



Staff Report for Council Meeting

Date of Meeting: July 6, 2022

Report Number: SRPI.22.080

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.080 – Request for Approval – Draft Plan of Subdivision Application – Montagna Capital (BT) Inc. – City File SUB-21-002 (D03-21002)

Owner:

Montagna Capital (BT) Inc.
1-1681 Langstaff Road
Vaughan, Ontario
L4K 5T3

Agent:

Malone Given Parsons Ltd.
140 Renfrew Drive, Suite 201
Markham, Ontario
L3R 6B3

Location:

Legal Description: Part of the West Half of Lot 20, Concession 3, E.Y.S.
Municipal Addresses: 1577 to 1621 Major Mackenzie Drive East

Purpose:

A request for approval concerning a revised draft Plan of Subdivision application to permit a low density residential development to be comprised of 114 single detached dwelling units on the subject lands.

Recommendations:

- a) **That the revised draft Plan of Subdivision application submitted by Montagna Capital (BT) Inc. for lands known as Part of the West Half of Lot 20, Concession 3, E.Y.S. (Municipal Addresses: 1577 to 1621 Major Mackenzie Drive East), City File SUB-21-0002 (D03-21002), be approved, subject to the following:**

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- (i) that the Plan of Subdivision as depicted on Map 6 to Staff Report SRPI.22.080 be approved, subject to the conditions as set out in Appendix “B”;
 - (ii) that prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the City’s Tariff of Fees By-law 68-21; and,
- b) That 400.14 persons equivalent of servicing allocation (114 single detached dwellings) be assigned to the proposed development to be constructed on the subject lands, to be released by the Commissioner of Planning and Infrastructure in accordance with By-law 109-11, as amended.

Contact Person:

Simone Fiore, Senior Planner – Site Plans, phone number 905-771-2479 and/or
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

Report Approval:

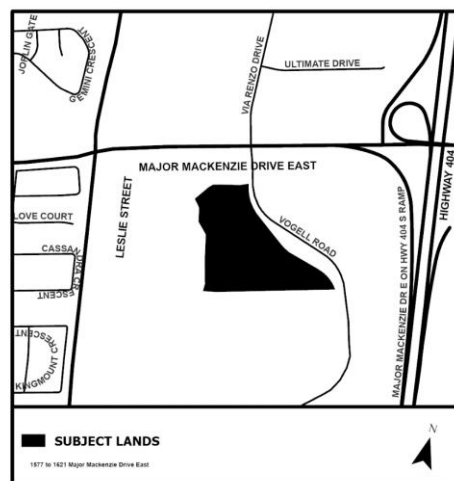
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 draft Plan of Subdivision application was considered at a Council Public Meeting held on October 20, 2021, wherein Council received Staff Report SRPI.21.097 for information purposes and referred all comments to staff for consideration (refer to Appendix “A”). No concerns were raised by members of Council or the public respecting the applicant’s development proposal.

A revised submission was formally filed with the City in February 2022 and all comments from circulated departments and external agencies 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 draft Plan of Subdivision application, subject to the conditions as outlined in Appendix “B” of this report.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the west side of the future extension of Vogell Road, which is proposed to be constructed in accordance with a draft approved Plan of Subdivision (19T-11004) on the applicant’s overall landholding bounded by Major Mackenzie Drive East to the north, Highway 404 to the east, and Leslie Street and the Rouge River to the west (refer to Maps 1 and 4). The lands are 6.74 hectares (16.65 acres) in size, and currently accommodate the David Hislop House, a designated structure on the City’s *Inventory of Cultural Heritage Resources*.

Adjacent uses include valleylands to the west, vacant lands to the south that are the subject of a Minister’s Zoning Order (Ontario Regulation 39/22) to facilitate a mix of residential, commercial and institutional uses and future residential lands to the north and east which are the subject of separate Site Plan applications (City Files D06-21023 and D06-21024) filed by the applicant on their other landholdings.

Revised Development Proposal

The applicant is seeking Council’s approval of its revised development proposal to permit the construction of a low density residential development to be comprised of 114 single detached dwelling units on its land holdings (refer to Map 6). The development also contains a park block, a vista/servicing block, and new public streets. The revised development proposal maintains the same general overall design and layout as the original development proposal presented to Council in October 2021 but contains several revisions, including, but not limited to, the following:

- the total number of single detached dwelling lots has been reduced from 124 to 114;
- the lot frontage for Lots 65, 77, 98 and 114 has been increased to comply with the minimum required lot frontage of 12.3 metres (40.35 feet) for corner lots;

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- the environmental buffer to the adjacent valleylands to the west has been increased from 10 metres (32.8 feet) to 20 metres (65.62 feet) to be consistent with the Rouge North Management Plan and to comply with the applicable Minister’s Zoning Order;
- the developable limit in the southwestern corner of the lands has been refined to address slope stability and buffer concerns;
- the proposed demolition of the David Hislop House, a designated structure on the City’s *Inventory of Cultural Heritage Resources*, as approved by Heritage Richmond Hill and endorsed by City Council;
- the proposed public park has been increased in size from 0.49 hectares (1.21 acres) to 0.57 hectares (1.41 acres); and,
- the configuration of the public park has been revised to provide dual frontage along Vogell Road and proposed Street ‘A’, whereas the original proposal only proposed frontage along Vogell Road.

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:

- **Total Lot Area:** 6.74 hectares (16.65 acres)
 - **Single Detached Lots:** 4.67 (11.54 acres)
 - **Roads:** 1.47 hectares (3.63 acres)
 - **Vista/Servicing Block:** 0.03 hectares (0.07 acres)
 - **Park Block:** 0.57 hectares (1.41 acres)
- **Total Number of Lots/Units:** 114
- **Proposed Lot Frontages:** 11.0 metres (36.09 feet) to 18.3 metres (60.04 feet)
- **Proposed Lot Areas:** 330 square metres (3,552.09 square feet) to 840 square metres (9,041.68 square feet)
- **Proposed Density:** 16.91 units per hectare (6.85 units per acre)

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Employment Corridor**, **Employment Area** and **Natural Core** on Schedule “A2 – Land Use” by the City’s Official Plan (the Plan) (refer to Map 2). Uses permitted within the **Employment Corridor** include major office and office uses. Permitted uses within the **Employment Area** designation include predominantly high performance industrial uses (which include activities such as manufacturing, assembling, processing, fabricating, wholesaling, and employee training facilities), office and major office uses. The **Employment Corridor** and **Employment Area** designations both permit hotels, convention centres, banquet facilities, automotive service commercial, community uses, linear parks and urban squares subject to specific criteria detailed in the Plan. Secondary uses including day nurseries, and ancillary commercial and retail uses are also permitted in both designations subject to specific criteria.

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The southwest portion of the subject lands is designated **Natural Core**. The **Natural Core** designation is intended on maintaining, and/or improving or restoring the ecological integrity of the natural features and functions. As such, permitted uses in the **Natural Core** designation include fish, wildlife and forest management, conservation projects, flood and erosion control projects, essential infrastructure, low-intensity recreational uses, unserviced parks and accessory uses.

Notwithstanding the above, at its meeting of February 26, 2020, Council considered Staff Report SRPRS.20.003 entitled “*York Region’s Municipal Comprehensive Review (Part 1): Requests for Employment Area Conversions*”. The staff report outlined the Regional Municipal Comprehensive Review (MCR) Process currently underway to respond to evolving employment land trends within the Region as well as emerging policy changes to be considered as part of the update to York Region’s Official Plan (the “ROP”).

Additionally, the report considered a number of employment land conversion requests received by the City and the Region, among which was a request by the former owner of the subject lands (Rice Commercial Group) to redesignate the lands to permit a mixed use development to be comprised of high density residential, commercial and office uses. Council supported the employment land conversion request and at its meeting of October 15, 2020, Regional Council approved the site specific request to redesignate the subject lands as part of the Regional MCR process. The lands were subsequently sold to Montagna Capital (BT) Inc. and are designated **Urban Area** in the draft ROP released on November 11, 2021.

In addition, as outlined in the Key Directions Report for the Richmond Hill Official Plan Update (the “Report”) endorsed by Council on February 9, 2022, the subject lands have been removed from the **Employment Area** designation. As part of the implementation of the Report, the City has prepared a draft Official Plan Amendment (“OPA”) 18.3 to update the vision for the Plan as part of the City’s Plan Update. Among other matters, draft OPA 18.3 seeks to update the City structure, and the subject lands are depicted as having a Minister’s Zoning Order (“MZO”) in place.

The applicant’s development proposal is in keeping with the general policy direction for this area of the City at both the local and Regional level. Notwithstanding that the in-force Official Plan does not permit residential land uses in the **Employment Corridor** and **Employment Area** designations, the applicant’s landholdings are the subject of a Minister’s Zoning Order issued pursuant to Ontario Regulation 698/20 under the *Planning Act*, as discussed below.

Minister’s Zoning Order

On December 2, 2020, the Minister of Municipal Affairs and Housing issued a Zoning Order (“MZO”) pursuant to Ontario Regulation 698/20 under the *Planning Act* in order to permit a range of low, medium and high density residential uses, in addition to institutional, commercial and conservation uses on the applicant’s landholdings. The

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MZO has the effect of zoning the subject lands **Multiple Residential One (RM1) Zone** under Zoning By-law 55-15, as amended, with a range of site specific provisions including permissions for single detached dwellings (refer to Map 3). The following table provides a summary of the development standards applicable to the proposed development within the **Multiple Residential One (RM1) Zone** on the subject lands:

Development Standard	RM1 Exception Zone Standards, By-law 55-15, as amended
Minimum Lot Area (Interior)	280.0 square metres (3,013.89 square feet)
Minimum Lot Area (Corner)	325 square metres (3,498.27 square feet)
Minimum Lot Frontage (Interior)	10.5 metres (34.45 feet)
Minimum Lot Frontage (Corner)	12.3 metres (40.35 feet)
Maximum Lot Coverage	55%
Minimum Required Front Yard	3.0 metres (9.84 feet)
Minimum Required Side Yard	0.6 metres (1.97 feet)
Minimum Required Flankage Yard	2.4 metres (7.87 feet)
Minimum Required Rear Yard	6.0 metres (19.69 feet)
Maximum Height	4 storeys

On the basis of the materials submitted to the City, the proposed lots will comply with the minimum lot frontage and lot area standards of the **RM1 Zone**. Prior to final approval and registration of the Plan of Subdivision, the applicant will be required to demonstrate that the proposed development does not create areas of non-compliance, and any building permits submitted thereafter will be required to comply with the Zoning By-law. In this regard, staff is of the opinion that the applicant's development proposal complies with the MZO.

Revised Draft Plan of Subdivision Application

The applicant's revised draft Plan of Subdivision application proposes the creation of 124 single detached dwelling lots, new public roads, a vista/servicing (sanitary and stormwater) block and a park block (refer to Map 6). The proposed single detached lots are to have lot frontages ranging from 11.0 metres (36.09 feet) to 18.3 metres (60.04 feet). The draft Plan of Subdivision proposes new public roads ("Street A", "Street B" and "Street C") with right-of-way widths of 18.0 metres (59.1 feet), connecting to the Vogell Road extension in accordance with draft approved Plan of Subdivision 19T-11004. Additionally, one park block (Block 115) and one vista/servicing (sanitary and stormwater) block (Block 116) are included as part of the submitted draft Plan of Subdivision.

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Subject to the conditions of draft approval contained in Appendix “B” attached hereto, staff is of the opinion that the revised draft Plan of Subdivision application complies with the MZO and has appropriate regard for the criteria under Section 51(24) of the *Planning Act*.

City Department and External Agency Comments:

All circulated City departments and external agencies have indicated no objections and/or have provided conditions of draft approval with respect to the proposed draft Plan of Subdivision application, including the City’s Park and Natural Heritage Planning Section, Urban Design and Heritage Section and Development Engineering Division, in addition to the Toronto and Region Conservation Authority and the Regional Municipality of York. All outstanding comments will need to be satisfactorily addressed as part of the detailed design phase of the proposed development prior to the clearance of draft plan conditions by the respective departments and agencies. The schedule of draft plan conditions is attached as Appendix “B” to this report.

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 for consideration by the City as part of its review and approval of the subject draft Plan of Subdivision application demonstrating an overall application score of 30 points, which achieves a “good” score and meets the threshold of 21 points for draft Plan of Subdivision applications. In this regard, the applicant is proposing tree plantings to make up for any loss of canopy through the construction process, the provision of adequate soil quantity and quality, stormwater filtration measures, reduction of light pollution and the use of LED and photocells for exterior lighting. The submitted Sustainability Performance Metrics Tool in support of the development proposal is currently under review and may need to be updated to address any outstanding comments. Notwithstanding, given the level of performance proposed to be achieved, staff recommends that 400.14 persons equivalent of servicing allocation (114 single detached dwellings) be assigned to the subject lands and be released in accordance with By-law 109-11.

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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 **Getting Around the City** by improving active transportation networks for cyclists and pedestrians.

Climate Change Considerations:

The recommendations of this report are aligned with Council’s climate change considerations as the proposed development is within an existing built-up area, thereby utilizing land more efficiently. The development proposal is also incorporating LED or photocell light fixtures on all exterior lights, which will help conserve energy within the development and reduce greenhouse gas emissions.

Conclusion:

The applicant is seeking Council’s approval of its draft Plan of Subdivision application in support of its proposal to construct a residential development to be comprised of 114 single detached dwelling units on its land holdings. The proposed draft Plan of Subdivision has regard for the criteria described under Subsection 51(24) of the *Planning Act* and complies with Ontario Regulation 698/20. In light of the preceding, staff considers the development proposal to be appropriate and to represent good planning. Therefore, it is recommended that the applicant’s draft Plan of Subdivision be approved subject to the conditions outlined in this report.

Attachments:

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

- Appendix “A”, Extract from Council Public Meeting C#41-21 held October 20, 2021
- Appendix “B”, Draft Plan of Subdivision Conditions
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning – Ontario Regulation 698/20
- Map 4, Draft Approved Plan of Subdivision (File 19T-11004)
- Map 5, Original Draft Plan of Subdivision (File SUB-21-0002/D03-21002)
- Map 6, Proposed Draft Plan of Subdivision (File SUB-21-0002/D03-21002)

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Report Approval Details

Document Title:	SRPI.22.080 - Request for Approval - Draft Plan of Subdivision - SUB-21-0002.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - CPM Extract.pdf- Appendix B - Draft Plan Conditions.docx- Map 1 - Aerial Photograph.docx- Map 2 - Official Plan Designation.docx- Map 3 - Existing Zoning.docx- Map 4 - Draft Approved Plan of Subdivision (File 19T-11004).docx- Map 5 - Original Draft Plan of Subdivision (File SUB-21-002_D03-21002).docx- Map 6 - Proposed Draft Plan of Subdivision (File SUB-21-002_D03-21002).docx
Final Approval Date:	Jun 21, 2022

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

Gus Galanis - Jun 16, 2022 - 10:35 AM

Kelvin Kwan - Jun 16, 2022 - 10:56 AM

Darlene Joslin - Jun 21, 2022 - 10:54 AM