



Staff Report for Council Meeting

Date of Meeting: June 8, 2022

Report Number: SRPI.22.031

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.031 – Request for Approval – Zoning By-law Amendment Application – 2051984 Alberta Ltd. – City File D02-20002 (Related File D06-20002)

Owner:

2051984 Alberta Ltd.
236 Desert Blume Drive
Desert Blume, Alberta
T1B 0H5

Agent:

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

Location:

Legal Description: Lot 23, Plan 2300
Municipal Address: 170 Lucas Street

Purpose:

A request for approval of a Zoning By-law Amendment application to permit the construction of two semi-detached dwelling units on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment application submitted by 2051984 Alberta Ltd. for the lands known as Lot 23, Plan 2300 (Municipal Address: 170 Lucas Street), City File D02-20002, be approved, subject to the following:

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- (i) that the subject lands be rezoned from Residential Second Density (R2) Zone to Residential Multiple First Density (RM1) Zone under By-law 66-71, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.22.031;
 - (ii) that the amending Zoning By-law be brought forward to a future Council meeting for consideration and enactment; and,
- b) That 2.79 persons equivalent of additional servicing allocation be assigned to the subject lands to be released by the Commissioner of Planning and Infrastructure in accordance with By-law 109-11, as amended.

Contact Person:

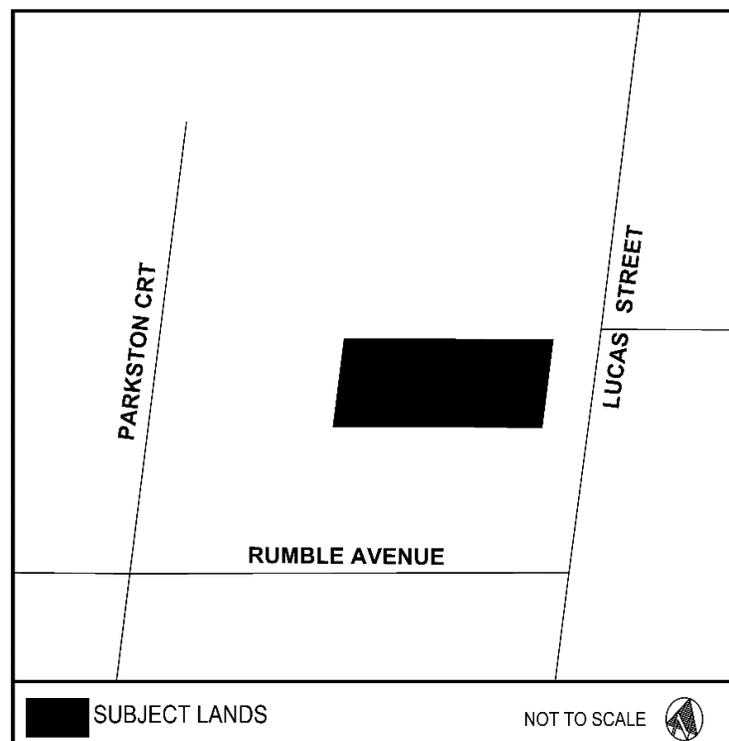
Sarah Mowder, Planner II - Subdivisions, phone number 905-771-5475 and/or
Denis Beaulieu, Manager of Development - Subdivisions, phone number 905-771-2540

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.



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Background:

The subject Zoning By-law Amendment application was presented at a statutory Council Public Meeting held on May 20, 2020, wherein Council received Staff Report SRPRS.20.060 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No members of the public spoke at the Council Public Meeting, while a member of Council raised concerns with respect to the number of storeys and the protection of mature trees on site. These comments are addressed in subsequent sections of this report.

All comments from internal departments and external agencies have now been satisfactorily addressed by the applicant. As a result, the purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment application.

Site Location and Adjacent Uses

The subject lands are located on the west side of Lucas Street, north of Rumble Avenue and have a total lot area of 0.09 hectares (0.22 acres) (refer to Maps 1 and 2). The lands currently support a one storey single detached dwelling that is proposed to be demolished to facilitate the applicant’s development proposal. The lands are surrounded by a mix of low and medium density residential uses, with single detached dwellings located on the abutting lands to the north, south and west, and Lucas Street to the east.

Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to facilitate the construction of two semi-detached dwelling units on its land holdings (refer to Maps 6 to 8). Below is a summary of the pertinent development statistics for the applicant’s proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.09 hectares (0.22 acres)
- **Total Lot Frontage:** 19.51 metres (64.01 feet)
- **Proposed Lot 1 (North):**
 - **Lot Area:** 442.65 square metres (4,764.64 square feet)
 - **Lot Frontage:** 9.75 metres (31.99 feet)
 - **Gross Floor Area:** 290.7 square metres (3,129.1 square feet)
- **Proposed Lot 2 (South):**
 - **Lot Area:** 442.65 square metres (4,764.64 square feet)
 - **Lot Frontage:** 9.76 metres (32.02 feet)
 - **Gross Floor Area:** 290.7 square metres (3,129.1 square feet)
- **Proposed Number of Units:** 2
- **Proposed Number of Storeys:** 3
- **Proposed Building Height:** 8.5 metres (27.89 feet) to midpoint of roof
9.65 metres (31.66 feet) to top of roof

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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”), and permitted uses include semi-detached dwellings (refer to Map 4). Furthermore, in accordance with **Section 4.9.2** of the Plan, development shall be compatible with the character of the adjacent and surrounding areas with respect to the predominant building forms and types, massing, and the general pattern of yard setbacks. As the subject lands are located within the boundaries of the Benson/Hunt Tertiary Plan, development shall also be evaluated on the basis of the criteria set out in the Tertiary Plan approved by Council for the area. In this regard, below is an analysis of how the applicant’s development proposal conforms with the Official Plan and is generally consistent with the direction in the Benson/Hunt Tertiary Plan.

Benson/Hunt Tertiary Plan

The subject lands are located within the “Low-Density Area” of the approved Tertiary Plan, where semi-detached dwellings are permitted subject to the approval of a Zoning By-law Amendment application which this application seeks to achieve (refer to Map 5). The “Low-Density Area” allows for a maximum building height of 2 storeys and new buildings are subject to applicable design criteria as set out in **Section 5.0** of the Tertiary Plan. In this regard, the design of the proposed dwelling must be compatible with adjacent built form. The applicant is proposing to construct a semi-detached dwelling as contemplated by the Official Plan and the Tertiary Plan from a land use perspective, however, the development proposal deviates from the guidance in the Tertiary Plan with respect to the maximum number of storeys and the maximum garage width. Staff has completed a comprehensive assessment of the applicant’s development proposal and is of the opinion that the proposal is appropriate for and compatible with the character of the surrounding area for the following reasons.

With respect to building height, the Tertiary Plan directs that dwellings within the “Low-Density Area” be a maximum of 2 storeys in height, whereas the design of the applicant’s proposed semi-detached dwelling is 3 storeys by definition due to a raised basement level. Notwithstanding, the proposed dwelling has been designed to maintain the appearance and function of a 2-storey dwelling from the street, and complies with the maximum height permission in the Zoning By-law of 8.5 metres (27.9 feet) to the midpoint of the roof. Furthermore, the proposed dwelling design is similar to an existing semi-detached dwelling at the southwest corner of Lucas Street and Rumble Avenue. On this basis, staff is of the opinion that the proposed building height is appropriate given the context of the surrounding area, the design of the dwelling and as-of-right permissions in the Zoning By-law.

Lastly, with respect to the maximum garage width, the Tertiary Plan stipulates that the garage width shall not exceed 50% of the total front façade, whereas the applicant is

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proposing garage widths of approximately 53%. In this regard, the proposed dwellings are designed with projected front porches and large front windows which assist in reducing the presence of the proposed garages. Further, although the proposed garages are slightly wider, the proposed lots are also wider than typical semi-detached lots and the proposal adheres to other requirements including the minimum required front yard landscaping of 45% and a front yard setback consistent with the established building line of adjacent neighbouring dwellings. Overall, notwithstanding that the application deviates from two of the prescribed recommendations of the Tertiary Plan, the proposed development is compatible with the surrounding area which includes other semi-detached dwellings along this section of Lucas Street.

Given all of the above, staff is of the opinion that the proposed development conforms with the applicable policies of the Official Plan and implements the Tertiary Plan principles, and is considered appropriate and compatible with existing and planned development along Lucas Street.

Zoning By-law Amendment Application

The subject lands are zoned **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended, and permitted residential uses include single family detached dwellings (refer to Map 3). As semi-detached dwellings are not permitted under the **R2 Zone** category, the applicant is seeking Council's approval to rezone the subject lands to **Residential Multiple First Density (RM1) Zone** under By-law 66-71, as amended by By-laws 371-90 and 372-90, to permit the construction of a semi-detached dwelling (2 units), with site specific exceptions for reduced minimum lot frontage, reduced minimum front yard setback, reduced side yard setbacks, increased maximum number of storeys and increased maximum gross floor area.

The following table provides a summary of development standards applicable to the existing **Residential Second Density (R2) Zone** and the proposed **Residential Multiple First Density (RM1) Zone** categories under Zoning By-law 66-71, as amended, in addition to proposed development standards and site specific exceptions highlighted in bold:

The proposed site specific development standards are consistent with what has been approved for recent redevelopment within the area. The proposed lot frontage is compatible with the varying lot sizes along Lucas Street. As noted in the table above, the proposed front yard and side yard setback requirements increase according to the number of storeys. In this regard, site specific development standards are required in order to facilitate a traditional dwelling design where the second and third storeys are in line with the footprint of the first storey. Lastly, the increase in gross floor area is consistent with recent approvals within the area and newer development standards. 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").

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Development Standard	Proposed “RM1” Zone under By-law 66-71, as amended	Proposed Development
Permitted Residential Uses	Semi-Detached Dwelling	Complies
Minimum Lot Area	278.70 square metres (3,000 square feet) per unit	Complies
Minimum Lot Frontage	10.67 metres (35.0 feet) per unit	9.7 metres (31.82 feet) per unit
Minimum Front Yard Setback	Established Building Line	Complies
Minimum Front Yard Setback (Top of 2 nd Storey)	9.1 metres (29.86 feet)	7.5 metres (24.61 feet)
Minimum Interior Side Yard Setback (Top of 1 st Storey)	1.5 metres (4.92 feet)	Complies
Minimum Interior Side Yard Setback (Top of 2 nd Storey)	3.0 metres (9.84 feet)	1.5 metres (4.92 feet)
Minimum Rear Yard Setback	7.62 metres (25.0 feet)	Complies
Maximum Height	8.5 metres (27.9 feet) *to midpoint of roof	Complies
Maximum Number of Storeys	2	3
Maximum Gross Floor Area	148.25 square metres (1,595.75 square feet) per unit	290.7 square metres (3,129.1 square feet)

Given all of the above, staff is of the opinion that the subject Zoning By-law Amendment application implements appropriate development standards, is consistent with recent approvals and existing development within the neighbourhood, conforms with the applicable policies of the Plan and represents good planning.

Site Plan Application

The applicant has submitted a related Site Plan application (City File D06-20002) to facilitate the construction of a semi-detached dwelling on the subject lands. At the time of writing this report, the Site Plan application remains under review to address technical matters and requirements raised by the City’s Development Engineering Division and Park and Natural Heritage Planning Section with respect to proper servicing connections and tree preservation and plantings. Staff has reviewed the opportunity to preserve two existing mature trees in the front yard; however, it has been determined that the trees will need to be removed as they are impacted by the proposed development. The applicant is proposing to plant three replacement trees in the front yard, as well as additional plantings in the rear yards. Prior to the finalization of the Site Plan approval process, the applicant will need to address all outstanding comments from internal departments and external agencies, including City approval for the removal of two boulevard trees, approval from the abutting neighbour to the north for the removal of boundary trees, and technical comments related to servicing.

City Department and External Agency Comments:

City Department and external agency comments respecting the Zoning By-law Amendment application have been or will be satisfactorily addressed through the review

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of the related Site Plan application. Staff is satisfied that the remaining comments relating to the Site Plan application are technical in nature and will not affect the approval of the Zoning By-law. Should Council approve the Zoning By-law Amendment, all necessary revisions to the related Site Plan will need to comply with the approved Zoning By-law, or alternatively, the applicant will need to seek further planning approvals.

Financial/Staffing/Other Implications:

The recommendations of this report do not have 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** by recognizing the balance between economic development and environmental protection by supporting residential infill development within an established neighbourhood within a Tertiary Plan area, as well as **Strong Sense of Belonging** by providing for a variety of housing types within the neighbourhood.

Climate Change Considerations:

The recommendations of this report are aligned with Council's climate change considerations as the development proposal contemplates infill development within an existing urban area.

Conclusion:

The applicant is seeking Council's approval of its proposed Zoning By-law Amendment application to permit the construction of one semi-detached dwelling (2 units) on the subject lands. Staff has undertaken a comprehensive review and evaluation of the applicant's development proposal and is of the opinion that the submitted Zoning By-law Amendment application conforms with the Official Plan and Benson/Hunt Tertiary Plan, and that the proposal is appropriate and represents good planning. 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 of Council Public Meeting C#18-20 held May 20, 2020
- Appendix "B" – Draft Zoning By-law
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation

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- Map 5, Benson/Hunt Tertiary Plan Boundary
- Map 6, Proposed Site Plan
- Map 7, Proposed Front Elevation
- Map 8, Rendering

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Report Approval Details

Document Title:	SRPI.22.031 - Request for Approval - D02-20002.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - SRPI.22.031.pdf- Appendix B - SRPI.22.031.docx- SRPI.22.031 - Map 1 - Aerial Photograph.docx- SRPI.22.031 - Map 2 - Neighbourhood Context.docx- SRPI.22.031 - Map 3 - Existing Zoning.docx- SRPI.22.031 - Map 4 - Official Plan Designation.docx- SRPI.22.031 - Map 5 - Benson Hunt Tertiary Plan Boundary.docx- SRPI.22.031 - Map 6 - Proposed Site Plan.docx- SRPI.22.031 - Map 7 - Proposed Front Elevation.docx- SRPI.22.031 - Map 8 - Rendering.docx
Final Approval Date:	May 24, 2022

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

Task assigned to Gus Galanis was completed by delegate Deborah Giannetta

Deborah Giannetta on behalf of Gus Galanis - May 20, 2022 - 11:27 AM

Kelvin Kwan - May 20, 2022 - 11:33 AM

Darlene Joslin - May 24, 2022 - 9:54 AM