



Staff Report for Council Meeting

Date of Meeting: March 23, 2022

Report Number: SRPI.22.039

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.22.039 – Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – 8608415 Canada Inc. JV c/o Metropole Developments Inc. – City Files D02-17014 and D03-17004 (Related Files D05-17002 and D06-17039)**

Owner:

8608415 Canada Inc. JV c/o Metropole Developments Inc.
17 Old English Lane
Markham, Ontario
L3T 2V1

Agent:

JKO Planning Services Inc.
27 Fieldflower Crescent
Richmond Hill, Ontario
L4E 5E9

Location:

Legal Description: Lots L and N, and Part of Lots H, J and K, Plan 1916
Municipal Address: 25, 45 and 61 Harris Avenue

Purpose:

A request to approve revised Zoning By-law Amendment and draft Plan of Subdivision applications to permit the construction of a medium density residential development to be comprised of 44 townhouse dwelling units on the subject lands.

Recommendations:

- a) **That the revised Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 8608415 Canada Inc. JV c/o Metropole**

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Developments Inc. for lands known as Lots L and N, and Part of Lots H, J and K, Plan 1916 (Municipal Addresses: 25, 45 and 61 Harris Avenue), City Files D02-17014 and D03-17004, 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 Multiple Residential One (RM1) Zone under By-law 235-97, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.22.039;**
 - (ii) that the draft amending Zoning By-law as set out in Appendix “B” be finalized to the satisfaction of the Commissioner of Planning and Infrastructure;**
 - (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 amending Zoning By-law to implement the proposed development on the subject lands;**
 - (iv) that prior to the final amending Zoning By-law being brought forward to Council for consideration and enactment, the applicant’s Site Plan application (City File D06-17039) 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*;**
 - (v) that the Plan of Subdivision as depicted on Map 6 to Staff Report SRPI.22.039 be draft approved, subject to the conditions of draft approval as set out in Appendix “C”;**
 - (vi) that prior to draft approval being granted, the applicant pay the applicable processing fees in accordance with the City’s Tariff of Fees By-law 68-21, as amended;**
- b) That the authority to assign 131.56 persons equivalent of 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 City’s Interim Growth Management Strategy, and that the assigned servicing allocation be released in accordance with By-law 109-11, as amended; and,**
- c) That all comments concerning the applicant’s related Site Plan Application (City File D06-17039) be referred back to staff.**

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Contact Person:

Leigh Ann Penner, Senior Planner – Subdivisions, phone number 905-771-2462 and/or
Denis Beaulieu, Manager of Development - Subdivisions, phone number 905-771-2540

Report Approval:

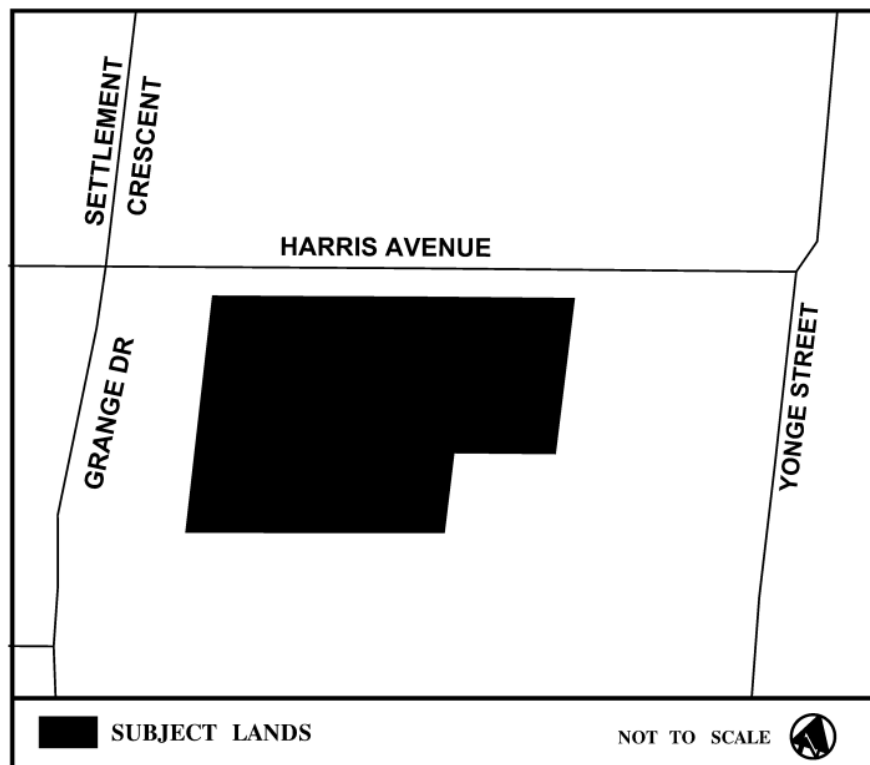
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 “Contact Person” above.



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Background:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications, in addition to related draft Plan of Condominium and Site Plan applications, were considered at a statutory Council Public Meeting held on September 27, 2017 wherein Council received Staff Report SRPRS.17.134 for information purposes and directed that all comments be referred back to staff (refer to Appendix “A”). The Council Public Meeting was followed by a Residents Information Meeting hosted by the Ward 4 Councillor on January 25, 2018. Concerns with the applicant’s development proposal were raised at both the Council Public Meeting and the Residents Information Meeting pertaining to the proposed height and density of the development, increased traffic, tree preservation and the potential impacts of the development on the environment. These comments are addressed in the later sections of this report.

The applicant filed revised submissions with the City between 2018 and late 2021 in order to address various planning, design and technical matters. All comments from circulated City departments and external agencies as they relate to this stage of the approval process have now been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s revised Zoning By-law Amendment and draft Plan of Subdivision applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Harris Avenue, west of Yonge Street, and are comprised of 3 properties with a combined total lot area of 0.98 hectares (2.43 acres) (refer to Map 1). The lands are presently vacant and abut Harris Avenue to the north, City-owned environmental lands and a private laneway to the south, existing single detached dwellings to the west and existing townhouse dwellings to the southeast. Adjacent land uses include a draft approved medium density residential development to the north at 0, 40 and 60 Harris Avenue (City Files D02-14038, D03-14016, D05-14011 and D06-14105) and existing low density residential development to the west of the subject lands.

Revised Development Proposal

The applicant is seeking Council’s approval of its revised development proposal to permit the construction of a medium density residential development to be comprised of 44 townhouse dwelling units on its land holdings (refer to Maps 8 to 11). The development proposal includes 18 freehold street townhouse dwelling units fronting onto Harris Avenue and 26 condominium townhouse dwelling units fronting onto an internal private driveway/lane with access from Harris Avenue.

As noted previously, the applicant has submitted revised submissions to the City in response to comments provided by City departments and external agencies. In this regard, the applicant’s original draft Plan of Subdivision and Site Plan are appended as

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Maps 5 and 7 respectively, while the revised draft Plan of Subdivision and Site Plan are appended as Maps 6 and 8 respectively. The revised development proposal maintains the same general overall design and layout as the original development proposal presented to Council in September 2017 but contains several revisions, as follows:

- adjustments to the distribution of proposed townhouse dwelling units within Blocks 2 and 3 on the revised Site Plan. However, the total unit count remains unchanged;
- an increase in the total number of visitor parking spaces from 4 to 7, inclusive of 2 barrier-free parking spaces;
- the addition of a retaining wall and wood privacy fence along portions of the easterly property limit;
- removal of a proposed pedestrian walkway connection between the subject lands and an existing condominium townhouse development to the south; and,
- refinements to the development blocks within the draft Plan of Subdivision and confirmation of blocks for freehold versus common element condominium tenure.

The following is a summary outlining the pertinent statistics of the applicant's revised development proposal based on the plans and drawings submitted to the City (refer to Maps 8 to 11):

- **Total Site Area:** 0.98 hectares (2.43 acres)
- **Total Lot Frontage (Harris Av.)** 128.63 metres (422.01 feet)
- **Number of Blocks:** 8
- **Total Number of Units:** 44
 - **Street Townhouse:** 18
 - **Condominium Townhouse:** 26
- **Proposed Unit Widths:** 6.0 to 6.3 metres (19.69 to 20.67 feet)
- **Proposed Number of Storeys:** 3
- **Proposed Building Height:** 12.0 metres (39.4 feet)
- **Total Parking Spaces:** 95
 - **Residential:** 88 (2 spaces per dwelling unit)
 - **Visitor (includes 2 H/C):** 7 (0.15 spaces per dwelling unit)
- **Total Bicycle Parking Spaces:** 9 (0.20 spaces per dwelling unit)
- **Proposed Density:** 44.89 units per hectare (18.11 units per acre)

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Regional Mixed-Use Corridor**, **Neighbourhood** and **Natural Core** in accordance with Schedule A2 (Land Use) of the City's Official Plan (the "Plan") (refer to Map 2). The lands are also situated within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* (ORMCP) in accordance with Schedule A3 (Settlement Area), an **Area of High Aquifer Vulnerability** in accordance with Schedule A5 (ORM Areas of High Aquifer Vulnerability and Wellhead Protection Areas) and a

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Category 2 – Landform Conservation Area in accordance with Schedule A6 (ORM Landform Conservation Areas) of the Plan.

The easterly portion of the subject lands closest to Yonge Street is designated **Regional Mixed-Use Corridor**, and in accordance with **Policy 4.6.1**, medium density residential uses are permitted at a maximum site density of 2.0 FSI, a minimum building height of 2 storeys and a maximum building height of 6 storeys.

The central portion of the subject lands is designated **Neighbourhood**, and pursuant to **Policy 4.9.1.2**, medium density residential uses such as townhouses are permitted subject to specific locational criteria. In this regard, medium density residential uses are permitted within the **Neighbourhood** designation for lands fronting onto an arterial street and onto a local or collector street as identified as part of a priority infill area pursuant to **Policy 4.9.1.1(1)** or a Tertiary Plan undertaken by the City and approved by Council. Where permitted in accordance with the policy criteria outlined in the Plan, a maximum site density of 50 units per hectare (20 units per acre) and a maximum building height of three storeys are permitted for medium density residential uses within the **Neighbourhood** designation. In this regard, the subject lands are located within an area of the Harris-Beech Neighbourhood Infill Study where medium density residential uses such as low rise townhouses are permitted. As a result, the proposed three storey townhouse dwelling units at a density of 44.89 units per hectare (18.11 units per acre) are consistent with the **Neighbourhood** policies of the Plan.

The **Neighbourhood** designation is intended to accommodate limited intensification through small-scale infill and redevelopment. 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 pattern 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 Neighbourhood Infill Study, which has pre-determined the type of infill development to be permitted within the neighbourhood.

Staff has evaluated the applicant's revised development proposal in relation to the land use, design and compatibility policies of the Plan and is satisfied that the proposal has regard for, and is compatible with existing and planned development in the area. The proposed development provides for building types that are envisioned in the Plan and the Harris-Beech Neighbourhood Infill Study, and is similar in form and scale to approved or planned development to the north and west of the subject lands. Furthermore, the height and massing of the proposed townhouse dwelling units is compatible with the existing dwellings and Zoning By-law permissions in the area.

The southwesterly portion of the subject lands is designated **Natural Core**, which is intended to identify areas located within the **Settlement Area** that include Key Natural Heritage Features (KNHFs), Key Hydrologic Features (KHF) and/or Landform Conservation Areas. Furthermore, the subject lands are identified as being located within a **Landform Conservation Area (Category 2)** in accordance with Schedule A6

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(ORM 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 (**Policy 3.2.1.1(35)**). 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 disturbances to landform character to a minimum where possible, including:

- maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
- 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,
- 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.

The Plan provides the ability to refine the limits of the **Natural Core** designation 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 **Policies 4.10.5.1(5)** and **4.10.5.1(6)**. In this regard, the applicant submitted an NHE, inclusive of an Oak Ridges Moraine Conformity Report (ORM Conformity Report) prepared by Dillon Consulting in support of the proposed development. A Landform Features and Soils Assessment was also provided as part of the required ORM Conformity Report in accordance with **Policies 3.2.1.1(18)** and **3.2.1.1(35)** of the Plan. The purpose of this report was to assess the applicant's development proposal for conformity with the ORMCP, to determine the location of any Key Natural Heritage Features (KNHFs) and Key Hydrologic Features (KHF) on and within a 120 metre area of influence, to confirm the developable limits, required buffers and mitigation measures, and to minimize disturbance to landform character.

The NHE identified that a KNHF is present on the subject lands in the form of the habitat of an endangered or threatened species (i.e. two Butternut trees); however, the subject lands are not within the *minimum area of influence* or *minimum vegetation protection zone* of any other such features. The report also concluded that there are no landform features on the site based on the hydrogeological investigation, field assessment, secondary sources and site disturbance from the previous residential development of the lands.

City and TRCA staff have undertaken a comprehensive review of the NHE and ORM Conformity Report submitted in support of the subject development and are satisfied with the proposed Butternut replacement plantings and that no landform features exist on the site. As a result, and pursuant to the Interpretation policies of the Plan under Policy 7.1, these lands are deemed to be designated **Neighbourhood** rather than **Natural Core**.

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Lastly, the subject lands are situated within the **Settlement Area** of the Oak Ridges Moraine, as defined by the ORMCP, and are also 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. Pursuant to **Section 3.2.1.1(18)** of the Plan, all uses, including the creation of new lots which are otherwise permitted under the Plan and applicable Secondary Plans, shall be permitted within the **Settlement Area**. In addition, permitted uses shall be subject to the requirements of Sections 19(3) and 31(4) of the ORMCP and **Section 3.2.1.1** of the Plan. With respect to the subject lands being located within an **Area of High Aquifer Vulnerability**, certain uses that may cause contamination or negatively impact water quality, as described in **Policy 3.2.1.1(37)**, are prohibited in these areas. The proposed residential use does not conflict with these policies.

Based on the preceding, staff is of the opinion that the applicant's revised development proposal conforms with the applicable policies of the Plan and the ORMCP.

Harris-Beech Neighbourhood Infill Study (2014)

The subject lands are located within the Harris-Beech Neighbourhood Infill Study Area (the "Infill Study") in accordance with **Policy 4.9.1.1.1(j)** of the Plan. The Infill Study is identified in the Plan as a Priority Infill Area, consisting primarily of the **Neighbourhood** designation, with a smaller portion of land located along Yonge Street, identified as **Regional Mixed-Use Corridor**. Approved by Council in February 2014, the Infill Study provides guidance for infill development within the Harris-Beech neighbourhood. Furthermore, the Infill Study provides a number of principles intended to guide the redevelopment of the neighbourhood over the long term and provides demonstration plans (four development scenarios, "A", "B", "C" and "D") and urban design criteria for low and medium density residential uses. Outlined below is a summary of the subject development proposal's conformity with the Infill Study:

- the proposed townhouse development meets the locational criteria for medium density residential uses as identified on Scenario "C" of the Infill Study (refer to Map 3). Furthermore, all four of the development scenarios contained within the Infill Study depict medium density residential uses on the north and south side of Harris Avenue, between existing low density residential development to the west and south as well as planned intensification along Yonge Street;
- **Sections 2.0 and 6.3** of the Infill Study provide guidance for the creation of walkable streets and enhanced connectivity between neighbourhoods. The applicant's revised development proposal supports this principle as a continuous sidewalk is proposed within the site with a direct connection to a proposed sidewalk along the Harris Avenue frontage. This will facilitate east-west connectivity through the community and to Flood Farmstead Park;
- **Section 6.1** of the Infill Study specifies that for medium density housing forms, a minimum unit width of 6.0 metres and a maximum building height of three storeys

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are required for street and lane-accessed townhouse dwellings. The applicant's revised development proposal comprises 6.0 metre and 6.3 metre wide units and a maximum building height of three storeys, which is consistent with City-wide Urban Design Guidelines and complies with the built form design guidelines of the Infill Study; and,

- **Section 6.2** of the Infill Study identifies site design elements wherein buildings are to be oriented to the main road, provide for appropriate massing and height, include articulated facades and consolidate landscaped areas. The applicant's revised development proposal complies with the design guidelines of the Infill Study.

Based on the preceding, staff is satisfied that the proposed development is consistent with the Council-approved Infill Study and constitutes good and orderly planning.

Revised Zoning By-law Amendment Application

The subject lands are zoned currently **Urban (UR) Zone** under By-law 128-04, as amended (refer to Map 4). Permitted uses in the **Urban (UR) Zone** include uses lawfully in existence as of November 15, 2001, bed and breakfast establishments, public infrastructure, one single detached dwelling and home occupations. Townhouse dwellings are not permitted under the **UR Zone** classification. Accordingly, the applicant is seeking Council's approval to rezone its land holdings to **Multiple Residential One (RM1) Zone** under By-law 235-97, as amended (refer to Appendix "B"). More specifically, lands shown as **7.A, 7.B** and **7.C** on Schedule "A" to the draft Zoning By-law include freehold townhouses and lands shown as **7.D** on Schedule "A" to the draft Zoning By-law include condominium townhouses, all of which are proposed to be subject to the provisions for Street Townhouse Dwellings.

The following table provides a summary of the applicable development standards within the **Multiple Residential One (RM1) Zone** under By-law 235-97, as amended, including site specific provisions proposed by the applicant highlighted in bold:

Development Standard (Block 1)	RM1 Zone Standard, By-law 235-97, as amended	Proposed Standards
Minimum Lot Frontage	6.0 metres (19.69 feet)	Complies
Minimum Lot Area	200.0 square metres (2,152.85 square feet)	145.0 square metres (1,560.8 square feet)
Maximum Lot Coverage	50%	60%
Minimum Front Yard	4.5 metres (14.76 feet)	2.7 metres (8.85 feet)
Minimum Side Yard	1.5 metres (4.92 feet)	1.2 metres (3.94 feet) (1)
Minimum Rear Yard	7.5 metres (24.61 feet)	6.0 metres (19.69 feet)
Maximum Building Height	11.0 metres (36.09 feet)	12.0 metres (39.37 feet)
Parking Requirements	2.0 parking spaces per unit	Complies

(1) Minimum required side yard adjacent to a private driveway shall be 1.0 metre (3.28 feet)

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Development Standard (Block 2)	RM1 Zone Standard, By-law 235-97, as amended	Proposed Standards
Minimum Lot Frontage	6.0 metres (19.69 feet)	Complies
Minimum Lot Area	200.0 square metres (2,152.85 square feet)	140.0 square metres (1,506.9 square feet)
Maximum Lot Coverage	50%	60%
Minimum Front Yard	4.5 metres (14.76 feet)	3.0 metres (9.84 feet)
Minimum Side Yard	1.5 metres (4.92 feet)	1.2 metres (3.94 feet) (1)
Minimum Rear Yard	7.5 metres (24.61 feet)	6.0 metres (19.69 feet)
Maximum Building Height	11.0 metres (36.09 feet)	12.0 metres (39.37 feet)
Parking Requirements	2.0 parking spaces per unit	Complies

(1) Minimum required side yard adjacent to a private driveway shall be 1.0 metre (3.28 feet)

Development Standard (Block 3)	RM1 Zone Standard, By-law 235-97, as amended	Proposed Standards
Minimum Lot Frontage	6.0 metres (19.69 feet)	Complies
Minimum Lot Area	200.0 square metres (2,152.85 square feet)	140.0 square metres (1,506.9 square feet)
Maximum Lot Coverage	50%	62%
Minimum Front Yard	4.5 metres (14.76 feet)	2.5 metres (8.20 feet)
Minimum Side Yard	1.5 metres (4.92 feet)	1.2 metres (3.94 feet) (1)
Minimum Rear Yard	7.5 metres (24.61 feet)	6.0 metres (19.69 feet)
Maximum Building Height	11.0 metres (36.09 feet)	12.0 metres (39.37 feet)
Parking Requirements	2.0 parking spaces per unit	Complies

(1) Minimum required side yard adjacent to a private driveway shall be 1.8 metres (5.91 feet)

Development Standard (Blocks 4 to 8)	RM1 Zone Standard, By-law 235-97, as amended	Proposed Standards
Minimum Lot Frontage	6.0 metres (19.69 feet)	Complies
Minimum Lot Area	200.0 square metres (2,152.85 square feet)	140.0 square metres (1,506.9 square feet)
Maximum Lot Coverage	50%	62%
Minimum Front Yard	4.5 metres (14.76 feet)	3.0 metres (9.84 feet) (2)(4)
Minimum Side Yard	1.5 metres (4.92 feet)	1.2 metres (3.94 feet) (1)(5)(6)
Minimum Rear Yard	7.5 metres (24.61 feet)	6.0 metres (19.69 feet) (3)
Maximum Building Height	11.0 metres (36.09 feet)	12.0 metres (39.37 feet)
Parking Requirements	2.0 spaces per unit of which 0.15 spaces per unit shall be for visitor parking	Complies

(1) Northerly dwelling unit in Block 4 shall be 1.0 metre (3.28 feet)

(2) Northerly and southerly dwelling units in Block 6 shall be 1.2 metres (3.94 feet)

(3) Southerly dwelling unit in Block 6 shall be 3.7 metres (12.14 feet)

(4) Northerly dwelling unit in Block 7 shall be 1.62 metres (5.31 feet)

(5) Northerly dwelling unit in Block 7 shall be 0.9 metres (2.95 feet)

(6) Southerly dwelling unit in Block 8 shall be 1.0 metre (3.28 feet)

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In addition to the site specific provisions noted above, the applicant is seeking approval to amend the general provisions of By-law 235-97, as amended, pertaining to the definitions of “lane”, “lot” and “street” in order to facilitate its development proposal. 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”).

The applicant has confirmed that Section 118 restrictions under the *Land Titles Act* will be registered over the subject lands, and therefore, the draft by-law has been structured to facilitate the creation of the future individual Parcels of Tied Land (POTLs) prior to condominium registration. Additional revisions are likely as the applicant finalizes the Site Plan approval process and the content of the by-law is refined to be consistent with the City’s formatting.

Staff has undertaken a comprehensive review of the site specific provisions as proposed by the applicant and considers same to be appropriate in consideration of the proposed land use, overall design and freehold and common element condominium tenure of the development proposal. In this regard, staff notes the following:

- the proposed reduction in lot area and reduced yards respecting Blocks 1 to 3 will not negatively impact the surrounding residential lotting and character relating to the Harris Avenue streetscape. The proposed reduction to the minimum lot areas respecting Blocks 4 to 8 are largely a function of the common element condominium nature of the development. Furthermore, the proposed reduction to the side yard setbacks applies to lots adjacent to the private lane and sidewalk, and will not negatively impact the streetscape along Harris Avenue or the proposed condominium townhouse units within the site.
- 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 reduced rear yard setback for units within Blocks 2, 3 and 6 will maintain the intent of the rear yard and provide appropriate amenity space while maintaining privacy and spacing separation. It is noted that these units are to abut the private lane within the development. Therefore, there are no direct impacts on abutting land uses.
- the current zoning permits a maximum building height of 11.0 metres (36.09 feet), whereas the applicant is proposing 12.0 metres (39.37 feet). Based on the drawings submitted to the City, the proposed height from established grade to the roofline varies from 10.68 metres (35.04 feet) (Block 3) and 11.98 metres (39.30 feet) (Block 1) for the freehold townhouse dwellings to 11.38 metres (37.34 feet) for the condominium townhouse dwellings.

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. Based on the preceding, staff is of the opinion that the subject Zoning By-law Amendment application implements the applicant’s revised draft Plan of Subdivision

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and overall development proposal, conforms with the applicable policies of the Plan, the ORMCP and the Infill Study, 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 related Site Plan application and registers Section 118 restrictions on the lands pursuant to the *Land Titles Act*.

Revised Draft Plan of Subdivision Application

The applicant's revised draft Plan of Subdivision application proposes the creation of three blocks for residential purposes (refer to Map 6). The purpose of the draft Plan of Subdivision is to place the subject lands within a registered Plan of Subdivision in order to facilitate the approval of a future Part Lot Control Exemption to enable the creation of the lots for the freehold townhouses to front onto Harris Avenue and the Parcels of Tied Land as part of the proposed common element condominium. Subject to the conditions of draft approval contained in Appendix "C" attached hereto, staff is of the opinion that the revised draft Plan of Subdivision application conforms with the applicable policies of the Plan and has appropriate regard for the criteria under Section 51(24) of the *Planning Act*.

Revised Draft Plan of Condominium Application

The applicant's revised draft Plan of Common Element Condominium application is intended to facilitate the creation of common element condominium tenure over a portion of the subject lands which includes a driveway/private street, visitor parking, sidewalks, bicycle racks, community mailbox, urban open space area, landscaping and associated outdoor furniture including bench and garbage receptacles. The subject draft Plan of Condominium application remains under review and will be brought back to Council for consideration following the receipt of draft plan conditions and the issuance of Site Plan approval.

Revised Site Plan Application

The applicant's revised Site Plan application serves to facilitate its development proposal, including with respect to matters such as architectural design, building and siting setbacks, tree protection, landscaping, tree planting, landform conservation, site servicing, grading, drainage and lighting (refer to Maps 8 to 11). Amenity space for each individual townhouse dwelling unit is to be provided through at-grade front and rear yards. Vehicular access to the site is proposed from Harris Avenue via a private driveway/lane.

The revised Site Plan application remains under review at this time as a number of technical matters still need to be addressed prior to final approval. Detailed comments must be addressed prior to bringing forward the amending Zoning By-law to Council for consideration and passage.

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Council and Public Comments:

The following is an overview of and response to comments and/or concerns expressed by the public at the Council Public Meeting held on September 27, 2017, the Residents Meeting held on January 25, 2018 and through written correspondence received by the City with respect to the applicant's development proposal:

- **Proposed Building Height**

Concerns were raised from several residents on Grange Drive with respect to the proposed height of the townhouse dwellings. Privacy and shadowing concerns as a result of the proposed three storey building heights relative to the existing two storey single detached dwellings abutting the subject lands were noted. In this regard, the proposed building height conforms with the applicable policies of the Plan as a maximum building height of up to three storeys is permitted. While the applicant is seeking an increase in the permitted physical height of the buildings from 11.0 metres (36.09 feet) to a maximum of 12.0 metres (39.37 feet) based on the standard **RM1 Zone** provisions, it is noted that the building heights for the proposed condominium townhouses adjacent to existing single detached dwellings are 11.38 metres (37.34 feet) as shown on the applicant's Elevation Plans (refer to Maps 9 to 11). Furthermore, the proposed building heights of three storeys are consistent with the maximum building heights identified in the Plan and Infill Study, and are also consistent with the approved townhouse developments to the north which include permitted building heights of 12 metres (39.37 feet) at 0, 40 and 60 Harris Avenue (City Files D02-14038, D03-14016, D05-14011 and D06-14105) and 3 storeys at 39, 53 and 67 Jefferson Sideroad (City Files D02-14011, D03-15008 and D06-14029). It is also noted that the proposed rear yards will provide adequate separation distance between the proposed townhouse dwellings within the plan and between the existing residential development to the east and west.

- **Proposed Density**

Concerns were raised with respect to the density of the proposed development. In this regard, the Plan allows a maximum density of 50 units per hectare (20 units per acre) for medium density development within the **Neighbourhood** designation. The applicant's development proposal is comprised of 44 townhouse dwelling units with a proposed density of 44.89 units per hectare (18.11 units per acre) which conforms with the densities prescribed in the Plan.

- **Increased Traffic**

Concerns were raised with respect to the increased volume of traffic that would be generated by the proposed development and its impacts on adjacent properties. A Transportation Study and addendums to same were submitted by the applicant to address current and future traffic volumes, site access and circulation, parking and Transportation Demand Management (TDM) measures. The conclusions of the Study with respect to traffic impact indicate that no further roadway improvements are required to support the proposed residential development, aside from the

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construction of the site access and the City's planned road reconstruction and urbanization of Harris Avenue. It is noted that the intersection of Harris Avenue and Yonge Street will be an all-moves intersection in the future. The City's Transportation Engineering Section has reviewed the supporting documents and found them to be acceptable.

- **Potential Environmental Impact and Loss of Mature Trees**

Concerns were raised with respect to the impacts of the proposed development on the surrounding environment and more specifically, with respect to the loss of trees. In this regard, a Landscape Plan, a Natural Heritage Evaluation, an Oak Ridges Moraine Conformity Report 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 note that there are no Key Natural Heritage Features, Key Hydrologic Features or Landforms, albeit two Butternut trees were identified and have been transplanted, in addition to eight Butternut seedlings and associated companion plantings, on City-owned lands on Tower Hill Road in accordance with Ministry of the Environment, Conservation and Parks (MECP) requirements. Staff notes that plantings and cash-in-lieu of parkland will be required 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.

City Department and External Agency Comments:

All circulated City departments and external agencies have either indicated no objections, have provided comments to be addressed through the Site Plan approval process, and/or have provided conditions of draft approval with respect to the applicant's revised draft Plan of Subdivision application, including the City's Development Engineering Division and Park and Natural Heritage Planning Section, in addition to the Regional Municipality of York and the Toronto and Region Conservation Authority. The schedule of draft plan conditions is attached as Appendix "C" hereto. Technical comments that need to be addressed through the Site Plan application process are summarized below.

Development Engineering Division

Development Engineering staff have confirmed that the required Servicing Agreement for the development will include provisions for the storm, sanitary and water service connections to the 18 freehold street townhouse dwelling units with direct frontage on Harris Avenue. The Servicing Agreement is currently awaiting execution. In addition, the applicant is required to address detailed comments respecting the submitted Servicing Plan, Grading Plan, Erosion and Sediment Control Plans, Functional Servicing Report and Stormwater Management Report, Outdoor Lighting Study, and the Sustainability Metrics.

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Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has provided comments on the related Site Plan and draft Plan of Condominium applications. Comments relate to landscaping matters and recommend that all proposed retaining walls and fencing be located within the common elements of the condominium as these features will be shared and maintained by multiple property owners. Parks staff advise that cash-in-lieu of parkland for this development proposal is recommended as a new municipal park is less than 400 metres walking distance from the subject lands. In addition, Parks staff advise that cash-in-lieu of tree planting will be required for replacement trees that cannot be accommodated within the development.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority has reviewed the applicant's revised draft Plan of Subdivision and is satisfied that the remaining comments can be addressed through the Site Plan approval process and the related Site Plan Agreement. Technical comments related to the Harris-Beech Master Environmental Servicing Plan (MESP) and required revisions to the Functional Servicing Stormwater Management Report have been identified.

Development Planning Division

Development Planning staff has undertaken a comprehensive review of the applicant's revised development proposal and provides the following comments:

- the proposed medium density residential development conforms with the applicable policies of the **Regional Mixed-Use Corridor** and **Neighbourhood** designations, including permitted land use, maximum building height and maximum density as set out in the Plan;
- the proposed development provides for appropriate built form, massing and setbacks that are compatible with adjacent and surrounding lands as required pursuant to **Section 4.9.2** of the Plan;
- the proposed site specific **RM1 Zone** category under By-law 235-97, as amended, is generally consistent with the surrounding context of the neighbourhood;
- staff supports the applicant's proposed development standards and finds them appropriate for the subject development and in the context of the area. The amending by-law and details of the site specific provisions will be refined through the finalization of the Site Plan approval process;
- the Site Plan approval process must be substantially completed and all technical comments addressed before bringing forward the implementing Zoning By-law to Council for enactment;
- in addition to the foregoing, the applicant shall confirm the lands that are to be included within the future common elements (i.e. landscaping and proposed retaining walls and fencing);
- the applicant will be required to register Section 118 restrictions on the lands pursuant to the *Land Titles Act* prior to finalization and approval of the amending

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Zoning By-law. This restriction is intended to prevent the transfer of lands unless consent is provided by the City's Commissioner of Planning and Infrastructure, thereby ensuring that the Plan of Condominium is registered prior to the conveyance of parcels to future homebuyers; and,

- the applicant will be required to submit Part Lot Control Exemption and Private Street Naming applications to facilitate the creation of individual lots for the townhouse blocks and a private street.

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.*
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 Performance Metrics Tool (the "Metrics") in support of IGMS Criteria 5, and for consideration by the City as part of its review and approval of the related Site Plan application, including the allocation of servicing capacity. The applicant's submitted Metrics demonstrates an overall "Application Score" of 33, 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 submission 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 proposed total unit count of 44 townhouse dwelling units is equivalent to 131.56 persons for the purposes of municipal servicing allocation. In consideration of the preceding and in order to streamline the servicing allocation assignment process for the proposed development, staff recommends that Council authorize the Commissioner of Planning and Infrastructure to allocate municipal servicing, subject to compliance with the City's IGMS.

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Staff further note that the Metrics proposed by the applicant in support of its allocation request is comprised of both site works and building design measures. These commitments will be secured through the Site Plan approval process and reflected in the Site Plan Agreement, where applicable. The approved plans forming part of the Site Plan Agreement must denote the applicable metrics and depict the requisite information on said plans. A response letter directing staff to where the information is depicted or denoted would assist staff's review of the associated plans.

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 and 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 mitigation by facilitating infill development within an existing built up area, thereby utilizing land more efficiently. It is noted that the proposed development is incorporating sustainability components such as low impact development (LID) measures which will minimize runoff, maximize on-site retention and reduce demand on public infrastructure. All exterior lighting fixtures greater than 1,000 lumens will be shielded which will prevent night sky lighting/light pollution. Furthermore, the proposed internal sidewalk will provide connections to the proposed sidewalk along Harris Avenue which will enable pedestrian access to Flood Farmstead Park 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 and draft Plan of Subdivision applications to permit a residential development to be comprised of 44 townhouse dwelling units 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 applications conform with the applicable policies of the City's Official Plan, are consistent with the Harris-Beech Neighbourhood Infill Study and have regard for the criteria described under Subsection 51(24) of the *Planning Act*. Staff is also of the opinion that the applicant's revised Zoning By-law Amendment and draft Plan of Subdivision applications are appropriate and represent good planning. On the basis of the preceding, staff recommends that Council approve the subject applications in accordance with the conditions and directions outlined in this report.

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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 Public Meeting C#32-17 held September 27, 2017
- Appendix “B”, Draft Zoning By-law
- Appendix “C”, Schedule of Conditions of Draft Plan Approval 19T(R)-17004
- Map 1, Aerial Photograph
- Map 2, Official Plan Schedule A2 – Land Use
- Map 3, Harris-Beech Neighbourhood Infill Study – Scenario C
- Map 4, Existing Zoning
- Map 5, Original Draft Plan of Subdivision
- Map 6, Revised Draft Plan of Subdivision
- Map 7, Original Site Plan
- Map 8, Revised Site Plan
- Map 9, Proposed Front Elevations – Building Blocks 1 to 3
- Map 10, Proposed Front Elevations – Building Blocks 4 to 8
- Map 11, Proposed Elevations – Building Block Side and Rear Elevations

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Report Approval Details

Document Title:	SRPI.22.039 - Request for Approval - 25, 45 and 61 Harris Avenue - D02-17014 and D03-17004.docx
Attachments:	<ul style="list-style-type: none"> - Appendix A - Extract from Council Public Meeting C32-17.doc - Appendix B - Draft Zoning By-law.docx - Appendix B - Draft Schedule A.docx - Appendix B - Draft Schedule B.docx - Appendix C - Schedule of Conditions 19T(R)-17004.docx - SRPI.22.039 - Map 1 - Aerial Photograph AODA.docx - SRPI.22.039 - Map 2 - Official Plan Schedule A2 - Land Use AODA.docx - SRPI.22.039 - Map 3 - Harris-Beech Neighbourhood Infill Study - Scenario C AODA.docx - SRPI.22.039 - Map 4 - Existing Zoning AODA.docx - SRPI.22.039 - Map 5 - Original Draft Plan of Subdivision AODA.docx - SRPI.22.039 - Map 6 - Revised Draft Plan of Subdivision AODA.docx - SRPI.22.039 - Map 7 - Original Site Plan - AODA.docx - SRPI.22.039 - Map 8 - Revised Site Plan AODA.docx - SRPI.22.039 - Map 9 - Proposed Front Elevations - Building Blocks 1 to 3 AODA.docx - SRPI.22.039 - Map 10 - Proposed Front Elevations - Building Blocks 4 to 8 AODA.docx - SRPI.22.039 - Map 11 - Proposed Elevations - Building Block Side and Rear Elevations AODA.docx
Final Approval Date:	Mar 1, 2022

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

Gus Galanis - Mar 1, 2022 - 1:21 PM

Kelvin Kwan - Mar 1, 2022 - 1:39 PM

Darlene Joslin - Mar 1, 2022 - 2:43 PM