



Staff Report for Council Public Meeting

Date of Meeting: September 7, 2022

Report Number: SRPI.22.102

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.22.102 – Request for Comments – Zoning By-law Amendment Application – Raja Uppuluri – City File D02-22010 (Related City Files D06-22017 and D06-22018)**

Owner/Agent:

Raja Uppuluri
599 Sunset Beach Road
Richmond Hill, ON
L4E 3J8

Location:

Legal Description: Lot 24 and Part of Lot 25, Plan 355
Municipal Address: 599 Sunset Beach Road

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to permit the creation of one additional building lot on the subject lands.

Recommendation:

- a) **That Staff Report SRPI.22.102 with respect to the Zoning By-law Amendment application submitted by Raja Uppuluri for lands known as Lot 24 and Part of Lot 25, Plan 355 (Municipal Address: 599 Sunset Beach Road), City File D02-22010, be received for information purposes only and that all comments be referred back to staff.**

Contact Person:

Julie Mallany, Planner I – Site Plans, phone number 905-771-2459 and/or
Denis Beaulieu, Manager of Development - Subdivisions, phone number 905-771-2540

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

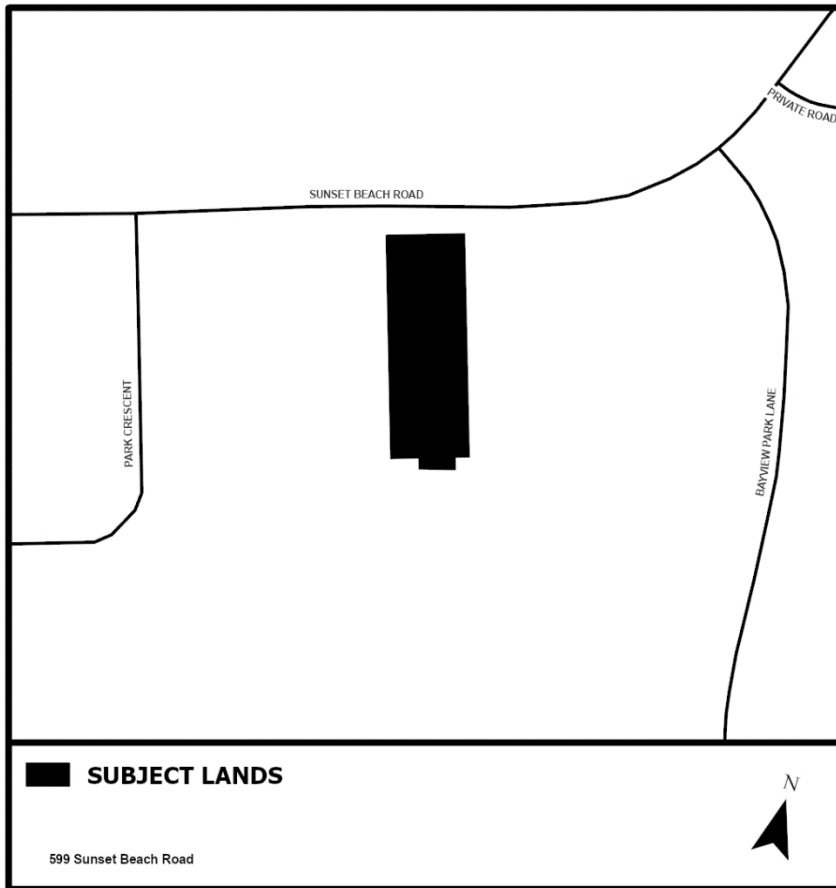
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Approved by: Darlene Joslin, Interim City Manager

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 and deemed complete by the City on April 14, 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 subject application 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 located on the south side of Sunset Beach Road, west of Bayview Park Lane and east of Park Crescent (refer to Map 1). The lands have a lot frontage of approximately 32.56 metres (106.82 feet) and a total site area of 0.30 hectares (0.74 acres), and are presently vacant with the exception of the remains of an indoor, in-ground swimming pool following the demolition of a former single detached dwelling. The lands abut residential uses to the east and west, City-owned lands (Catfish Pond) to the south, and Sunset Beach Road to the north (refer to Map 2).

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to facilitate a severance to create one additional building lot on its land holdings. The severed and retained lots are each proposed to contain a single detached dwelling with frontage along Sunset Beach Road (refer to Maps 5 to 7). The following is a summary of the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.30 hectares (0.74 acres)
- **Total Lot Frontage:** 32.56 metres (106.82 feet)
- **Total Number of Units:** 2
- **Proposed Lot 1 (West):**
 - **Proposed Lot Area:** 1,507.77 square metres (16,229.50 square feet)
 - **Proposed Lot Frontage:** 16.28 metres (53.41 feet)
- **Proposed Lot 2 (East):**
 - **Proposed Lot Area:** 1,536.43 square metres (16,537.99 square feet)
 - **Proposed Lot Frontage:** 16.28 metres (53.41 feet)

In accordance with the City's development approval requirements, the applicant has submitted two Site Plan applications (City Files D06-22017 and D06-22018) in conjunction with the subject Zoning By-law Amendment application to facilitate its development proposal. The Site Plan applications are currently under review by City staff and external agencies.

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Supporting Documentation/Reports

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

- Draft Zoning By-law;
- Planning Justification Report;
- Site Plan;
- Floor Plans;
- Elevation Plans;
- Topographic Survey;
- Geotechnical Investigation Report;
- Natural Heritage Evaluation;
- Grading and Servicing Plan;
- Erosion and Sediment Control Plan;
- Landscape Plan;
- Tree Inventory and Preservation Plan; and,
- Tree Inventory and Preservation Plan Report.

Zoning By-law Amendment Application

The subject lands are currently zoned **Residential Second Density (R2) Zone** under Zoning By-law 1703, as amended, and permitted uses include single detached dwellings among other uses (refer to Map 3). The proposed development does not comply with a number of the development standards of the **R2 Zone** category applicable to the lands, including the minimum lot frontage and the maximum height requirements of 30.48 metres (100 feet) and 10.67 metres (35 feet) respectively. As such, the applicant is seeking Council's approval to rezone the subject lands to **Single Detached Six (R6) Zone** under Zoning By-law 313-96, as amended.

Outlined below is a comparison of the development standards in the existing **R2 Zone** relative to those of the proposed **R6 Zone** and the applicant's development proposal. In this regard, the applicant is not seeking any site specific exceptions to the development standards in the proposed **R6 Zone**:

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Development Standard	R2 Zone Standards, By-law 1703, as amended	R6 Zone Standards, By-law 313-96, as amended	Proposed Development
Minimum Lot Frontage	22.86 metres (75.0 feet)	15.0 metres (49.21 feet)	Complies
Minimum Lot Area	929.03 square metres (10,000.0 square feet)	500.0 square metres (5,381.96 square feet)	Complies
Maximum Lot Coverage	20%	40%	Complies
Minimum Required Front Yard	17.68 metres (58.0 feet) from the centreline of the street	4.5 metres (14.76 feet)	Complies
Minimum Required Side Yard	1.52 metres (5.0 feet) plus 0.61 metres (2.0 feet) for each additional increase in height of 3.05 metres (10.0 feet) or part thereof above 3.65 metres (12.0 feet)	1.5 metres (4.92 feet)	Complies
Minimum Required Rear Yard	4.57 metres (15.0 feet) or a distance equal to the height of the dwelling, whichever is greater	7.5 metres (24.61 feet)	Complies
Maximum Height	10.67 metres (35.0 feet)	11.0 metres (36.09 feet)	Complies

It should be noted that the appropriateness of the proposed zoning provisions, as well as the need for additional standards will continue to be evaluated through the review of the subject applications with regard to policy conformity, compatibility, design and function.

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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, 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. The applicant is proposing two (2) single detached dwellings which are permitted within the **Neighbourhood** designation. 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 patterns of streets, blocks, and lots, landscaped areas and treatments, and the general pattern of yard setbacks.

The **Natural Core** designation includes natural core areas located within the **Settlement Areas** both on and off the Oak Ridges Moraine. Permitted uses in 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.

Additionally, the lands are within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* ("ORMCP"). In accordance with **Section 3.2.1.1 (18)** of the City's Official Plan, all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**. Further, in accordance with **Subsections 18 (4)** of the ORMCP, the creation of new lots is generally permitted within **Settlement Areas** subject to conformity with the ORMCP policies with respect to the consideration of key natural heritage features (KNHFs), hydrologically sensitive features (HSFs), watersheds and subwatersheds, wellhead and aquifer protection, transportation, infrastructure and utilities, sewage and water services, partial services, stormwater management, and rapid infiltration basins and columns.

The subject lands directly abut a strip of City-owned land that contains Catfish Pond which is located within the Wilcox-St. George Provincially Significant Wetland. In accordance with the ORMCP, wetlands are identified as KNHFs and HSFs and a 30-metre Minimum Vegetation Protection Zone (MVPZ) is required from the feature. As outlined in **Sections 21 (3) and (4)** of the ORMCP, an Environmental Study is required in order to determine if a reduction to the required buffer is justified and appropriate. Pursuant to **Policy 3.2.1.8**, the City will require dedication of these features and their associated buffers into public ownership, where appropriate.

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Staff note that the applicant is to confirm the limit of the wetland to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA), in addition to an appropriate buffer measured from the staked limit. In this regard, the TRCA has requested a minimum buffer of 30 metres, and the lands are to be placed in an appropriate environmental protection zone category, serve as a restorative planting area and be conveyed to a public agency.

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

North Urban Development Area Master Environmental Servicing Plan

A detailed review of the North Urban Development Area Master Environmental Servicing Plan will be undertaken by staff in order to confirm that the proposed development conforms to the provisions of this Plan.

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 of this report.

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has reviewed the subject application and has provided technical comments with respect to staking the development limits, the establishment of minimum buffers from the wetland, the conveyance of environmental lands to a public authority, and the submission of updated documents including a Natural Heritage Evaluation, a Restoration Plan, a Tree Preservation Plan/Report and a Landscape Plan (refer to Appendix "A").

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has advised that the subject lands are located within the TRCA's Regulated Area and are adjacent to a Provincially Significant Wetland associated with the Humber River Watershed. In addition, the TRCA has provided technical comments in relation to the developable limits, natural heritage features, stormwater management, water balance, erosion and sediment control, hydrogeologic or geotechnical investigations and landscaping (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 the proposed development. In consideration of the policies of the Plan which are relevant to

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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 subject application will continue to be reviewed in relation to conformity with the **Neighbourhood** and **Natural Core** policies;
- the proposed lot areas and lot frontages are in keeping with the requirements of the proposed **Single Detached Six (R6) Zone** under Zoning By-law 313-96, as amended, and are similar in size to the abutting lots to the east at 607 Sunset Beach Road, which were created through the approval of Zoning By-law Amendment and Consent applications in 2018 (Files D02-16035 and B016/18, respectively);
- the applicant shall demonstrate that the proposed development complies with the remaining standards of the proposed zone category;
- a future Consent application will be required to facilitate the creation of one additional single detached residential lot;
- once the limits of wetland including the required buffer are determined, this portion of the subject lands shall be required to be zoned under a protective zone category such as **Open Space (O) Zone** and must be conveyed into public ownership;
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment required to facilitate the proposed development;
- the proposed development is subject to Site Plan Control and therefore will be assessed on the basis of the City-wide Urban Design Guidelines; and,
- the applicant must satisfactorily address issues and requirements identified by the City departments and external agencies that have been requested to review the applicant's development proposal.

Further to the above, a comprehensive review of the subject Zoning By-law Amendment application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public.

Other City Department and External Agency Comments

Comments have been received from the City's Financial Services Division, Development Engineering Division, Urban Design and Heritage Section, Waste Management Section and Zoning Section, in addition to the Regional Municipality of York, Alectra Utilities and Enbridge Gas Distribution. These City departments and external agencies have no objections to the applications and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. All of the comments have been forwarded to the applicant for consideration but have not been appended to this report.

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The development proposal is still under review by the City's Fire and Emergency Services Division, Canada Post, Rogers Communication and Bell Canada.

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.

Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the creation of one additional building lot 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.

- Appendix "A", Memorandum from the Park and Natural Heritage Planning Section dated May 19, 2022
- Appendix "B", Letter from the Toronto and Region Conservation Authority dated August 3, 2022
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Site Plan
- Map 6, Elevation Plans – Part 1
- Map 7, Elevation Plans – Part 2

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Report Approval Details

Document Title:	SRPI.22.102 - Request For Comments - D02-22010.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - SRPI.22.102.pdf- Appendix B - SRPI.22.102.pdf- SRPI.22.102 - Map 1 - Aerial Photograph.docx- SRPI.22.102 - Map 2 - Neighbourhood Context.docx- SRPI.22.102 - Map 3 - Existing Zoning.docx- SRPI.22.102 - Map 4 - Official Plan Designation.docx- SRPI.22.102 - Map 5 - Site Plan.docx- SRPI.22.102 - Map 6 - Elevations Part 1.docx- SRPI.22.102 - Map 7 - Elevations Part 2.docx
Final Approval Date:	Aug 16, 2022

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

Gus Galanis - Aug 15, 2022 - 11:54 AM

Kelvin Kwan - Aug 15, 2022 - 1:28 PM

Darlene Joslin - Aug 16, 2022 - 5:33 PM