



Staff Report for Council Public Meeting

Date of Meeting: March 2, 2022

Report Number: SRPI.22.008

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.22.008 – Request for Comments – Zoning By-law Amendment Application – Elmway Developments Limited – City File D02-21021**

Owner:

Elmway Developments Limited
7800 Kennedy Road, Suite 405
Markham, Ontario
L3R 2C8

Agent:

Rubinoff Design Group
18 Gloucester Lane, Suite 400
Toronto, Ontario
M4Y 1L5

Location:

Legal Description: Lot 1183, Plan 133
Municipal Address: 0 Lowther Avenue

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to permit a single detached dwelling on the subject lands.

Recommendation:

- a) **That Staff Report SRPI.22.008 with respect to the Zoning By-law Amendment application submitted by Elmway Developments Limited for the lands known as Lot 1183, Plan 133 (Municipal Address: 0 Lowther Avenue), City File D02-21021, be received for information purposes only and that all comments be referred back to staff.**

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Contact Person:

Andrea Patsalides – Planning Technician, phone number 905-771-2470 and/or
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

Report Approval:

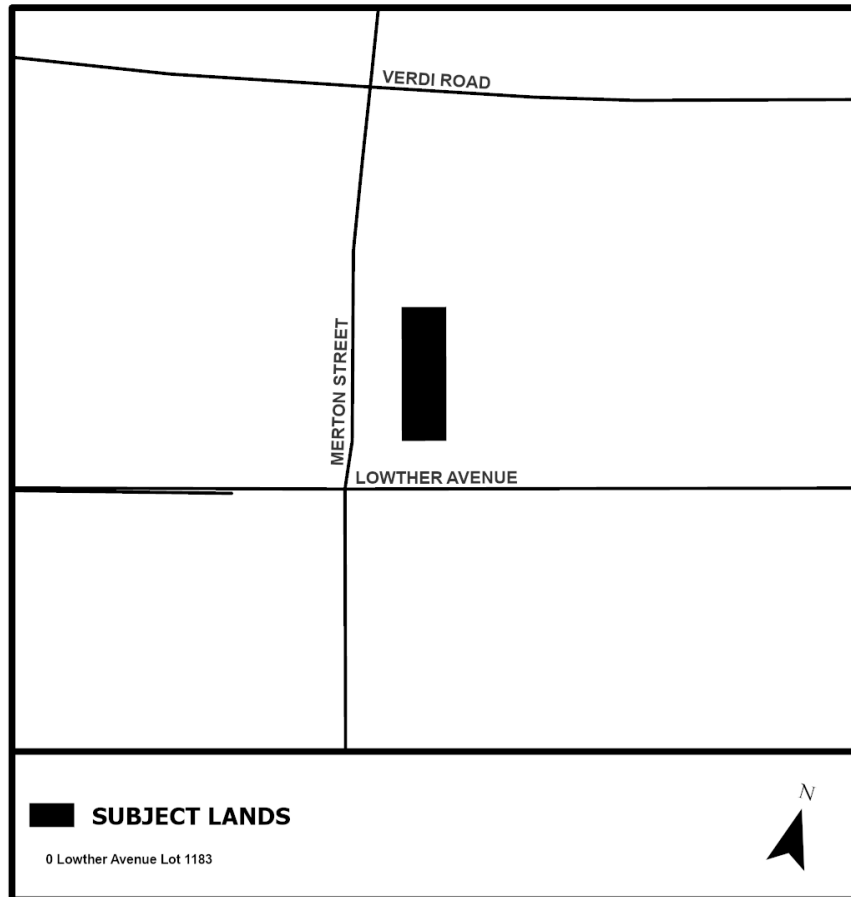
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner and City Manager. Details of the reports approval are attached.

Location Map:

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



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Background Information:

The subject Zoning By-law Amendment application was received by the City on November 11, 2021 and deemed complete on December 3, 2021. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. The purpose of this report is to seek comments from Council and the public with respect to the applicant's development proposal, 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 at the northeast corner of Merton Street and Lowther Avenue, north of King Road and east of Bathurst Street. The lands have a lot area of 0.024 hectares (0.06 acres) and a lot frontage of 9.14 metres (30.0 feet) along Lowther Avenue. The lands are located within a stable residential area, are presently vacant and abut a semi-detached dwelling to the east, a single detached dwelling to the north, Merton Street to west and Lowther Avenue to the south (refer to Map 1).

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to facilitate the construction of a two-storey single detached dwelling on its land holdings (refer to Maps 5 to 7). The following is a summary outlining the relevant statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.024 hectares (0.06 acres)
- **Total Lot Frontage:** 9.14 metres (30.00 feet)
- **Total Number of Units:** 1
- **Proposed Gross Floor Area:** 198.80 square metres (2,140.00 square feet)
- **Proposed Building Height:** 10.79 metres (35.40 feet)
- **Proposed Number of Storeys:** 2
- **Total Lot Coverage:** 41%

Supporting Documentation/Reports

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

- Planning Justification Report;
- Survey;
- Draft Zoning By-law Amendment;
- Development Application Summary;
- Proposed Site Plan;

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- Proposed Floor Plans and Elevation Plans;
- Site Grading and Site Servicing Plans;
- Sediment Control Plan; and,
- Draft Reference Plan.

Zoning By-law Amendment Application

The subject lands are currently regulated by the provisions of former Township of King Zoning By-law 986, as amended, which permits a range of land uses without conventional zone categories (refer to Map 4). Although By-law 986 permits a single detached dwelling on the lands, the applicant’s development proposal does not comply with a number of zone provisions, including the applicable minimum lot frontage and minimum lot area requirements. As such, the applicant is seeking Council’s approval to rezone the subject lands to **Single Detached Two (R2) Zone** under By-law 313-96, as amended, with site specific exceptions to facilitate its development proposal. Outlined below are the proposed development standards relative to those of the **Second Density Residential (R2) Zone** category under By-law 313-96, with requested and required site specific exceptions identified in bold:

Development Standard	R2 Zone (By-law 313-96, as amended)	Proposed Development
Minimum Lot Frontage (Corner Lot)	11.0 metres (36.09 feet)	9.14 metres (30.0 feet)
Minimum Lot Area (Corner Lot)	365.0 square metres (3,928.83 square feet)	242.3 square metres (2,608.1 square feet)
Maximum Lot Coverage	40%	41%
Minimum Front Yard	4.5 metres (14.76 feet)	Complies
Minimum Garage Setback	5.8 metres (19.03 feet)	4.52 metres (14.82 feet)
Minimum Side Yard	1.2 metres (3.93 feet)	Complies
Minimum Flankage Yard	3.0 metres (9.84 feet)	1.22 metres (4.0 feet)
Minimum Rear Yard	7.5 metres (24.61 feet)	Complies
Maximum Height	11.0 metres (36.09 feet)	Complies

The applicant’s draft Zoning By-law is currently under review. The appropriateness of the proposed zoning provisions and the need for additional standards and/or restrictions will continue to be evaluated and refined through the detailed review process.

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the City’s Official Plan (refer to Map 2). The lands are also within the **Settlement Area** designation of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”) and are located in the Hughey West Infill Study, as outlined in **Section 4.9.1.1.1(I)** of the City’s Official Plan.

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In accordance with **Section 4.9.1** of the Plan, lands designated **Neighbourhood** are generally characterized by low density residential areas that also provide for a range of service uses and facilities. Uses permitted within the **Neighbourhood** designation include low density residential uses such as single detached, semi-detached and duplex dwellings, medium density residential uses such as low rise townhouses and walk up apartments, as well as commercial uses, community uses, parks and urban open spaces, and automotive service commercial uses, subject to specific policies and criteria.

Development must be compatible with the character of the adjacent and surrounding area, in accordance with **Section 4.9.2.4** of the Plan. Specifically, the proposal shall have regard for the predominant building forms and types, building massing, general patterns of streets, blocks, lots and lanes, landscaped areas and treatments, and general pattern of yard setbacks found in the surrounding area. It is noted that the **Neighbourhood** designation allows for small-scale infill development that enhances and strengthens the character of the existing area and promotes connectivity and high-quality design.

The subject lands are also located within the **Settlement Area** of the Oak Ridges Moraine as defined in accordance with the *Oak Ridges Moraine Conservation Plan*. In accordance with **Section 3.2.1.1 (18)** of the City's Official Plan, all uses which are otherwise permitted under the City's Official Plan shall be permitted within the **Settlement Area**.

A more detailed review and evaluation of the subject application will be completed following the receipt of comments from Council, the public, City departments and external agencies.

Hughey West Infill Study

The subject lands are located within the Hughey West Infill Study (the “Study”) area approved by Council in 2007. This Study applies to the area generally bounded by Bathurst Street, Puccini Drive and the rear of the lot lines north of Vitlor Drive within the Residential Infill Study for the Bathurst Street Neighbourhood. The Study was prepared as an update to the Bathurst Street Neighbourhood Infill Study (the “Bathurst Study”) approved by Council in 1998. The primary objectives of the Study are to build upon the recommendations of the Bathurst Study, providing more comprehensive direction for the future development of the neighbourhood, including a more connected and functional street network and opportunities for a variety of residential forms of development.

In addition to guiding the general pattern of infill development within the neighbourhood, the Study contains Urban Design Guidelines that provide direction for architectural design and treatment of individual units. Infill development comprising single detached dwellings is supported in the Study for interior streets. A more detailed review and evaluation of the submitted application relative to the Study will be completed following

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the receipt of comments from Council, the public, City departments and external agencies.

City Department and External Agency Comments:

The subject Zoning By-law Amendment application and associated background studies and reports submitted in support of the proposal 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 of this report.

Building Services Division – Zoning Section

The City's Building Services Division - Zoning Section has reviewed the application and identified zoning compliance issues and/or the need for clarification/revisions. In particular, staff has requested clarification with respect to the proposed daylighting triangle at the intersection of Merton Street and Lowther Avenue and more specifically, if the daylighting triangle is to be acquired by the City as this will affect the lot area of the property. The applicant has also been advised to make minor revisions to the draft Zoning By-law submitted in support of its development application..

Development Planning Division

In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed single detached dwelling is a permitted use within the **Neighbourhood** designation of the Plan and within the Hughey West Infill Plan Area approved by Council;
- the development proposal shall be assessed on the basis of conformity with the design recommendations of the Study;
- the proposal appears to be in keeping with the character of the neighbourhood and complies with a number of the typical development standards for single detached dwellings within the **Second Density Residential (R2) Zone** under By-law 313-96;
- the applicant is advised that the setback from the front lot line to the face of the attached garage must be increased to a minimum of 5.8 metres (19.03 feet) in order to provide sufficient depth to accommodate a parking space on the private driveway; and,
- additional review is required with respect to the appropriateness of the site specific development standards and relief being requested from the Zoning By-law.

A comprehensive review of the Zoning By-law Amendment application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public.

Other City Departments and External Agency Comments

Comments have also been received from the City's Financial Services Division, Community Services Department – Waste Division, Urban Design Section and Park and

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Natural Heritage Planning Section, in addition to the Regional Municipality of York, Enbridge and Alectra Utilities. These City departments and external agencies have no objections to the proposed Zoning By-law Amendment application. As of the date of the writing of this report, the subject application continues to be under review by the City's Development Engineering Department, the Toronto and Region Conservation Authority and Canada Post.

Financial/Staffing/Other Implications:

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

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 application is aligned with the Strategic Priorities 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 Zoning By-law Amendment application to permit the construction of a single detached dwelling on its land holdings. The purpose of this report is to provide Council and the public with an overview of the applicant's development proposal and to discuss the regulatory regime governing the evaluation of this planning application. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration.

Appendix Contents and Maps:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format, please call the contact person listed in this document.

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations
- Map 7, Proposed Floor Plans

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Report Approval Details

Document Title:	SRPI.22.008 - Lot 1183 Plan 133.docx
Attachments:	<ul style="list-style-type: none">- Location Map.docx- Map 1 - Aerial Photo.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Official Plan Designation.docx- Map 4 - Existing Zoning.docx- Map 5 - Proposed Site Plan.docx- Map 6 - Proposed Elevations.docx- Map 7 - Proposed Floor Plans.docx
Final Approval Date:	Feb 7, 2022

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

Gus Galanis - Feb 7, 2022 - 2:10 PM

Kelvin Kwan - Feb 7, 2022 - 2:14 PM

Darlene Joslin - Feb 7, 2022 - 4:03 PM