



Staff Report for Council Meeting

Date of Meeting: July 6, 2022

Report Number: SRPI.22.070

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.070 – Request for Approval – Zoning By-law Amendment Application – Tijiang Gao and Bijin Gao – City File D02-21019

Owners:

Tijiang Gao and Bijin Gao
73 Westwood Lane
Richmond Hill, ON L4C 6X7

Agent:

Batory Planning and Management
655 Annland Street
Pickering, ON L1W 1A9

Location:

Legal Description: Part of Lot 7, Plan 3659
Municipal Address: 73 Westwood Lane

Purpose:

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

Recommendations:

- a) That the Zoning By-law Amendment application submitted by Tijiang Gao and Bijin Gao for the lands known as Part of Lot 7, Plan 3659 (Municipal Address: 73 Westwood Lane), City File D02-21019, be approved, subject to the following:
 - (i) that current zoning of the subject lands, being First Density Residential “S” (R1(S)) Zone under By-law 2523, as amended, be further amended to implement the site specific exceptions as outlined in Staff Report SRPI.22.070; and,

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- (ii) that the amending Zoning By-law be brought forward to the July 6, 2022 Council Meeting for consideration and enactment.

Contact Person:

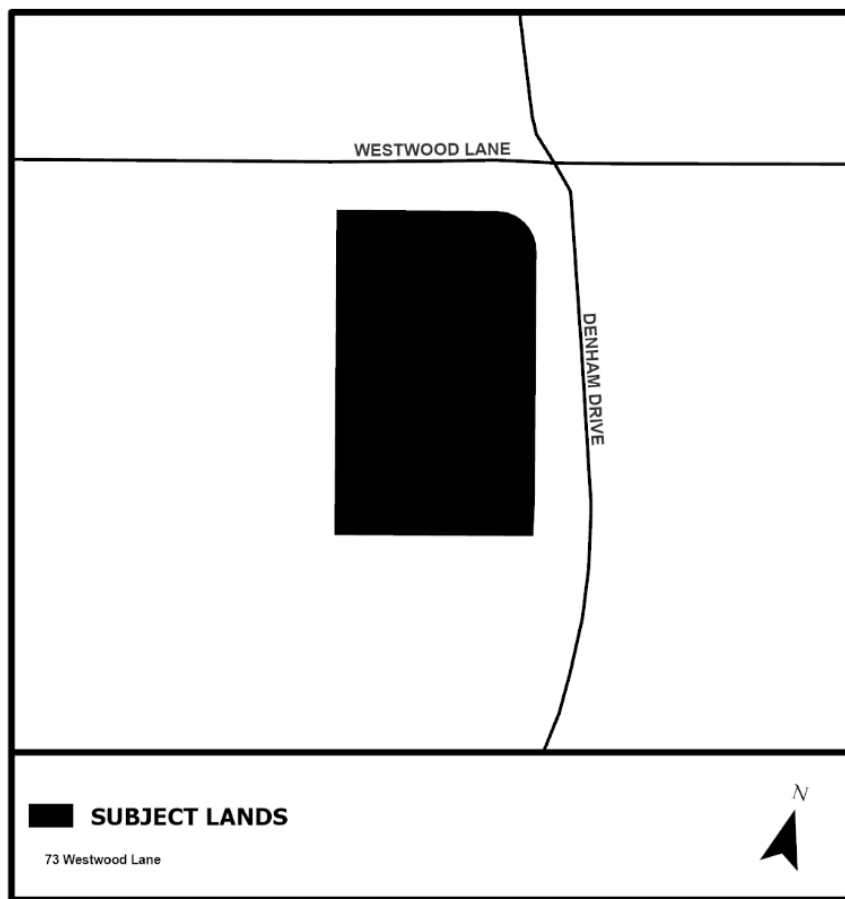
Sarah Mowder, Planner II - Subdivisions, phone number 905-771-5475 and/or
Denis Beaulieu, Manager of Development - Subdivisions, phone number 905-771-2540

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 considered at a statutory Council Public Meeting held on February 2, 2022, wherein Council received Staff Report SRPI.22.010 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 Council at the public meeting and by members of the public in written correspondence, including potential impacts to the streetscape, land use compatibility, privacy, tree protection, and precedent. These matters are addressed in subsequent sections of this report.

All comments from internal 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 Zoning By-law Amendment application.

Site Location and Adjacent Uses

The subject lands are located at the southwest corner of Westwood Lane and Denham Drive, being west of Yonge Street and north of Highway 7 in the City’s South Richvale neighbourhood (refer to Map 1). The lands have an area of approximately 0.23 hectares (0.58 acres) with a lot frontage of approximately 38.10 metres (125.0 feet) along Westwood Lane and 61.94 metres (203.22 feet) along Denham Drive. The lands presently support a single detached dwelling which is proposed to be demolished to facilitate the applicant’s development proposal and there is extensive tree and shrub coverage along the perimeter boundaries of the property. The lands abut single detached dwelling lots of varying sizes to the west and south, Westwood Lane to the north and Denham Drive to the east. The lands are surrounded by low density residential uses in an area generally characterized by large lots and single detached dwellings (refer to Map 2).

Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to facilitate a future severance of its land holdings and the construction of two new single detached dwellings on the lands, with frontages along Denham Drive (refer to Maps 5 and 6). The following is a summary of the relevant statistics of the applicant’s development proposal based on the plans and drawings submitted to the City:

- **Total Area:** **0.23 hectares (0.58 acres)**
- **Total Lot Frontage (Westwood Lane):** **38.1 metres (125.0 feet)**
- **Total Number of Units:** **2**
- **Proposed Lot 1 (Corner):**
 - **Proposed Lot Area:** **1,184.6 sq. metres (12,751.8 sq. feet)**
 - **Proposed Lot Frontage:** **31.4 metres (103.1 feet)**
- **Proposed Lot 2 (Interior):**
 - **Proposed Lot Area:** **1,159.1 sq. metres (12,476.5 sq. feet)**
 - **Proposed Lot Frontage:** **30.5 metres (100.1 feet)**

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- **Proposed Building Height:** **10.7 metres (35.0 feet) / 2 storeys**

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are currently designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the City’s Official Plan (the “Plan”) (refer to Map 4) which permits low density residential development. In accordance with **Section 4.9.2.4** of the Plan, development shall be compatible with the character of adjacent and surrounding areas with respect to predominant building forms and types, massing, general patterns of streets, blocks and lots, landscaped areas and treatments and general pattern of yard setbacks. It is noted that the **Neighbourhood** designation allows for small-scale infill development that enhances and strengthens the character of the existing area and promotes connectivity and high-quality design. It should be noted that in addition to **Section 4.9.2.4**, the Plan defines “*compatible*” as meaning land uses or development which are mutually tolerant of one another and capable of co-existing together in harmony in the same area.

In terms of context, the subject lands are surrounded by relatively large residential lots of various sizes, depths and configurations, with single detached dwellings that range in size and architectural design. The surrounding neighbourhood has been experiencing significant redevelopment of new single detached dwellings, transitioning from predominantly bungalows to large two storey dwellings of various designs over time.

With respect to the lotting pattern, the subject lands and the existing dwelling thereon are currently oriented towards Westwood Lane. Conversely, the proposed lots will result in the construction of new dwellings that are oriented towards Denham Drive in the same manner as the existing lots and dwellings immediately to the east, while complying with the minimum required lot frontage of 30.48 metres (100.0 feet). In this regard, the proposed lot frontages and dwelling orientations will be consistent with the existing streetscape along Denham Drive and maintain the existing lot width/depth along Westwood Lane.

The applicant’s proposed development standards and resulting building envelopes on the subject lands will facilitate the construction of single detached dwellings that are consistent with the general pattern of redevelopment within the neighbourhood. Despite the requested relief from the minimum lot depth, minimum lot area and maximum lot coverage provisions, the proposed development will comply with the maximum building height, and the minimum rear yard and interior side yard setbacks. Furthermore, the requested relief from the minimum front yard setback is primarily to accommodate porches and steps, while the proposal has been revised to preserve more trees and will comply the minimum 45% front yard landscaping requirement.

Given all of the above, staff is of the opinion that the applicant’s development proposal conforms with the applicable policies of the City’s Official Plan.

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Zoning By-law Amendment Application

The subject lands are currently zoned **First Density Residential “S” (R1(S)) Zone** under By-law 2523, as amended (refer to Map 3) which permits single detached dwellings subject to various development standards. The applicant is seeking Council’s approval to establish site specific development standards in order to facilitate the creation of one additional building lot for single detached residential purposes on its land holdings.

The following table provides a comparison of the proposed development standards relative to those of the associated parent zone category, with the proposed site specific exceptions highlighted in bold:

Development Standard	R1(S) Zone Standards under By-law 2523, as amended	Proposed Development	
		Corner Lot	Interior Lot
Minimum Lot Frontage	30.48 metres (100.0 feet)	Complies	Complies
Minimum Lot Area	1,393.55 sq. m. (15,000 sq. ft.)	1,156.64 sq. m. (12,450.0 sq. ft.)	
Maximum Lot Coverage	20%	29%	
Minimum Front Yard Setback	9.14 metres (30.0 feet)	6.10 metres (20.0 feet)	
Minimum Exterior Side Yard Setback	9.14 metres (30.0 feet)	6.10 metres (20.0 feet)	n/a
Minimum Interior Side Yard Setback	1.52 metres (5.0 feet)	Complies	Complies
Minimum Rear Yard Setback	7.62 metres (25.0 feet)	Complies	Complies
Maximum Building Height	10.67 metres (35.0 feet)	Complies	Complies
Minimum Lot Depth	60.96 metres (200.0 feet)	37.5 metres (123.0 feet)	

The applicant is proposing to sever its land holdings to create two lots having frontage along Denham Drive, and to construct two new single detached dwellings on the lands. In support of the future severances, relief has been requested to reduce the minimum corner lot and interior lot area from 1,393.55 square metres (15,000 square feet) to approximately 1,184.59 square metres (12,751 square feet) and 1,159.11 square metres (12,476.7 square feet), respectively. Furthermore, relief has been requested to reduce the minimum lot depth from 60.96 metres (200.0 feet) to between 38.02 metres (124.74 feet) and 38.08 metres (124.93 feet), which is the current width of the lot. While the area is generally characterized by deep lots, the lot depth reduction

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shall not impact the existing streetscape. In this regard, the length of the current frontage along Westwood Lane will remain unchanged and would be viewed as the side yard for the proposed corner dwelling and would be considered the depth of the lot. The proposed lot frontages comply with the minimum requirement of 30.48 metres (100.0 feet) and provide for lot frontages consistent with those on Denham Drive. In this regard, staff is of the opinion that the proposed lot depth will not have any adverse impacts from a streetscape perspective.

With respect to the proposed increase in lot coverage, the applicant is seeking a minor increase of 9% to accommodate the construction of larger homes on the proposed lots. In reviewing the context of the neighbourhood, the proposed dwellings are in keeping with the character of the neighbourhood. It should be noted that the lot coverage will not impact the streetscape as the applicant is maintaining the by-law requirements for the building height, interior side yard and rear yards.

The applicant is also seeking relief for the front yard and exterior side yard setbacks from 9.14 metres (30.0 feet) to 6.10 metres (20.0 feet) to accommodate the proposed single detached dwellings. The exterior side yard setback is from the proposed side wall of the dwelling to Westwood Lane. It should be noted that the existing dwelling at 43 Denham Drive has a reduced side yard setback of approximately 4.72 metres (15.5 feet). In this regard, staff is of the opinion that the proposed reduction of 3.04 metres (10.0 feet) shall not negatively impact the streetscape at the intersection of Westwood Lane and Denham Drive. The proposed front yard setback reduction along Denham Drive has been revised in the applicant's draft implementing by-law to specify where the front yard setback is measured to. In this regard, the proposed front yard setback of 6.10 metres (20.0 feet) is to an unenclosed front porch and steps, while a reduced setback of 8.0 metres (26.25 feet) is requested for the front wall of the dwelling. In this regard, the overall impact is a difference of 1.14 metres (3.74 feet) for the front wall and to allow for a projected front entryway (refer to Map 5). Staff have reviewed the proposed setbacks and are of the opinion that they will not negatively impact the streetscape.

Given all of the above, staff is of the opinion that the applicant's development proposal conforms with the City's Official Plan, is compatible with the neighbourhood, and represents good planning.

City Department and External Agency Comments:

All circulated City Departments and external agencies have indicated no objections to the Zoning By-law Amendment application and/or have provided comments that can be appropriately satisfied through a future Consent application.

Council and Public Comments:

The following is a summary of the main comments and concerns raised by members of Council at the Council Public Meeting held on February 2, 2022, in addition to those

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provided by members of the public in written correspondence regarding the applicant's development proposal:

- the appropriateness of the proposed reduced lot sizes and lot depths;
- the impacts of increased lot coverage and reduced front yard setbacks;
- streetscape impacts;
- tree removal and loss of privacy; and,
- the establishment of precedent.

The above noted comments and concerns with respect to lot size, lot depth, front yard setbacks and lot coverage have been specifically addressed in various other sections of this report. Below is an overview of and response to other comments raised by members of Council and the public:

- **Streetscape Impacts**

Concerns were raised with respect to streetscape impacts along Denham Drive and Westwood Lane. In this regard, the proposed lot frontages along Denham Drive comply with the minimum lot frontage requirement of 30.48 metres (100.0 feet) and mirror the existing lots to the east. The reduced exterior side yard setback to Westwood Lane will still maintain sufficient distance to accommodate proper building placement and the protection of existing trees, while the reduced front yard setbacks to the front wall of the dwellings is 8.0 metres (26.25 feet), being a reduction of only 1.14 metres (3.74 feet) from the by-law requirement. The proposed reduction to 6.1 metres (20.01 feet) has been revised in the applicant's proposed draft Zoning By-law to specifically reflect the projection of the proposed front porches and steps, which By-law 2523 does not provide for in the existing R1(S) Zone category.

- **Privacy/Tree Preservation**

Concerns were raised with respect to the loss of privacy and tree removal by the adjacent landowner to the west of the subject lands. The proposed development does not seek relief for the required rear yard setback or interior side yard setbacks. Further, staff notes that despite the reduced lot depth, the proposed development shall provide the required minimum rear yard setback of 7.62 metres (25.0 feet). It should be noted that the rear yard setback requirement does not differ regardless of lot depth. Although the submitted plan is conceptual at this time, the proposal provides for a setback of greater than 14.0 metres (45.93 feet) which addresses concerns with respect to not providing appropriate setbacks to neighbouring lots. Furthermore, privacy concerns can be mitigated by fencing and tree preservation and plantings which this development proposes to achieve. The applicant has revised the proposed design of the driveways to preserve existing trees located in the proposed front yards. The applicant is also proposing to preserve the trees located in the future rear yards and plant additional trees in the rear yards. Furthermore, Park and Natural Planning staff have provided technical comments for

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the applicant to address as part of the required Consent Application should the Zoning By-law Amendment application be approved (refer to Appendix “C”).

- **Precedent**

Concerns were raised that the proposed lot sizes and lot depths would set a potential precedent for similar types of development proposals in the future, particularly on corner lots. In this regard, staff notes that all development proposals are comprehensively reviewed and assessed on their own merits. In terms of the existing neighbourhood context, it is important to point out that the proposed lot sizes, depths, frontages and configurations on the subject lands are consistent with other corner lots in the area, including the property at the opposite northeast corner of Westwood Lane and Denham Drive (74 Westwood Lane), as well as the property at the southeast corner of Denham Drive and Armanches Drive (17 Denham Drive). Notwithstanding the previous planning approvals in the area, the South Richvale neighbourhood is not uniform and properties are subject to different Zoning By-laws and development standards (refer to Map 3). This further supports the need to review all applications on their own merits as what may be appropriate on the subject lands may not apply to other areas of the community.

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, as well as **Strong Sense of Belonging** by adding additional housing stock in existing communities.

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 creation of one additional building lot on its land holdings. 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 applicable policies of the Official 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.

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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 of Council Public Meeting C#02-22 held February 2, 2022
- Appendix “B”, Draft Zoning By-law
- Appendix “C”, Memo from the Park and Natural Heritage Planning Section dated May 9, 2022
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Existing Official Plan Designation
- Map 5, Conceptual Site Plan
- Map 6, Conceptual Elevation Plans

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Report Approval Details

Document Title:	SRPI.22.070 - D02-21019.docx
Attachments:	<ul style="list-style-type: none">- SRPI.22.070 - Appendix A.pdf- SRPI.22.070 - Appendix B.docx- SRPI.22.070 - Appendix C.pdf- SRPI.22.070 - Map 1 - Aerial Photograph.docx- SRPI.22.070 - Map 2 - Neighbourhood Context.docx- SRPI.22.070 - Map 3 - Existing Zoning.docx- SRPI.22.070 - Map 4 - Official Plan Designation.docx- SRPI.22.070 - Map 5 - Conceptual Site Plan.docx- SRPI.22.070 - Map 6 - Conceptual Elevation.docx
Final Approval Date:	Jun 13, 2022

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

Gus Galanis - Jun 13, 2022 - 11:58 AM

Kelvin Kwan - Jun 13, 2022 - 2:06 PM

Darlene Joslin - Jun 13, 2022 - 3:49 PM