



## Staff Report for Council Meeting

Date of Meeting: December 8, 2021

Report Number: SRPI.21.116

Department: Planning and Infrastructure

Division: Development Planning

**Subject: SRPI.21.116 – Request for Approval – Zoning By-law Amendment Application – 2304266 Ontario Inc. – City File D02-18022 (Related File D06-18038)**

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### Owner:

2304266 Ontario Inc.  
5690 Steeles Avenue West  
Vaughan, Ontario  
L4L 9T4

### Agent:

Weston Consulting  
201 Millway Avenue, Suite 19  
Vaughan, Ontario  
L4K 5K8

### Location:

Legal Description: Part of Lot 25, Plan 4667  
Municipal Address: 195 Gamble Road

### Purpose:

A request for approval concerning a revised Zoning By-law Amendment application to permit a residential development on the subject lands.

### Recommendations:

- a) That the revised Zoning By-law Amendment application submitted by 2304266 Ontario Inc. for lands known as Part of Lot 25, Plan 4667 (Municipal Address: 195 Gamble Road), City File D02-18022, be approved, subject to the following:
  - (i) that the subject lands be rezoned from Rural Residential (RR) Zone under By-law 2523, as amended, to Residential Multiple Family One (RM1) Zone and Flood (F) Zone under By-law 190-87, as amended, and

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that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.21.116;

- (ii) that prior to the amending Zoning By-law being brought forward to a Council Meeting for consideration and enactment, the applicant's Site Plan application (City File D06-18038) be substantially completed to the satisfaction of the Commissioner of Planning and Infrastructure and confirmation be received that the applicant has registered restrictions over the subject lands under Section 118 of the *Land Titles Act*;
  - (iii) that pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft Zoning By-law to implement the proposed development on the subject lands;
- b) That the authority to assign 14.38 persons equivalent of additional servicing allocation to the proposed development to be constructed on the subject lands be delegated to the Commissioner of Planning and Infrastructure subject to the criteria in the City's Interim Growth Management Strategy, and that the assigned servicing allocation be released in accordance with the provisions of By-law 109-11; and,
  - c) That all comments concerning the applicant's related Site Plan application (City File D06-18038) be referred back to staff.

### Contact Person:

Amanda Dunn, Senior Planner – Development Zoning, 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

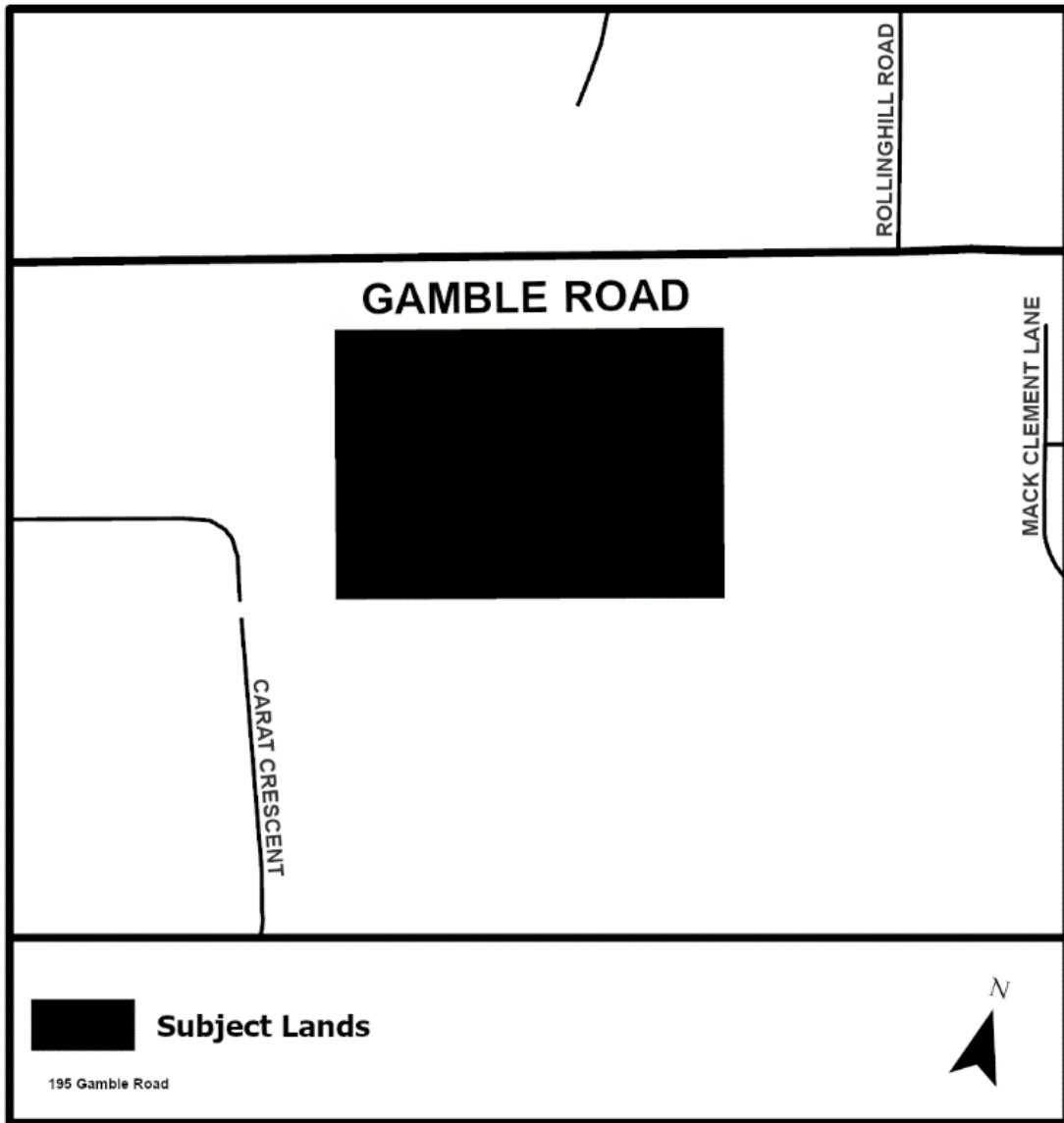
**Approved by:** Mary-Anne Dempster, City Manager

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.

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### Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact Person” above.



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### **Background:**

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on March 20, 2019, wherein Council received Staff Report SRPRS.19.032 for information purposes and referred all comments to staff for consideration (refer to Appendix “A”). At the meeting, members of Council raised concerns with the applicant’s development proposal in relation to the number of dwelling units, environmental considerations and proposed development standards. No members of the public spoke to the application at the meeting, however written correspondence was received that identified concerns with the loss of existing vegetation and the number of proposed dwelling units. These matters are discussed in the later sections of this report.

The applicant filed resubmissions of its Zoning By-law Amendment and Site Plan applications in January 2020 and June 2021 to address various technical and planning matters. At the time of writing this report, the review of the applicant’s development proposal has progressed to a point where staff is in a position to support the revised Zoning By-law Amendment application. A more detailed discussion of technical comments provided by circulated departments and agencies is outlined in the later sections of this report.

Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s revised Zoning By-law Amendment application and to seek comments from Council respecting the related Site Plan application.

### **Summary Analysis:**

#### **Site Location and Adjacent Uses**

The subject lands are located on the south side of Gamble Road, east of Rothbury Road, and have a total lot area of 0.64 hectares (1.58 acres). The lands currently contain a one-storey single detached dwelling and associated accessory buildings that are proposed to be demolished to facilitate the proposed development. The lands abut Gamble Road to the north, open space lands owned by the Toronto and Region Conservation Authority (TRCA) to the east and southwest, a single detached dwelling to the west, and a vacant remnant block from a registered Plan of Subdivision (City File D03-98001) to the southeast (refer to Map 1).

#### **Revised Development Proposal**

The applicant is seeking Council’s approval of its revised Zoning By-law Amendment application to permit the construction of a common element condominium development to be comprised of six three-storey townhouse dwelling units fronting onto a private lane with restricted right-in/right-out only access onto Gamble Road on its land holdings (refer to Maps 5 to 8). The proposed development is to provide rooftop amenity spaces within both townhouse blocks, in addition to traditional rear yard amenity areas for the southern block of townhouses. The proposal shall accommodate two parking spaces per unit within a private garage and a driveway, in addition to two visitor parking spaces. The applicant’s revised

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development proposal reflects, among other matters, modifications to its initial proposal as described below:

- the total number of townhouse dwelling units has been reduced from eight to six;
- the proposed site layout has been revised from one block of eight townhouse dwelling units oriented in a north/south direction to two blocks of three townhouse dwelling units oriented in an east/west direction with access from a private laneway;
- the proposed Floor Space Index (FSI) has been reduced from 0.4 to 0.2 FSI;
- the proposed density has been increased from 40 units per hectare (16 units per acre) to 42.8 units per hectare (18 units per acre) as a result of a reduction to the developable area;
- the proposed townhouse dwelling unit widths have been increased from 5.9 metres (19.36 feet) to between 6.0 metres (19.69 feet) and 6.1 metres (20.01 feet);
- the proposed building height has been increased from 11.0 metres (36.09 feet) to 12.6 metres (41.34 feet), inclusive of stair enclosures providing access to rooftop amenity areas; and,
- the building setback from the property line adjacent to Gamble Road has been increased from 2.5 metres (8.2 feet) to 3.0 metres (9.84 feet).

The following is a summary of the pertinent statistics of the applicant's revised development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** **0.64 hectares (1.58 acres)**
  - **Developable Area:** **0.14 hectares (0.35 acres)**
  - **Open Space Block Area:** **0.50 hectares (1.24 acres)**
- **Total Number of Units:** **6**
- **Building Height:** **12.6 metres (41.34 feet)**
- **Number of Storeys:** **3**
- **Unit Widths:** **6.0 metres (19.69 feet) to 6.1 metres (20 feet)**
- **Floor Space Index (FSI):** **0.2**
- **Density:** **42.8 units per hectare (18 units per acre)**
- **Total Number of Parking Spaces:** **14**
  - **Resident Parking:** **12 (2 spaces per unit)**
  - **Visitor Parking:** **2 (accessible spaces)**

In addition to the related Site Plan application (City File D06-18038) that remains under review at this time, it is noted that the submission of draft Plan of Condominium, Part Lot Control Exemption and Private Street Naming and Municipal Addressing applications will be required to facilitate the proposed common element condominium tenure of the development.

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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 ("Plan") (refer to Map 2). Uses permitted within the **Neighbourhood** designation include, among other uses, medium density residential uses such as townhouses on lands having frontage on an arterial street such as Gamble Road, to a maximum density of 50 units per hectare (20 units per acre) and a maximum building height of 4 storeys. The proposed development contemplates a site density of 42.8 units per hectare (18 units per acre) and a building height of 3 storeys, both of which conform with the **Neighbourhood** designation policies.

**Section 4.9.2.1** of the Plan identifies that site design shall not inhibit future infill development. In this regard, the subject lands abut a vacant landlocked parcel to the south which is approximately 0.08 hectares (0.20 acres) in size and is a remnant future development block created as part of the approval of an adjacent Plan of Subdivision (City File D03-98001). At the time of its creation in 2010, the remnant block was identified as table land that would need to be developed in conjunction with adjacent lands. As a result, staff instructed the applicant to contact the adjacent landowner (Primont Homes (Maple) Inc.) to determine the feasibility of undertaking a joint development and/or consolidating the two landholdings.

The applicant's agent has advised that attempts have been made to contact the adjacent landowner, to no avail. Furthermore, staff has contacted the adjacent landowner directly and no acknowledgement or response has been received respecting the disposition of the remnant parcel. Based on the Natural Heritage Evaluation submitted in support of the applicant's development proposal and a TRCA top-of-bank staking exercise completed in 2016, the subject lands and the adjacent remnant parcel are bisected by a Significant Valleyland and required buffer that appear to preclude the potential for development or integration of the remnant parcel.

As such, staff is of the opinion that the proposed development will not inhibit future infill development. Notwithstanding, it is noted that the submitted Functional Servicing Report currently contemplates discharging surface run-off to the southeast, which cannot be supported as the runoff would discharge through the remnant parcel under private ownership. In this regard, the applicant is encouraged to approach the adjacent landowner about acquiring the remnant parcel in order to facilitate their current preferred stormwater management discharge approach. Alternatively, the applicant will need to revise its stormwater management approach to demonstrate on-site self-containment of surface run-off. In this regard, the proposed stormwater management requirements and methodology will be finalized at the Site Plan approval stage.

In accordance with **Section 4.9.2.4** of the Plan, development shall be compatible with the existing character of adjacent and surrounding areas with respect to predominant building forms and types, massing, general patterns of streets, blocks, lots, and lanes, landscaped

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areas and treatments, and general pattern of yard setbacks. The proposed development has been situated in general proximity to the existing dwelling and accessory structures on the property, and has been sited with an increased setback to the staked top-of-bank from what currently exists today. Furthermore, the subject lands are located along an arterial street to the north (Gamble Road) and are bounded by environmental features to the east, south and west, resulting in an isolated pocket of development within an area dominated by other forms of low and medium density residential development. Accordingly, staff is of the opinion that the proposed development is compatible with the existing character of adjacent and surrounding area.

The westerly portion of the subject lands is designated **Natural Core**. The Plan identifies that lands within the **Natural Core** designation shall be protected over the long term in order to maintain and, wherever possible, enhance the size, diversity, health, connectivity and resiliency of the Greenway System. The Plan provides the ability to refine the limits of these areas without an Official Plan Amendment through the submission of a Natural Heritage Evaluation (NHE) to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA) pursuant to **Sections 4.10.5.1.5 and 4.10.5.1.6**.

The applicant has submitted a Natural Heritage Evaluation (NHE) that confirms the limits of the Key Natural Heritage Features/Key Hydrologic Features (Significant Valleyland and associated Wetlands), including the staked top-of-bank and a 10 metre average buffer that has been appropriately justified in accordance with **Policy 21(4)** of the ORMCP and with **Sections 3.2.1.1 and 3.2.2.3** of the Plan. The revised proposal is also consistent with the **Natural Core** and **Greenway System** designation in that the limits of the natural features have been appropriately confirmed in accordance with the submitted NHE and by seeking the dedication of key natural heritage features and their associated buffers to a public agency (**Sections 4.10.5.1 and 3.2.1 (8)**), resulting in approximately 75% of the total site being conveyed to a public authority.

Restoration plantings within the buffer and on the valley slopes are also proposed to provide increased ecological function and integrity to the key natural heritage features within the local area. The submitted NHE concludes that the proposed averaged buffers and setbacks from the valley feature will not negatively affect the ecological integrity of the subject lands. City and TRCA staff have reviewed the proposed development limits and are satisfied that the proposal provides an overall net benefit and ecological gain to the identified Key Natural Heritage Features/Key Hydrologic Features, and proposes mitigation measures which will maintain important natural features and associated functions to the overall Natural Heritage System.

Given all of the above, staff is of the opinion that the applicant's revised development proposal conforms with the applicable policies of the Plan.

### **Oak Ridges Moraine Conservation Plan**

The subject lands are also located within the **Settlement Area** designation in accordance with Schedule A3 - Settlement Area of the Plan and within the **Settlement Area** land use

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designation of the *Oak Ridges Moraine Conservation Plan* (ORMCP). A portion of the lands are further identified as a **Category 2 – Oak Ridges Moraine Landform Conservation Area**.

The lands contain valleylands associated with the upper reaches tributary of the Upper Main Rouge River. The existing valley system is contained within the low-lying western half of the subject lands, while the southern portion also falls off towards the valley system past the subject lands to the south. There are no identified Significant Wetlands, Significant Woodlands or Significant Areas of Natural and Scientific Interest (ANSIs) on the subject lands. The lands do contain a Significant Valleyland along the western and southern portions of the property, including a Wetland community associated with the valleyland. The Significant Valleyland is considered a Key Natural Heritage Feature (KNHF) and a 30-metre Minimum Vegetation Protection Zone (MVPZ) or buffer would typically apply. However, **Section 21(4)** of the ORMCP provides that within **Settlement Areas**, a MVPZ may be implemented based on the requirements of an applicable Official Plan that was adopted on the basis of environmental studies including a Master Environmental Servicing Plan (MESP). In this regard, the subject lands are located within the boundaries of the former Elgin West Secondary Plan (OPA 118), which was adopted on the basis of an MESP that is still recognized in the City's 2010 Official Plan. In this regard, **Section 3.2.2.3** of the Official Plan provides for minimum buffers of 10 metres from hazardous lands, as defined by the City and the TRCA. The applicant has worked with staff to provide an appropriate buffer which is in line with past and current policy regimes for this area, and is supported by the TRCA and the City's Park and Natural Heritage Planning Section.

Lastly, the northerly portion of the subject lands are located within a **Landform Conservation Area (Category 2)** in accordance with **Section 30** of the ORMCP, and the associated policies serve to ensure that development and site alteration minimize disturbances to landform character. In this regard, when reviewing development applications within **Settlement Areas** in the ORMCP, approval authorities and proponents of development must identify planning, design and construction practices that will keep disturbance to landform character to a minimum where possible, including:

1. Maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
2. Limiting the portion of the net developable area of the site that is disturbed to not more than 50 percent of the total area of the site; and,
3. Limiting the portion of the net developable area of the site that has impervious surfaces to not more than 20 per cent of the total area of the site.

In this case, the majority of the identified landform on the subject lands is located within the protected area that will largely be left undisturbed. The portion of the landform within the developable area is closest to Gamble Road and is already partially disturbed by an existing driveway and single detached dwelling. Although staff will continue to work with the applicant through the Site Plan approval process to ensure landform conservation preservation to the extent possible, it is recognized that the opportunities will be limited based on the site constraints and the limited developable area available. Given all of the



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above, staff is of the opinion that the applicant’s revised development proposal conforms with the applicable policies of the ORMCP.

### Revised Zoning By-law Amendment Application

The subject lands are currently zoned **Rural Residential (RR) Zone** in accordance with By-law 2523, as amended, which permits a single family dwelling and a home occupation (refer to Map 3). A site specific exemption implemented through the approval of By-law 253-81 permits two single family dwellings to be erected on the subject lands. The applicant is seeking Council’s approval to rezone the subject lands to **Residential Multiple Family One (RM1) Zone** and **Flood (F) Zone** under By-law 190-87, as amended, with site specific development standards to permit the proposed townhouse development. The following table provides a general summary of the applicable development standards within the proposed zoning category under By-law 190-87, as amended, including site specific provisions proposed by the applicant highlighted in bold:

Development Standard	RM1 Zone Townhouse Dwellings (By-law 190-87)	Revised Development Proposal
<b>Minimum Lot Frontage (Interior Lot)</b>	6.0 metres (19.69 feet)	Complies
<b>Minimum Lot Frontage (Corner Lot)</b>	9.0 metres (29.53 feet)	<b>6.1 metres (20.01 feet)</b>
<b>Minimum Lot Area (Interior Lot)</b>	200 square metres (2,152.78 square feet)	<b>126 square metres (1,356.25 square feet)</b>
<b>Minimum Lot Area (Corner Lot)</b>	301 square metres (3,239.94 square feet)	<b>130 square metres (1,399.31 square feet)</b>
<b>Maximum Lot Coverage</b>	50%	<b>57% within POTL limits</b> 21.2% over entire lot
<b>Minimum Front Yard Setback (Block A)</b>	4.5 metres (14.76 feet)	<b>3.0 metres (9.84 feet)</b>
<b>Minimum Front Yard Setback (Block B)</b>	4.5 metres (14.76 feet)	Complies
<b>Minimum Side Yard</b>	1.5 metres (4.92 feet)	<b>0 metres (0 feet)</b>
<b>Minimum Flankage Yard</b>	3.0 metres (9.84 feet)	<b>0 metres– 0.75 metres (2.46 feet)</b>
<b>Minimum Rear Yard (Block A)</b>	7.5 metres (24.61 feet)	<b>6.4 metres (21 feet)</b>
<b>Minimum Rear Yard (Block B)</b>	7.5 metres (24.61 feet)	<b>4.7 metres (15.42 feet)</b>
<b>Maximum Height</b>	11.0 metres (36.09 feet)	<b>12.6 metres (41.4 feet)</b>
<b>Parking Requirements</b>	2.25 parking spaces per unit of which 0.25 parking spaces per unit shall be for visitor parking	Complies

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In addition to the site specific provisions noted above, the applicant is seeking to revise the definitions related to *lot* and *block townhouse dwelling*. Additional details with respect to the requested site specific provisions can be found in the draft Zoning By-law attached to this report (refer to Appendix “B”).

Staff has undertaken a comprehensive review of the draft Zoning By-law Amendment provided by the applicant, including the requested site specific provisions, and considers them to be appropriate in consideration of the overall design and common element condominium tenure of the development proposal. In this regard, staff notes the following:

- the proposed reduction to the minimum lot frontage requirement for corner lots applies to lots adjacent to the private lane and sidewalk, and will not negatively impact the streetscape along Gamble Road. The proposed reductions to the minimum lot areas are largely a function of the common element condominium nature of the development and the site constraints due to the protection of environmental features and required buffers;
- the proposed reduction to the side yard setbacks and increase to the maximum lot coverage are reflective of the proposed limits of the future Parcels of Tied Land (POTLs), and not the existing property lines, which staff finds appropriate. In this regard, the proposed development accommodates a building setback of at least 1.0 metre (3.28 feet) from the proposed westerly property limit defined by the lands being conveyed to the TRCA and will not have any adverse impacts on neighbouring properties. The proposed reduction to the exterior side yard setback is adjacent to the proposed sidewalk and laneway, and will have no adverse impacts. Opportunities to increase these setbacks will be explored through the finalization of the Site Plan approval process;
- the proposed reduction to the front yard setback from Gamble Road is consistent with Official Plan policies which encourage grade-related residential units to be directly accessible from the public sidewalk in order to animate the street. The proposed setback of 3.0 metres (9.84 feet) is sufficient space for tree planting and landscaping, and will bring the townhouses closer to the public realm and assist in creating a safer, more animated streetscape along Gamble Road;
- the proposed reduction to the rear yard setbacks maintains the intent of providing adequate amenity space, separation and privacy between dwelling units. In this regard, the proposed units within Block A will each accommodate their own rooftop amenity spaces, while the proposed units within Block B will have both rooftop amenity space and traditional rear yards. The proposed minimum setback of 4.5 metres (14.76 feet) is only to a pinch point for the most easterly unit in Block B, whereas the average rear yards have a depth of approximately 6.6 metres (21.65 feet);
- the current zoning permits a maximum building height of 11.0 metres (36.09 feet), whereas the applicant is proposing 12.6 metres (41.4 feet). Based on the drawings submitted to the City, the additional height requested is to accommodate the proposed staircases which provide access to the rooftop amenity areas. The height from established grade to the roofline of the townhouse dwelling units is 9.6 metres (31.6 feet) which complies with the current by-law standards; however, the additional 2.9 metres (9.8 feet) is to accommodate the staircases. The proposed staircases occupy less than

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15% of each dwelling rooftop area and will be setback on the north and south sides of the dwelling units. As a result, no negative impacts to the streetscape and existing residential dwellings in the area are anticipated; and,

- the proposed **Flood (F) Zone** appropriately recognizes the environmental features and required buffers. In this regard, a total of 0.5 hectares (1.24 acres) of land will be conveyed to the TRCA, which includes a Significant Valleyland.

Staff note that the POTL boundaries and development standards will be confirmed and refined through finalization of the Site Plan approval and draft Plan of Condominium processes. On the basis of the preceding, staff is of the opinion that the subject Zoning By-law Amendment application implements the overall development proposal, conforms to the Plan, and represents good planning. Should Council approve the development proposal, the final form of the by-law will be forwarded to Council for enactment at such time as the applicant finalizes the Site Plan approval process for its development and registers Section 118 restrictions pursuant to the *Land Titles Act*.

### Revised Site Plan Application

As noted previously, the submitted Site Plan application (D06-16038) for the proposed townhouse dwelling units is currently under review by City departments and external agencies. The Site Plan submission addresses matters including tree protection, fencing, site servicing, grading and drainage. At the time of writing of this report, only technical matters remain to be addressed with respect to comments from the City's Development Engineering Division and Park and Natural Heritage Planning Section, in addition to the Regional Municipality of York and TRCA requirements. Notwithstanding the foregoing, staff is satisfied with the design and placement of the proposed townhouse dwelling units and will continue to work with the applicant towards the finalization and execution of a Site Plan Agreement should Council approve the subject Zoning By-law Amendment application.

### Public Meeting Comments

As noted previously in this report, concerns were raised by members of Council at the Council Public Meeting held March 20, 2019, and also in written correspondence from members of the public, with regards to the proposed unit count and the preservation of green space. The following is a summary of and response to the main comments and concerns:

- **Proposed Number of Units**  
Concerns were raised with respect to the number of units being proposed on the subject lands. In this regard, the applicant's development proposal has been reduced from a total of eight to six townhouse dwelling units in order to address various comments and technical matters, and the proposed density of 42 units per hectare (18 units per acre) conforms with the Official Plan and is considered appropriate for the subject lands.

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- **Preservation of Green Space**

Concerns were raised with regards to the loss of green space as a result of the proposed development. In this regard, a Landscape Plan, a Valley Restoration Plan, a Natural Heritage Evaluation and a Tree Inventory and Preservation Plan were submitted in support of the proposed development. City and TRCA staff have reviewed the submission materials and are of the opinion that the proposal will protect the ecological integrity of the Significant Valleyland and related environmental features. As a condition of approval, a total of 0.5 hectares (1.24 acres) will be conveyed to the TRCA for environmental protection purposes. Staff further notes that restoration planting and/or cash-in-lieu thereof will be required at the Site Plan application stage as compensation for any tree removals to the satisfaction of the City's Park and Natural Heritage Planning Section. The applicable drawings will be included and secured for within the Site Plan Agreement.

### **Department and External Agency Comments:**

All circulated City departments and external agencies have indicated no objections with respect to the proposed Zoning By-law Amendment application. Technical comments that need to be addressed through the Site Plan application process are summarized below.

#### **Development Engineering Division**

The City's Development Engineering Division has provided technical comments with respect to servicing, grading and the submitted Functional Servicing and Stormwater Management Report. Engineering staff has advised they have no objections to the applicant's Zoning By-law Amendment application, and the Site Plan application remains under review at the time of writing of this report.

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

The City's Park and Natural Heritage Planning Section has provided detailed design comments with respect to the soil volumes, restoration planting, fencing, tree hoarding and proposed Low Impact Development (LID) features.

#### **Regional Municipality of York**

The Regional Municipality of York has provided detailed Site Plan comments with respect to the requirement of a road widening along Gamble Road, a requirement for noise warning clauses as part of the draft Plan of Condominium, and the submission of additional materials, including but not limited to, Landscape Plans and a Traffic Management Plan. The Region has requested to be a Party to the Site Plan Agreement and the Site Plan application remains under review with the Region.

#### **Development Planning Division**

Planning staff has completed a review of the applicant's revised development proposal and has the following comments:

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- the proposed development conforms with the applicable policies of the **Neighbourhood** and **Natural Core** designations of the Official Plan, including permitted land use, maximum building height and maximum density;
- staff supports the applicant's proposed zoning provisions and finds them appropriate for the proposed development. The format and details of the site specific provisions will be refined through the finalization of the Site Plan approval process and draft Zoning By-law;
- the applicant has provided an average buffer of 10 metres (32.8 feet) from the Significant Valleyland, which has been appropriately justified through the submitted NHE. The buffer is reduced at points to the rear/southern portion of the development envelope in order to provide a bio-retention Low Impact Development (LID) feature to maintain drainage collected from the roof and paved areas from the subject development. City staff and TRCA are satisfied with the proposed buffers provided;
- there are technical comments that must be addressed prior to the finalization of the related Site Plan application. In this regard, it is recommended that the Site Plan application process be substantially completed prior to the finalization and enactment of the amending Zoning By-law;
- the subject lands are located within an older Plan of Subdivision (Plan 4667) originally registered in 1954. In 1978, a by-law (By-law 162-78) was passed to deem Plan 4667 not to be a registered Plan of Subdivision pursuant to Section 50(4) of the *Planning Act*. As a result, the applicant is currently unable to take advantage of the Part Lot Control Exemption provisions of the *Planning Act* to facilitate the future creation of Parcels of Tied Land (POTLs). In order to avoid the need for the submission of a new Plan of Subdivision application or multiple Consent applications, staff recommends that the applicant submit a Deeming By-law application to repeal By-law 162-78 on the subject lands and to re-establish the subdivision control provisions of the *Planning Act*, and,
- the applicant will be required to submit draft Plan of Condominium, Deeming By-law, Part Lot Control Exemption, Private Street Naming and Municipal Addressing applications to facilitate the proposed residential development and common element condominium tenure.

Planning staff has undertaken a comprehensive review and analysis of the applicant's revised development proposal and finds that it has appropriate regard for and is consistent with the broader policy direction for this part of the City as outlined in the City's Official Plan. On the basis, it is recommended that the applicant's revised Zoning By-law Amendment application be approved by Council.

### **Interim Growth Management Strategy:**

Council has approved and implemented a comprehensive strategy comprised of eight growth management 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.*

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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.*

The applicant has submitted a Sustainability Metrics Tool (the “Metrics”) in support of IGMS Criteria 5, demonstrating an overall “Application” score of 38, which achieves a “good” score and meets the threshold score for Site Plan applications.

However, at the time of writing of this report, the applicant’s Site Plan application and Metrics remain under review with respect to the feasibility and appropriateness of the proposed sustainability measures. In this regard, staff will continue to work with the applicant in meeting the City’s minimum score requirements applicable to the subject development in order to enable the consideration of servicing allocation assignment in the future.

The subject lands are comprised of one existing single detached dwelling lot, resulting in a servicing allocation credit of 3.56 persons equivalent. In consideration of the fact that a total of six townhouse dwelling units are proposed to be constructed on the subject lands, an additional 14.38 persons equivalent of municipal servicing allocation will be required to facilitate the applicant’s development proposal. In consideration of the preceding and in order to streamline the servicing allocation assignment process for the proposed development, staff recommends that Council delegate its authority to assign allocation to the Commissioner of Planning and Infrastructure, subject to compliance with the City’s IGMS.

### **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. The proposal also aligns with **Getting Around the City** by providing a housing development which fronts onto a York Regional Transit Bus Route, providing a range of transportation methods to get around the City. 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 recommendations of this report are aligned with Council’s climate change considerations as the development proposal is incorporating sustainable development such as the proposed bioretention low impact development (LID) feature which will minimize runoff, maximize retainage and reduce demand on public infrastructure. LED lighting is also

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proposed on all exterior lighting fixtures, and are proposed to be shielded to prevent light pollution. Further, the proposed internal pedestrian walkway will provide connections to the existing sidewalk along Gamble Road which will enable pedestrian access to the City's valley trail system as well as bus stops, thereby contributing to encouraging zero-emission modes of transportation.

### **Conclusion:**

The applicant is seeking Council's approval of its revised Zoning By-law Amendment application to permit a residential development to be comprised of six townhouse dwelling units on its land holdings. Staff has undertaken a comprehensive review and evaluation of the applicant's revised development proposal and is of the opinion that the submitted application conforms to the applicable policies of the City's Official Plan, represents good planning and is considered to be appropriate for the development of the area in which the lands are located. On the basis of the preceding, staff recommends that Council approve the subject application in accordance with the direction 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#12-19 held March 20, 2019
- Appendix "B", Draft Zoning By-law
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Original Site Plan (2018)
- Map 5, Revised Site Plan (2021)
- Map 6, Proposed West and East Elevations
- Map 7, Proposed North and South Elevations
- Map 8, Proposed Renderings

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### Report Approval Details

Document Title:	SRPI.21.116 - Request for Approval - 195 Gamble Road.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPI.21.116 - Appendix A - Extract.docx</li><li>- SRPI.21.116 - Appendix B - Draft Zoning By-law.docx</li><li>- SRPI.21.116 - Appendix B - Draft Zoning By-law Schedule A.docx</li><li>- SRPI.21.116 - Appendix B - Draft Zoning By-law Schedule B.docx</li><li>- SRPI.21.116 - Map 1 - Aerial Photograph.docx</li><li>- SRPI.21.116 - Map 2 - Official Plan Designation.docx</li><li>- SRPI.21.116 - Map 3 - Existing Zoning.docx</li><li>- SRPI.21.116 - Map 4 - Original Site Plan (2018).docx</li><li>- SRPI.21.116 - Map 5 - Revised Site Plan (2021).docx</li><li>- SRPI.21.116 - Map 6 - Proposed West and East Elevations.docx</li><li>- SRPI.21.116 - Map 7 - Proposed North and South Elevations.docx</li><li>- SRPI.21.116 - Map 8 - Proposed Renderings.docx</li></ul>
Final Approval Date:	Nov 29, 2021

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

Gus Galanis

Kelvin Kwan

MaryAnne Dempster