



Staff Report for Council Meeting

Date of Meeting: November 10, 2021

Report Number: SRPI.21.104

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.21.104 – Request for Approval – Zoning By-law Amendment – Zonix Group (Harris) Inc.– 229 Harris Avenue – City File D02-20011

Owner:

Zonix Group (Harris) Inc.
44 Steeles Avenue East
Markham, Ontario
L3T 1A2

Agent:

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

Location:

Legal Description: Lot 49, Plan 1916
Municipal Address: 229 Harris Avenue

Purpose:

A request for approval concerning a revised Zoning By-law Amendment application to permit the construction of six (6) semi-detached dwelling units on the subject lands.

Recommendations:

- a) That the revised Zoning By-law Amendment application submitted by Zonix Group (Harris) Inc. for lands known as Lot 49, Plan 1916 (Municipal Address: 229 Harris Avenue), City File D02-20011, 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 Semi-Detached One (RD1) Zone and Environment Protection Area Two (EPA2) Zone under By-law 235-97,

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as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.21.104; and,

- (ii) that the amending Zoning By-law be forwarded to the November 24, 2021 Council meeting for consideration and enactment.**

Contact Person:

Jeff Healey, Senior Planner - Subdivisions, phone number 905-771-6452 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

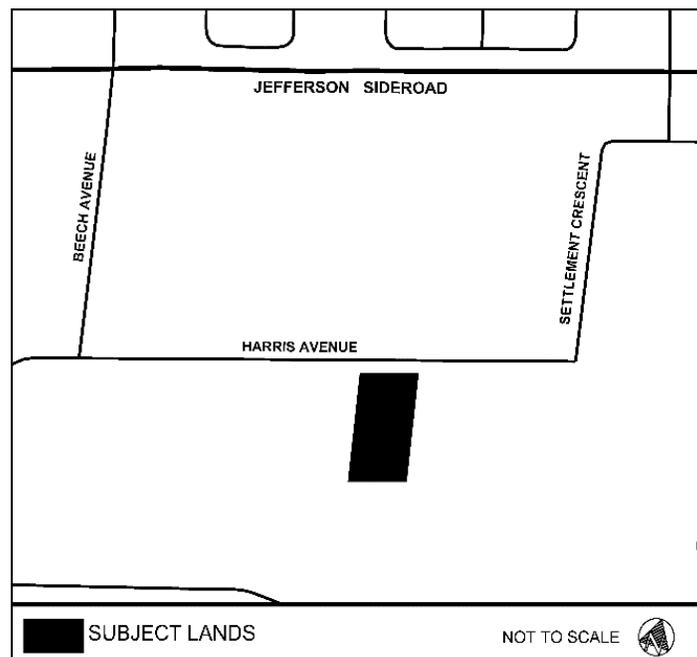
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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:

The subject Zoning By-law Amendment application was considered at the October 7, 2020 Council Public Meeting wherein Council received Staff Report SRPRS.20.128 and directed that all comments be referred back to staff (refer to Appendix “A”). The only comment raised by Council at the meeting pertained to ensuring that the limits of development are properly defined, which is addressed in a subsequent section of this report. No members of the public addressed Council on this matter.

Since the original application was filed in 2020, the applicant has made several formal resubmissions and revisions to its development proposal, including a proposal to establish an **Environment Protection Area Two (EPA2) Zone** to recognize the location of natural heritage features and the staked limits of the top-of-bank and required buffers on the southern portion of the lands.

All comments from circulated City departments and external agencies have now been satisfactorily addressed. Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s revised 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 Maps 1 and 2). The lands have a total lot area of 0.416 hectares (1.03 acres), a lot frontage of 47.34 metres (155.31 feet) along Harris Avenue and currently support one single detached dwelling that is proposed to be demolished. The lands abut Harris Avenue to the north, existing single detached residential uses to the east and west, and Natural Heritage System lands owned by the TRCA to the south.

Revised Development Proposal

The applicant is seeking Council’s approval of its revised Zoning By-law Amendment application to permit the construction of six semi-detached dwelling units on the subject lands (refer to Maps 7 and 8). The following is a summary table outlining the relevant statistics of the applicant’s revised development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** **0.416 hectares (1.03 acres)**
 - **Semi-Detached Lots:** **0.278 hectares (0.687 acres)**
 - **Natural Heritage System:** **0.138 hectares (0.341 acres)**
- **Proposed Lot Frontages:** **15.67 metres (51.41 feet)**
- **Proposed Lot Areas:** **902 square metres (9,709.04 square feet)**
- **Total Number of Units:** **6**
- **Proposed Unit Widths:** **6.6 metres (21.65 feet)**
- **Proposed Building Heights:** **2 storeys**
- **Proposed Density:** **21.58 units per hectare (8.73 units per acre)**

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Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** and **Natural Core** 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 Maps 4 and 5).

The **Neighbourhood** designation provides opportunities for small-scale infill development, and permitted uses include semi-detached dwellings as proposed by the subject application. Furthermore, 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, and lots, landscaped areas and treatments, and the general pattern of yard setbacks. The proposed development is located within the Harris-Beech Infill Study, which has pre-determined the type of infill development to be permitted within the neighbourhood. In this regard, an overview of how the revised development proposal is consistent with the recommendations of the Harris-Beech Infill Study is provided in a subsequent section of this report.

The **Natural Core** designation is intended to maintain, improve and restore the ecological integrity of natural features outside the central corridor of the Oak Ridges Moraine, including the natural heritage features and valleylands on the subject lands. The Plan also includes policies stipulating that the City will seek the dedication of key natural heritage features, hazardous lands and their associated minimum vegetation protection zones through the development approval process to an appropriate public authority. In this regard, the limits of the environmental features on the property have been staked by the Toronto and Region Conservation Authority (TRCA), including the top-of-bank of a valleyland feature and the required 10-metre buffer as per the Official Plan and Harris-Beech Master Environmental Servicing Plan (MESP). These lands are proposed to be appropriately zoned **Environment Protection Area Two (EPA2) Zone** and will be conveyed to the appropriate public authority through the Consent application process.

The subject lands are also situated within the **Settlement Area** of the Oak Ridges Moraine, as defined in accordance with the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). In accordance with **Section 3.2.1.1(18)** of the Plan, all uses, including the creation of new lots which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area** and permitted uses shall be subject to the requirements of Section 19(3) and 31(4) of the ORMCP. In this regard, the subject lands contain a valleyland feature and a narrow woodland finger on the southern portion of the lands.

Through the submission of a Natural Heritage Evaluation and responses to initial department and agency comments, it has been confirmed that the narrow woodland finger and the valleyland feature do not meet the definitions of a Significant Woodland

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or a Significant Valleyland respectively in accordance with the ORMCP. As a result, the proposed buffer of 10 metres from the top-of-bank conforms with the policies of the ORMCP and the Official Plan, and is consistent with the requirements of the Harris-Beech MESP.

Furthermore, the lands are 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 land uses which are prohibited within an Area of High Aquifer Vulnerability, which does not include residential uses. As a result, the proposed development is not anticipated to affect the Area of High Aquifer Vulnerability.

Lastly, the subject lands are located within a **Category 1 and 2 Oak Ridges Moraine Landform Conservation Area** in accordance with Schedules 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, the applicant must identify planning, design and construction practices that will keep disturbance of landform character to a minimum where possible.

In this regard, the submitted Natural Heritage Evaluation satisfactorily addresses the landform conservation policies of the ORMCP and states that minor grading will be required to facilitate the proposed development, which is outside of the identified environmental features and valleylands. The proposed minor grading will have no material effect on the integrity of the Landform Conservation Area in this location. Furthermore, the portion of the lands within the **Category 1 Landform Conservation Area** are located at the southern portion of the lands which will form part of the protected lands that will be dedicated to the applicable public authority.

Given all of the above, staff is of the opinion that the proposed development conforms with the applicable policies of the Plan and the *Oak Ridges Moraine Conservation Plan*.

Harris-Beech Infill Study (2013)

The subject lands are located within the Harris-Beech Infill Study area (the Study) in accordance with **Policy 4.9.1.1.1(j)** of the Plan. Approved by Council in 2013, the Study provides guidance for infill development within the Harris-Beech neighbourhood. Specifically, the Study provides a number of findings intended to guide the redevelopment of the Harris-Beech neighbourhood and provides four development scenarios for low density residential uses or development within the subject lands, including a scenario that contemplates the proposed semi-detached form of development on the subject lands (refer to Map 5). Outlined below is a summary of the applicant's revised proposal relative to the development scenarios of the Study:

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- development in the form of detached or semi-detached dwellings on existing public streets is depicted in all four scenarios of the Study;
- the proposed semi-detached lots with lot frontages of 15.67 metres (51.41 feet) are consistent with the minimum lot frontage requirement of 15.0 metres (49.21 feet) on existing streets in the Study;
- the proposed 2-storey semi-detached dwellings are consistent with the maximum building height of 2 storeys on existing streets in the Study; and,
- the preservation of natural heritage features and valleylands on the southern portion of the property is consistent with the guiding principles of the Study.

Given all of the above, staff is of the opinion that the proposed development conforms with the Council-approved Harris-Beech Infill Study, is appropriate for this specific property and location, and constitutes good and orderly planning.

Revised Zoning By-law Amendment Application

The subject lands are zoned **Urban (UR) Zone** under By-law 128-04, as amended, and permitted uses include, amongst other uses, single detached dwellings on lots of record (refer to Map 3). The applicant is proposing to rezone the subject lands to **Semi-Detached One (RD1) Zone** and **Environment Protection Area Two (EPA2) Zone** under By-law 235-97, as amended, in order to permit the construction of six (6) semi-detached dwellings and to facilitate future severances on the property. The following table provides a summary of development standards applicable to the proposed **Semi-Detached One (RD1) Zone** category under By-law 235-97, as amended.

Development Standards	RD1 Zone Standards, By-law 235-97, as amended	Proposed Development
Minimum Lot Frontage (Interior)	14.6 metres (47.9 feet)	Complies
Minimum Lot Area (Interior)	485 square metres (5,220.49 square feet)	Complies
Maximum Lot Coverage	50%	Complies
Minimum Required Front Yard	4.5 metres (14.76 feet) (to dwelling) 5.8 metres (19.02 feet) (to garage)	Complies
Minimum Required Side Yard	Special Provision Note #11: Where no door openings are provided on the side wall of a semi-detached or duplex dwelling, the minimum required side yard on that side shall be 1.2 metres.	1.2 metres (3.93 feet), a door may be permitted in a wall adjacent to a side lot line if no stairs project beyond the main side wall into the minimum required side yard.
Minimum Required Rear Yard	7.5 metres (24.60 feet)	Complies
Maximum Height	11.0 metres (36.09 feet)	Complies
Minimum Parking Standards	2 spaces per unit	Complies

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Zoning By-law 235-97 permits a reduction to the interior side yard setback from 1.5 metres to 1.2 metres for semi-detached dwellings, provided there are no doors in any wall adjacent to the side lot line. The intent of this provision is to provide some flexibility with respect to side yard setbacks, while recognizing potential Ontario Building Code (OBC) limitations for openings in side yards and potential lot grading/drainage issues should steps or landings encroach into a side yard drainage swale.

The applicant is proposing a site specific exception to permit a minimum side yard setback of 1.2 metres (3.93 feet), with an allowance for a door to be located in the side yard provided that no steps or landings project beyond the main side wall of the dwelling into the minimum side yard setback. The applicant has provided preliminary grading plans that support this condition; however, detailed lot grading and drainage plans will not be prepared until the Consent application stage in the approval process. On this basis, staff has no objection to the requested site specific exception, with the understanding that the applicant will need to demonstrate compliance with City standards and the OBC at the detailed grading and building plans review stage of the approvals process. In this regard, it may yet prove unfeasible to include a door in the side yard.

Furthermore, in order to implement the recommendations of the Harris-Beech Infill Study, staff are recommending that the amending Zoning By-law include site specific provisions to impose a minimum lot frontage requirement of 15.0 metres (49.21 feet) and a maximum building height of 2 storeys. These provisions are consistent with the proposed semi-detached development.

Council Comments:

At the October 7, 2020 Council Public Meeting, a comment was raised with respect to confirming the edge of the top of bank through review of the development application. In this regard, the limits of the natural heritage system on the lands reflect the top of slope and applicable 10-metre buffer as per the policies of the Plan and the Harris-Beech MESP. The TRCA and the City's Park and Natural Heritage Planning Section are satisfied with the identified limits of the natural heritage system and associated buffer as proposed. Furthermore, Park and Natural Heritage Planning staff have advised that the lands to be zoned **Environment Protection Area Two (EPA2) Zone** will need to be conveyed to the appropriate public authority through the Consent application process.

City Department and External Agency Comments:

All circulated City Departments and external agencies have indicated that they have no further comments and/or no objections with respect to the applicant's Zoning By-law Amendment application. Technical comments pertaining to the proposed development will be addressed through the subsequent Consent application processes.

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Development Engineering Division

The City's Development Engineering Division has no concerns with respect to the applicant's revised development proposal. Engineering staff advises that municipal water, sanitary sewers and storm sewers do not currently exist on Harris Avenue, and will be constructed in conjunction with the approved residential development to the north (City Files D03-14008 and D03-16002). Based on the information submitted to date, Engineering staff has determined that the proposed development conforms with the engineering requirements of the Harris-Beech Master Environmental Servicing Plan (MESP). A revised Functional Servicing Report must be provided as a condition of Consent approval.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority has no concerns with the proposed Zoning By-law Amendment application. A technical review of the applicant's engineering, tree protection and buffering planting plans will occur as part of the detailed design for the proposed development. It is anticipated that the Natural Heritage System lands and the required 10-metre buffer will be conveyed to the TRCA through the future Consent applications.

Development Planning Division

Development Planning staff has completed a review of the applicant's revised development proposal and recommends approval of the subject application for the following reasons:

- the proposed development conforms with the applicable policies of the Official Plan and *Oak Ridges Moraine Conservation Plan*, and is consistent with the Harris-Beech Infill Study approved by Council;
- the proposed development contemplates a site density of 21.58 units per hectare (8.73 units per acre) which promotes small-scale residential intensification in a built-up area and is encouraged through the Plan;
- staff supports the applicant's proposed zoning provisions and finds them appropriate for the subject development. The by-law structure and details of the site specific provisions will be finalized prior to enactment by Council;
- the applicant has submitted a Natural Heritage Evaluation that clarifies that there are no Significant Woodland or Significant Valleyland features on the property. Accordingly, a buffer zone of 10.0 metres has been provided from the limits of the top of slope in conformity with the Official Plan and Harris-Beech MESP;
- the applicant will be required to submit Consent applications to facilitate the proposed lot creation and detailed design of the proposed development; and,
- servicing allocation for the lands will be addressed through the future consent application process.

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Financial/Staffing/Other Implications:

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

Relationship to Council’s Strategic Priorities 2020-2022:

The recommendations of this report are aligned with **Balancing Growth and Green** in recognizing the balance between economic development and environmental protection.

Climate Change Considerations:

The proposed development considers climate change mitigation by facilitating infill development within an existing built-up area, thereby utilizing land more efficiently.

Conclusion:

The applicant is seeking approval of its revised Zoning By-law Amendment application to permit a residential development to be comprised of six (6) semi-detached dwellings on its land holdings. Staff has completed a comprehensive review and evaluation of the applicant’s revised development proposal and is of the opinion that the submitted application conforms with the applicable policies of the Official Plan and Oak Ridges Moraine Conservation Plan, and is consistent with the Harris-Beech Infill Study and the approved Master Environmental Servicing Plan (MESP). Staff is also of the opinion that the applicant’s revised Zoning By-law Amendment application is appropriate and represents good planning. On the basis of the preceding, staff recommends that Council approve the subject application in accordance with the directions outlined in this report.

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 Public Meeting C#43-20 held on October 7, 2020
- Appendix “B”, Draft Zoning By-law
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Harris Beech Infill Study – Scenario D
- Map 6, Original Conceptual Lotting Plan (2020)
- Map 7, Revised Conceptual Lotting Plan (2021)
- Map 8, Proposed Elevation

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Report Approval Details

Document Title:	SRPI.21.104 - Request for Approval - 229 Harris Avenue.docx
Attachments:	<ul style="list-style-type: none">- SRPI.21.104 - Appendix A - Council Extracts.doc- SRPI.21.104 - Appendix B- Draft Zoning By-law.docx- SRPI.21.104 -Map 1 - Aerial Photograph.docx- SRPI.21.104 -Map 2 - Neighbourhood Context.docx- SRPI.21.104 -Map 3 - Existing Zoning.docx- SRPI.21.104 -Map 4 - Official Plan Designation.docx- SRPI.21.104 -Map 5 - Harris Beech Infill Study -Scenario D.docx- SRPI.21.104 -Map 6 - Original Conceptual Lotting Plan (2020).docx- SRPI.21.104 -Map 7 - Revised Conceptual Lotting Plan (2021).docx- SRPI.21.104 -Map 8 - Proposed Elevation.docx
Final Approval Date:	Oct 21, 2021

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

Gus Galanis - Oct 20, 2021 - 1:42 PM

Kelvin Kwan - Oct 20, 2021 - 3:52 PM

MaryAnne Dempster - Oct 21, 2021 - 1:03 PM