



Staff Report for Council Public Meeting

Date of Meeting: September 7, 2022

Report Number: SRPI.22.095

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SPRI.22.095 – Request for Comments – Zoning By-law Amendment Application – Stanley Joel Potter – City File D02-22011**

Owner:

Stanley Joel Potter
25 Cynthia Crescent
Richmond Hill, ON L4E 1J3

Agent:

Evans Planning Inc.
9212 Yonge Street, Unit 1
Richmond Hill, ON L4C 7A2

Location:

Legal Description: Lot 8, Plan M-36
Municipal Address: 25 Cynthia Crescent

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to facilitate the creation of two additional building lots on the subject lands.

Recommendation:

- a) **That Staff Report SRPI.22.095 with respect to the Zoning By-law Amendment application submitted by Stanley Joel Potter for the lands known as Lot 8, Plan M-36 (Municipal Address: 25 Cynthia Crescent), City File D02-22011, be received for information purposes only and that all comments be referred back to staff.**

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Contact Person:

Diane Pi, Planner II – Site Plans, phone number 905-747-6436 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

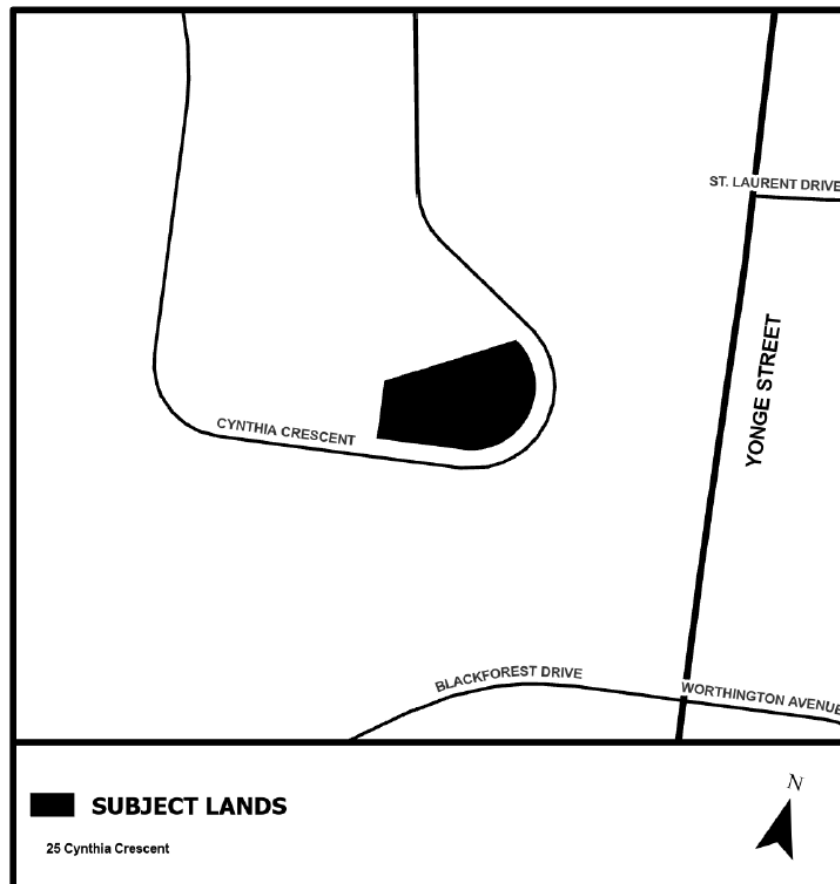
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 Information:

The subject Zoning By-law Amendment application was received by the City and deemed complete on April 11, 2022. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. The purpose of this report is to seek comments from Council and the public with respect to the applicant's development proposal pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are generally located south of Bloomington Road and west of Yonge Street, within the community of Oak Ridges. More specifically, the lands are situated on the west side of Cynthia Crescent within the Beaufort Hills neighbourhood (refer to Maps 1 and 2). The lands have an area of approximately 0.38 hectares (0.94 acres) and a lot frontage of approximately 135.74 metres (445.34 feet). The lands are surrounded by existing single detached residential lots, are substantially treed, and presently support a single detached dwelling which is to be demolished as part of the proposed development.

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the creation of two additional building lots on its land holdings. Each of the lots is to contain a single detached dwelling with frontage along Cynthia Crescent (refer to Maps 5 and 6).

The following is a summary table outlining the relevant statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.38 hectares (0.94 acres)
- **Total Lot Frontage:** 135.74 metres (445.34 feet)
- **Total Number of Units:** 3
- **Proposed Lot 1 (Western)**
 - **Proposed Lot Area:** 930.30 square metres (10,013.67 square feet)
 - **Proposed Lot Frontage:** 24.58 metres (80.64 feet)
- **Proposed Lot 2 (Central)**
 - **Proposed Lot Area:** 1,116.20 square metres (12,014.68 square feet)
 - **Proposed Lot Frontage:** 22.86 metres (75.00 feet)
- **Proposed Lot 3 (Eastern)**
 - **Proposed Lot Area:** 1,758.70 square metres (18,930.49 square feet)
 - **Proposed Lot Frontage:** 88.50 metres (290.35 feet)

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Supporting Documentation/Reports

The applicant has submitted the following documents/information to the City in support of the proposed development:

- Planning Justification Report;
- Site Plan;
- Streetscape Plan;
- Tree Inventory and Preservation Plan Report;
- Natural Heritage Evaluation; and,
- Draft Zoning By-law Amendment.

Zoning By-law Amendment Application

The subject lands are currently zoned **Residential Urban (RU) Zone** under By-law 1275, as amended by By-law 146-76. Permitted residential uses include a single family residence (refer to Map 3).

Notwithstanding the typical minimum lot area and minimum lot frontage requirements of Zoning By-law 1275, as amended, Section 1(c) of By-law 146-76 governs the subject lands and stipulates that the minimum lot frontage and minimum lot area requirements for lots within the Beaufort Hills neighbourhood shall be those established through the original registered Plan of Subdivision. Additionally, By-law 146-76 requires that the minimum ground floor area for dwellings located within the Beaufort Hills neighbourhood be no less than 116.13 square metres (1,250.0 square feet). It should be noted that the **RU Zone** of By-law 1275, as amended, does not contain provisions with respect to maximum ground floor area, maximum lot coverage or maximum gross floor area.

The applicant is seeking approval of its Zoning By-law Amendment application to exempt the subject lands from the provisions of Section 1(c) of By-law 146-76, as amended, to permit the proposed additional building lots. No additional site-specific development standards have been requested in support of the proposed development. In this regard, the proposed lots and single detached dwellings would be required to comply with all other development provisions of By-law 1275, as amended, applicable to the subject lands.

The following table provides a summary of the pertinent development standards of the current **RU Zone** under By-law 1275, as amended by By-law 146-76, applicable to the proposed development:

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Development Standard	RU Zone Standards, By-law 1275, as amended	Requirements of Section 1(c) of By-law 146-76, as amended	Proposed Development
Minimum Lot Frontage	22.86 metres (75.0 feet)	Lot sizes in accordance with original registered subdivision	22.86 metres (75.0 feet)
Minimum Lot Area	929.03 square metres (10,000.0 square feet)		929.03 square metres (10,000.0 square feet)
Minimum Front Yard Setback	9.14 metres (30.0 feet) or the established building line, whichever is the greater of the two	n/a	Complies
Minimum Side Yard Setback	combined width of 20% of the width of the lot, and a minimum of 1.52 metres (5.0 feet) for a building of masonry construction or a minimum of 3.05 metres (10.0 feet) for a building of frame construction	n/a	Complies
Minimum Rear Yard Setback	20% of the depth of the lot but shall not exceed 9.14 metres (30.0 feet)	n/a	Complies
Minimum Ground Floor Area	69.68 square metres (750.0 square feet) for a 2 storey building	116.13 square metres (1,250.0 square feet)	Complies
Maximum Height	10.67 metres (35.0 feet) or 2½ storeys	n/a	Complies

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** and **Natural Core** in accordance with Schedule A2 - Land Use of the City's Official Plan (the "Plan") (refer to Map 4). Uses permitted within the **Neighbourhood** designation include primarily low density residential uses, in addition to medium density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service commercial uses, subject to specific policy criteria as outlined in Chapter 4 of the Plan. In accordance with **Section 4.9.2** of the Plan, development shall be compatible with the character of adjacent and surrounding areas with respect to predominant building forms

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and types, massing, general patterns of streets, blocks and lots, landscaped areas and treatments and the general pattern of yard setbacks.

The **Natural Core** designation corresponds to *Significant Woodlands* identified on Schedule A4 – Key Natural Heritage Features and Key Hydrological Features of the Plan. Permitted uses within the **Natural Core** designation include fish, wildlife and forest management; conservation projects and flood and erosion control projects other than stormwater management works; essential transportation, infrastructure, and utilities subject to specific policy criteria as outlined in Chapter 4 of the Plan; low-intensity recreational uses; unserviced parks; and accessory uses. **Policy 4.10.5.1.5** of the Plan states that the limits of **Natural Core** areas are based on the information available at the time of the adoption of the Plan and that the **Natural Core** boundaries can be refined as a result of a Natural Heritage Evaluation.

Additionally, the lands are located within the **Settlement Area** of the Oak Ridges Moraine, in accordance with the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). **Section 3.2.1.1 (18)** of the Plan states that all uses, including the creation of new lots which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area** and permitted uses shall be subject to the requirements of Section 19(3) and 31(4) of the ORMCP. Furthermore, the subject lands presently contain woodlands which surround the existing single detached dwelling (refer to Maps 1 and 7). In accordance with the Plan and the ORMCP, *Key Natural Heritage Features* (KNHF) include *Significant Woodlands*. The ORMCP Technical Paper Number 7 – *Identification and Protection of Significant Woodlands* establishes criteria to guide the identification of *Significant Woodlands* on the Oak Ridges Moraine, which are used to assess whether a given woodland is considered to be a *Significant Woodland*.

A more detailed review and evaluation of the submitted application will be completed following the receipt of comments from Council, the public, City departments and external agencies.

City Department and External Agency Comments:

The subject Zoning By-law Amendment application and the associated background studies and reports submitted in support of same, have been circulated to various City departments and external agencies for their review and comment. The following is a summary of the comments received as of the time of writing this report.

Urban Design Section

The City’s Urban Design Section has provided comments in consideration of the compatibility policies under **Section 4.9.2.4** of the Plan, including lotting patterns and setbacks, scale and massing, grade relationships, simplicity of the existing built form, garage placement and the landscape character of the proposal within the context of the existing street character. In this regard, Urban Design staff recommend that the applicant’s request be revised to propose the creation of only one additional building lot instead of the two lots as proposed (refer to Appendix “A”).

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Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning (PNHP) Section has advised that based on a review of the applicant's Natural Heritage Evaluation, the existing woodland on the subject lands is not considered a *Significant Woodland* based on the criteria outlined in the ORMCP Technical Paper Number 7. While the woodland is not deemed to be significant, PNHP staff recognizes that the woodland provides a benefit to the community and the environment and as a result, request that the Zoning By-law Amendment be revised to facilitate the creation of one additional building lot instead of the two proposed.

PNHP staff also advises that the majority of the trees on and within 6 metres of the subject lands are in fair to good condition, and that the proposal will result in the removal of 52 trees, including 12 City-owned trees that will require separate authorization for removal from the Urban Forestry Section. In this regard, PNHP staff recommends that as a condition of approval of the Zoning By-law Amendment application, the proposed development be subject to Site Plan Control in order to implement appropriate tree protection and ecological restoration measures. Lastly, Parks staff has provided technical comments to be addressed through the Site Plan approval process (refer to Appendix "B").

Development Planning Division

Development Planning staff has undertaken a preliminary review of the applicant's development proposal, including plans and materials submitted in support of same. In consideration of the policies of the Plan which are relevant to the review and assessment of the proposed development, staff provides the following preliminary comments:

- the proposed single detached dwellings and residential lots are permitted within the **Neighbourhood** designation of the Plan and within the **Settlement Area** of the ORMCP;
- the proposed lot areas and lot frontages are in keeping with the requirements of the **Residential Urban (RU) Zone** under By-law 1275, as amended. The properties along Cynthia Crescent consist of a variety of lot configurations, lot frontages and lot sizes, with larger lots generally located along the eastern leg of the street and smaller lots along the western leg of the street. The proposed lot areas and lot frontages are consistent with a number of existing lots along the western leg of Cynthia Crescent, in addition to 18 and 20 Cynthia Crescent on the eastern leg of the street where the former Ontario Municipal Board (OMB) approved Consent and Minor Variance applications (Files D08-12105, D08-12106, D09-12096) in November 2015 to facilitate the creation of two lots for single detached residential purposes;
- as it has been determined that the existing woodland on the subject lands does not meet the technical criteria to qualify as a *Significant Woodland*, the Key Natural Heritage System policies of the *Oak Ridges Moraine Conservation Plan* do not

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- apply to the subject lands. Notwithstanding, the woodland continues to form part of the City's **Greenway System** and the proposed lot fabric and building locations/footprints must be reassessed by the applicant in order to explore greater opportunities for the retention and protection of existing trees on the subject lands;
- the City's Park and Natural Heritage Planning Section has recommended that Site Plan Control be implemented in support of the proposed development. The use of Site Plan Control would be consistent with the past approach taken for similar development proposals in the Beaufort Hills neighbourhood (57 Beaufort Hill Road and 125 Coon's Road) and would help to address issues of tree protection, tree replacement/enhancement, lot configuration and building size/location on the subject lands;
 - future Consent applications will be required to facilitate the creation of the proposed residential lots;
 - the applicant must satisfactorily address comments and requirements identified by City departments and external agencies that have been requested to review the applicant's development proposal; and,
 - staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment.

Other City Department and External Agency Comments

Comments have also been received from the City's Development Engineering Division, Financial Services Division – Development Section, Building Services Division – Zoning Section, Community Services Department – Waste Section and Fire and Emergency Services Division, in addition to the Regional Municipality of York, the Toronto and Region Conservation Authority, Alectra Utilities, Enbridge Gas, Hydro One and Rogers. These City departments and external agencies have no objections to the proposed Zoning By-law Amendment application and/or have provided comments or conditions to be addressed by the applicant during the more detailed implementation stage of the approval process.

As of writing this report, the application remains under review by Canada Post, Bell Canada, le Conseil Scolaire Catholique MonAvenir, Conseil scolaire Viamonde, the York Catholic District School Board and the York Region District School Board.

Financial/Staffing/Other Implications:

The recommendation of this report does not have any financial, staffing or other implications.

Relationship to Council's Strategic Priorities 2020-2022:

The recommendation of this report does not have any direct implications with respect to Council's Strategic Priorities. An overview of how the subject application is aligned with the Strategic Priorities will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicant's development proposal.

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Conclusion:

The applicant is seeking Council's approval of a Zoning By-law Amendment application submitted in support of its proposal to permit the creation of two additional building lots on its land holdings. The purpose of this report is to provide Council and the public with an overview of the development proposal and to discuss the regulatory regime governing the evaluation of this planning application. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration.

Appendix Contents and Maps:

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.

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Proposed Site Plan
- Map 6, Proposed Front Elevations
- Map 7, Proposed Tree Inventory and Preservation Plan
- Appendix "A", Memo from the City's Urban Design Section dated June 22, 2022
- Appendix "B", Memo from the City's Park and Natural Heritage Planning Section dated June 21, 2022

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Report Approval Details

Document Title:	SPRI.22.095 - Request for Comments - 25 Cynthia Crescent - D02-22011.docx
Attachments:	- SRPI.22.095 - Map 1 - Aerial Photograph.docx - SRPI.22.095 - Map 2 - Neighbourhood Context.docx - SRPI.22.095 - Map 3 - Existing Zoning.docx - SRPI.22.095 - Map 4 - Official Plan Designation.docx - SRPI.22.095 - Map 5 - Proposed Site Plan.docx - SRPI.22.095 - Map 6 - Proposed Front Elevations.docx - SRPI.22.095 - Map 7 - Proposed tree Inventory and Preservation Plan.docx - Appendix A - Memo from City's Urban Design Section.pdf - Appendix B - Memo from City's PNHP Section.pdf
Final Approval Date:	Aug 12, 2022

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

Gus Galanis - Aug 12, 2022 - 8:33 AM

Kelvin Kwan - Aug 12, 2022 - 8:56 AM

Darlene Joslin - Aug 12, 2022 - 3:24 PM