



Staff Report for Council Meeting

Date of Meeting: April 13, 2022

Report Number: SRPI.22.016

Department: Planning and Infrastructure

Division: Development Planning

**Subject: SRPI.22.016 – Request for Approval – Zoning
By-law Amendment Application – Xiukai Zhu –
City File D02-20023**

Owner:

Xiukai Zhu
19 Pearson Avenue
Richmond Hill, Ontario
L4C 6S9

Agent:

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

Location:

Legal Description: Part of Lot 11, Plan 3403
Municipal Address: 19 Pearson Avenue

Purpose:

A request for approval concerning a revised Zoning By-law Amendment application to facilitate the creation of an additional building lot on the subject lands.

Recommendations:

- a) That the revised Zoning By-law Amendment application submitted by Xiukai Zhu for lands known as Part of Lot 11, Plan 3403 (Municipal Address: 19 Pearson Avenue), City File D02-20023, be approved, subject to the following:
 - (i) that the subject lands be rezoned from Second Density Residential (R2) Zone to Third Density Residential (R3) Zone under By-law 2523,

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as amended, with site specific provisions as set out in Appendix “B” to Staff Report SRPI.22.016; and,

- (ii) that the amending Zoning By-law be brought forward to a future Council meeting for consideration and enactment.**

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:

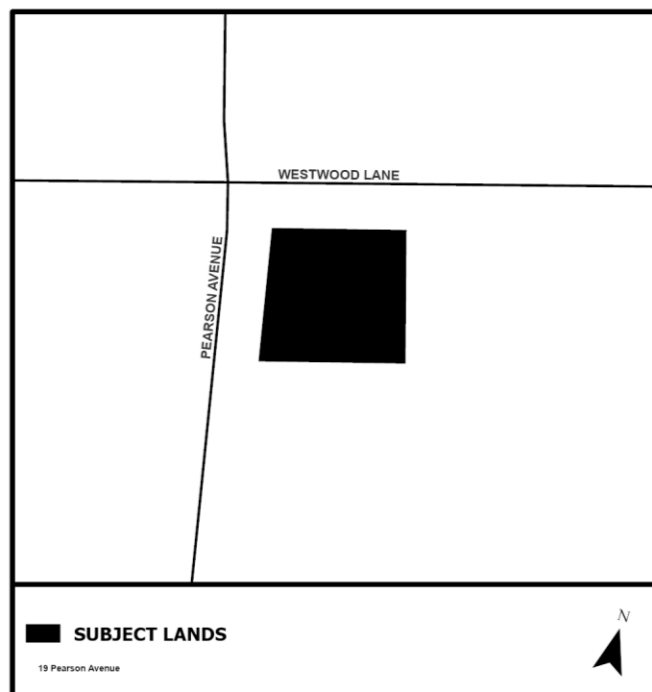
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on January 20, 2021 wherein Council received Staff Report SRPI.21.014 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). A number of concerns were raised by members of the public and Council regarding the compatibility and appropriateness of the proposed development. These matters are addressed in a subsequent section of this report.

The applicant has revised its development proposal and satisfactorily addressed all comments from internal departments and external agencies. Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s revised Zoning Bylaw Amendment application.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the southeast corner of Pearson Avenue and Westwood Lane (refer to Map 1). The lands have a total lot area of 0.091 hectares (0.22 acres) and a lot frontage of 30.48 metres (100 feet) along Pearson Avenue. Presently, the lands support a single detached dwelling that is proposed to be demolished, abut single detached dwellings to the east and south, Pearson Avenue to the west, and Westwood Lane to the north (refer to Map 2).

Revised Development Proposal

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

- **Total Lot Area:** **0.091 hectares (0.22 acres)**
- **Total Lot Frontage:**
 - **Pearson Avenue:** **30.48 metres (100.0 feet)**
 - **Westwood Lane:** **30.54 metres (100.2 feet)**
- **Proposed Lot Area:**
 - **Interior Lot:** **444.63 square metres (4,785.96 square feet)**
 - **Corner Lot:** **472.45 square metres (5,085.41 square feet)**
- **Proposed Lot Frontage:**
 - **Interior Lot:** **14.63 metres (48.0 feet)**
 - **Corner Lot:** **15.02 metres (49.28 feet)**
- **Total Number of Units:** **2**

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- **Proposed Gross Floor Area:**
 - **Interior Lot:** 371.49 square metres (3,998.69 square feet)
 - **Corner Lot:** 365.27 square metres (3,931.73 square feet)
- **Proposed Building Height:** 10.67 metres (35.0 feet)
- **Proposed Number of Storeys:** 2
- **Proposed Lot Coverage:**
 - **Interior Lot:** 42.76%
 - **Corner Lot:** 39.76%

The applicant's revised development proposal contemplates, among other matters, modifications to the original site layout and development standards as described below:

- an increase in the minimum required front yard setback from 6.0 metres (19.69 feet) to 7.6 metres (24.93 feet);
- a reduction in the minimum required rear yard setback from 8.92 metres (29.27 feet) to 7.5 metres (24.61 feet), in addition to a reduction in the permitted rear yard deck encroachment from 4.57 metres (14.99 feet) to 2.44 metres (8.0 feet) in order to offset the reduced rear yard setback and to minimize potential impacts on the adjacent property to the south;
- an increase in the minimum required exterior side yard setback from 1.22 metres (4.0 feet) to 1.9 metres (6.23 feet); and,
- revisions to the architectural design based on input from the City's Urban Design Section.

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 (the "Plan") (refer to Map 4). In accordance with **Section 4.9** 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. The **Neighbourhood** designation permits low density residential uses such as single detached dwellings and allows for small-scale infill development that enhances and strengthens the character of the existing area and promotes connectivity and high-quality design.

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. 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 development in the area. In this regard, the

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proposed development provides for building types that are envisioned in the Plan and compatible with the existing neighbourhood.

Given all of the above, staff is of the opinion that the proposed development conforms with the applicable policies of the Official Plan.

Revised Zoning By-law Amendment Application

The subject lands are zoned **Second Density Residential (R2) Zone** under By-law 2523, as amended, which permits single detached dwellings among other uses (refer to Map 3). The applicant is seeking to rezone the lands to **Third Density Residential (R3) Zone** under By-law 2523, as amended, with site specific provisions in order to facilitate its development proposal. Outlined below is a comparison of the development standards proposed by the applicant relative to those of the associated parent zone category, with requested and required site specific exceptions noted in bold:

Development Standards	R3 Zone Standards, By-law 2523, as amended	Proposed R3 Zone Standards
Minimum Lot Frontage (Interior Lot)	15.24 metres (50.0 feet)	14.6 metres (47.6 feet)
Minimum Lot Frontage (Corner Lot)	19.81 metres (65.0 feet)	15.0 metres (49.21 feet)
Minimum Lot Area (Interior Lot)	557.42 square metres (6,000 square feet)	440.0 square metres (4,736.12 square feet)
Minimum Lot Area (Corner Lot)	724.64 square metres (7,800 square feet)	470.0 square metres (5,059.04 square feet)
Maximum Lot Coverage (Interior Lot)	30%	43%
Maximum Lot Coverage (Corner Lot)	30%	40%
Minimum Front Yard	7.62 metres (25.0 feet)	7.6 metres (24.93 feet)
Minimum Interior Side Yard	1.52 metres (5.0 feet)	1.22 metres (4.0 feet)
Minimum Exterior Side Yard	7.62 metres (25.0 feet)	1.9 metres (6.23 feet)
Minimum Rear Yard	7.62 metres (25.0 feet)	7.5 metres (24.60 feet)
Maximum Building Height	10.67 metres (35.0 feet)	Complies

Planning staff has reviewed the applicant's revised Zoning By-law Amendment application and finds that the proposal to rezone the subject lands to **R3 Zone** under By-law 2523, as amended, is considered appropriate and consistent with development in the area, including the lands to the north and abutting lands to the south.

Furthermore, staff is of the opinion that the proposed site specific development standards are contextually appropriate in consideration of the overall design of the development proposal and existing development in the area. More specifically, the proposed reduction in minimum lot frontage and lot area will result in lot sizes that are compatible with the surrounding area and consistent with other planning approvals

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issued in the past. The additional relief being sought is either minimal in nature (e.g. minimum front and rear yard setbacks) or a reflection of older development standards in By-law 2523 (e.g. maximum lot coverage, minimum exterior side yard). In this regard, the relief being sought will not negatively impact the look or feel of the streetscape, will maintain appropriate setbacks and will be compatible with the development and lot fabric of the surrounding area.

In consideration of the preceding, staff is of the opinion that the revised Zoning By-law Amendment conforms with the applicable policies of Plan, is appropriate for the subject lands and represents good planning. As such, it is recommended that the applicant's revised Zoning By-law Amendment application be approved and that the amending Zoning By-law incorporate the site specific development standard outlined in the table above and displayed in Appendix "B" attached to this report.

Public Meeting Comments:

As noted previously in this report, a number of concerns were identified by both Council and the public at the statutory Council Public Meeting held in consideration of the applicant's Zoning by-law Amendment application. The main concern raised related to the compatibility of the proposed lots within the existing neighbourhood. In this regard, the test of compatibility under the Plan does not require that new development be identical to that which currently exists on adjacent lands.

Staff has evaluated the applicant's development proposal in relation to the definition of "compatible" and the design and compatibility policies of the Plan, and is satisfied that the proposal has regard for and is compatible with the predominant built form in the area. The proposed lots shall provide a form of development, namely single detached dwellings, that will be compatible with the surrounding area. Additionally, the proposed development standards are similar to and comparable with what has been approved in the surrounding area along Roosevelt Drive, Pearson Avenue and Scott Drive. Lastly, the subject lands are located within 500 metres of Yonge Street, being a rapid transit corridor.

City Department and External Agency Comments:

All circulated City departments and external agencies have indicated no objections with respect to the revised Zoning By-law Amendment application and/or have provided comments that are to be addressed through the future Consent application process (e.g. conveyance of a widening and daylighting triangle to the City).

Development Planning Division

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

- the proposal conforms with the **Neighbourhood** policies of the City's Official Plan;

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- the proposed site specific development standards are contextually appropriate and generally in keeping with the existing lot fabric, dwellings and redevelopment in the area, and therefore constitute proper and orderly planning;
- notwithstanding that the proposal complies with the requirement for a minimum of one parking space per dwelling unit as outlined in By-law 2523, the required parking spaces are to be provided on the private driveways of the proposed dwellings since the attached garages do not provide the minimum required parking space length of 5.8 metres (19.03 feet). In this regard, the applicant is strongly urged to amend its plans prior to filing Building Permit applications so as to provide a minimum of one parking space within the proposed garages in compliance with the size requirements of the Zoning By-law;
- circulated City departments and external agencies have no further concerns or comments regarding the subject Zoning By-law Amendment application; and,
- the submission and approval of a future Consent application will be required to facilitate the creation of the proposed residential building lots.

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 by supporting small-scale infill development.

Climate Change Considerations:

The recommendations of this report are aligned with Council's climate change considerations by facilitating infill development within an existing built-up area, thereby utilizing land more efficiently.

Conclusion:

The applicant is seeking Council's approval of its revised Zoning By-law Amendment application to facilitate the creation of an additional building lot 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 with the applicable policies of the City's Official Plan and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application in accordance with the direction 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#01-21 held on January 20, 2021
- Appendix “B”, Draft Zoning By-law
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Revised Site Plan
- Map 6, Revised Elevations (Corner Lot)
- Map 7, Revised Elevations (Interior Lot)

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Report Approval Details

Document Title:	SRPI.22.016 - Staff Report - D02-20023.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - CPM Extract.pdf- Appendix B - Draft Zoning By-law 45-22.pdf- Map 1 - Arial Photograph.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Existing Zoning.docx- Map 4 - Official Plan Designation.docx- Map 5 - Revised Site Plan.docx- Map 6 - Revised Elevations (Corner Lot).docx- Map 7 - Revised Elevations (Interior Lot).docx
Final Approval Date:	Mar 22, 2022

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

Gus Galanis - Mar 22, 2022 - 11:41 AM

Kelvin Kwan - Mar 22, 2022 - 11:47 AM

Darlene Joslin - Mar 22, 2022 - 1:30 PM