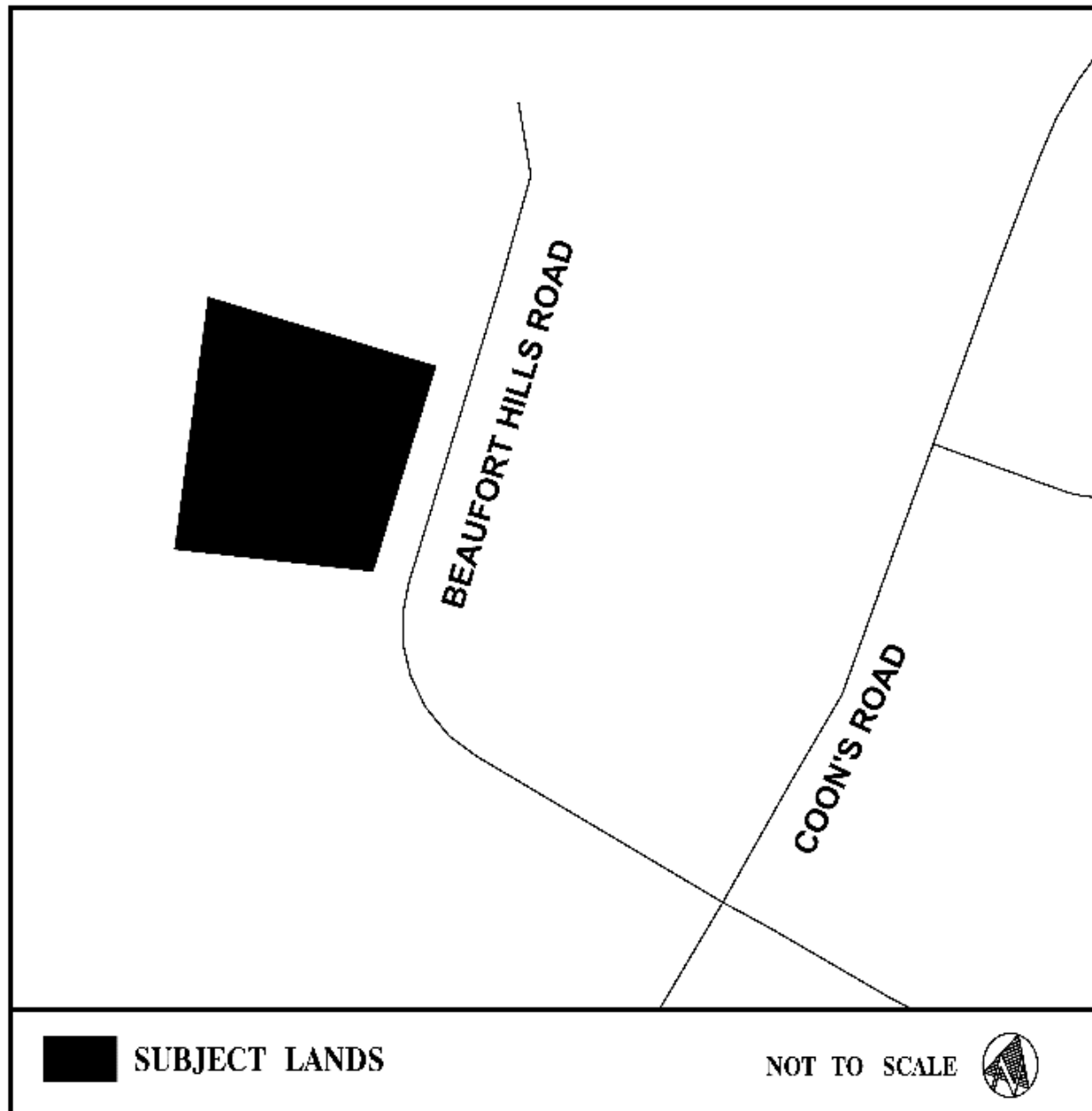
Approved by: Mary-Anne Dempster, City Manager

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.

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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:

A proposed Zoning By-law Amendment application (City File D02-20005) for the subject lands was considered by Council at its statutory Public Meeting held on June 3, 2020, wherein Council received Staff Report SRPRS.20.082 for information purposes, directed that all comments be referred back to staff for consideration, and subsequently made a decision to deny the application (refer to Appendix “A”). The purpose of the Zoning By-law Amendment application was to facilitate a future severance of the subject lands into two lots for single detached residential purposes. As noted above, the application was denied by Council on the basis of concerns with intensification within neighbourhoods, the compatibility of the proposal with the character of the surrounding area, and the protection of significant woodlands on the property.

The applicant appealed Council’s decision to the then Local Planning Appeal Tribunal (LPAT), now the Ontario Land Tribunal (OLT) (hereinafter referred to as the “Tribunal”), and a three day hearing of the appeal commenced on May 5, 2021. On May 27, 2021, the Tribunal issued its Order to allow the appeal and approve the applicant’s Zoning By-law Amendment application (refer to Appendix “B”). As part of the planning evidence submitted to the Tribunal, Site Plan approval was recommended as an appropriate means of addressing various matters, including tree preservation/compensation. Furthermore, the Tribunal’s Decision contemplates that the proposed development will be reviewed and assessed through the Site Plan approval process.

Accordingly, the purpose of this report is to seek Council’s approval to amend the City’s Site Plan Control By-law in order to impose a requirement for Site Plan approval prior to the proposed development of the subject lands.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located in the Beaufort Hills Neighbourhood, south of Bloomington Road East and west of Yonge Street. More specifically, the lands are situated on the west side of the northern terminus of Beaufort Hills Road, west of Coon’s Road (refer to Map 1). The lands have an area of approximately 0.37 hectares (0.91 acres) and a lot frontage of approximately 57.91 metres (189.99 feet). The subject lands are surrounded by existing single detached residential lots and presently support a single detached dwelling which is to be demolished to support the proposed development.

Development Proposal

The proposed development contemplates a future severance and the construction of two new single detached dwellings on the subject lands (refer Map 2). The following is a summary of the relevant statistics of the applicant’s conceptual development proposal considered by the Tribunal as part of the consideration of the applicant’s appeal of its Zoning By-law Amendment application:

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- **Total Lot Area:** 0.37 hectares (0.91 acres)
- **Total Lot Frontage:** 57.91 metres (189.99 feet)
- **Total Number of Units:** 2
- **Proposed Lot 1 (South)**
 - **Proposed Lot Area:** 1,547.0 square metres (16,651.77 square feet)
 - **Proposed Lot Frontage:** 24.96 metres (81.89 feet)
- **Proposed Lot 2 (North)**
 - **Proposed Lot Area:** 2,178.54 square metres (23,449.61 square feet)
 - **Proposed Lot Frontage:** 32.95 metres (108.10 feet)

Site Plan Control

By-law 137-09, as amended, establishes the entire City of Richmond Hill as a Site Plan Control Area and requires certain development proposals to be approved through the City's Site Plan or Site Plan Amendment application process. Single detached dwellings are generally exempt from the Site Plan approval process, except in certain areas such as the Lake Wilcox and Oak Ridges Moraine areas where Site Plan Control has been established in order to protect environmental features and to ensure that development is compatible with the surrounding community. The subject lands are currently exempt from Site Plan Control.

Planning Analysis:

Planning staff has reviewed and evaluated the matter of imposing Site Plan Control for the applicant's development proposal and is of the opinion that Site Plan approval is appropriate for the development of the lands, is consistent with the policy direction in the City's Official Plan ("the Plan") and represents good planning. On this basis, it is recommended that the proposed amendment to the Site Plan Control By-law be approved for the following reasons:

- the Local Planning Appeal Tribunal (LPAT) has approved a Zoning By-law Amendment that will facilitate a severance of the subject lands into two building lots for single detached residential purposes. As part of the planning evidence submitted to the Tribunal, Site Plan approval was recommended as an appropriate means of addressing various matters, including tree preservation/compensation. Furthermore, the Tribunal's Decision contemplates that the proposed development will be reviewed and assessed through the Site Plan approval process;
- in its original decision to deny the submitted Zoning By-law Amendment application, Council referenced the protection of woodlands on the property as one of the reasons why the proposed development was not appropriate. In light of the Tribunal's decision, the imposition of Site Plan Control is the most appropriate mechanism available to influence the location future buildings, to limit site alteration,

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to protect existing trees to the extent possible, and to require compensation for trees that must be removed to facilitate development;

- as part of staff's preliminary assessment of the applicant's Zoning By-law Amendment application, and as outlined in Staff Report SRPRS.20.082 presented at the Council Public Meeting held on June 3, 2020, it was recommended that Site Plan Control ultimately be required to support the proposed development on the subject lands; and,
- the imposition of Site Plan Control is consistent with the approach taken for a similar development proposal at 125 Coon's Road in 2013, wherein following the approval of a Zoning By-law Amendment application by the then Ontario Municipal Board (OMB) in 2012, Council passed a by-law to impose Site Plan Control in order to ensure the proper siting of dwellings and driveways, and to provide for adequate tree planting and tree protection measures for the new single detached dwelling lots.

Relationship to Council's Strategic Priorities 2020-2022:

The recommendation of this report is aligned with **Balancing Growth and Green** as establishing Site Plan Control on the subject lands will assist in ensuring that the impacts of the new development on the natural environment are minimized. The proposal also aligns with a **Strong Sense of Belonging** by providing new housing in an established area of the City.

Climate Change Considerations:

The recommendation of this report considers climate change by establishing Site Plan Control on the subject lands to ensure that stricter development measures, such as tree protection and drainage, are implemented to limit the amount of adverse impacts to the natural environment located on and surrounding the subject lands.

Conclusion:

Staff recommends that Council approve an amendment to the City's Site Plan Control By-law 137-09, as amended, in order to require Site Plan approval prior to any future development taking place on the subject lands.

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Attachments:

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” – Extract from Council Meeting #26-20 held on June 24, 2020
- Appendix “B” – Local Planning Appeal Tribunal Decision dated May 27, 2021
- Appendix “C” – Proposed Site Plan Control By-law
- Map 1 – Aerial Photograph
- Map 2 – Proposed Development Plan

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Report Approval Details

Document Title:	SRPI.21.102 - Request for Approval - Site Plan Control.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Council Meeting Extract.pdf- Appendix B - LPAT Decision.pdf- Appendix C - Site Plan Control By-law.docx- SRPI.21.102 - Map 1 - Aerial Photograph.docx- SRPI.21.102 - Map 2 - Proposed Development Plan.docx
Final Approval Date:	Oct 20, 2021

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

Gus Galanis - Oct 20, 2021 - 1:04 PM

Kelvin Kwan - Oct 20, 2021 - 1:12 PM

MaryAnne Dempster - Oct 20, 2021 - 8:29 PM