



Staff Report for Council Meeting

Date of Meeting: September 14, 2022

Report Number: SRPI.22.069

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.22.069 – Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – The Duncan Rd - 16th Avenue Group Inc. – City Files D02-20031 and SUB-20-0005 (D03-20005)**

Owner:

The Duncan Rd – 16th Avenue Group Inc.
56 Walkington Way
King City, ON L7B 1C9

Agent:

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

Location:

Legal Description: Part of Lots 22, 23, 24, 63 and 64, Plan 3806
Municipal Address: 0 Fern Avenue

Purpose:

A request for approval concerning proposed Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate a residential infill development on the subject lands.

Recommendations:

- a) **That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by The Duncan Rd – 16th Avenue Group Inc. for the lands known as Part of Lots 22, 23, 24, 63 and 64, Plan 3806 (Municipal Address: 0 Fern Avenue), City Files D02-20031 and SUB-20-0005, be approved, subject to the following:**

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- (i) that the current Low Density Residential Six (R6) Zone provisions under By-law 255-96, as amended, applicable to the lands be further amended to implement the site specific exceptions and a Holding (H) Provision, as set out in Appendix “B” to Staff Report SRPI.22.069;
 - (ii) that the amending Zoning By-law be brought forward to the September 14, 2022 Council meeting for consideration and enactment;
 - (iii) that the Plan of Subdivision as depicted on Map 5 to Staff Report SRPI.22.069 be draft approved, subject to the conditions as set out in Appendix “C”;
 - (iv) 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;
- b) That Site Plan Control By-law 137-09, as amended, be further amended, if deemed necessary, to include the subject lands within a Site Plan Control Area for the purposes of securing the applicant’s sustainability commitments, and that said by-law be brought forward to a future Council meeting for consideration and enactment; and,
- c) That the authority to assign 35.1 persons equivalent of servicing allocation to the proposed development to be constructed on the subject lands be delegated to the Commissioner of Planning and Infrastructure subject to the criteria in the City’s Interim Growth Management Strategy, and that the assigned servicing allocation be released 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

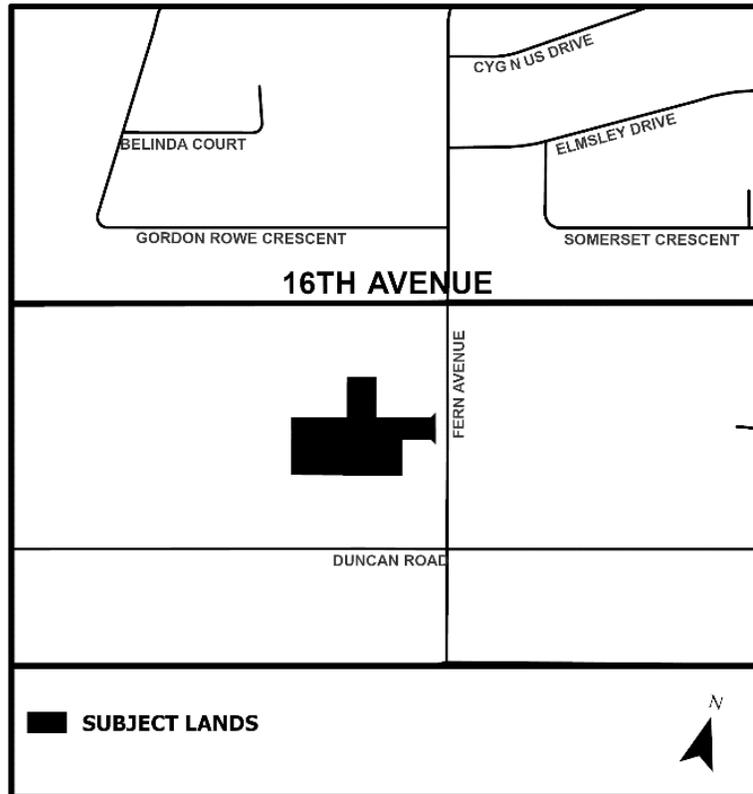
Approved by: Darlene Joslin, Interim City Manager

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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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:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications were considered at a statutory Council Public Meeting held on April 21, 2021, wherein Council received Staff Report SRPI.21.041 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 to the applications and no written correspondence was received. Members of Council did raise questions with respect to the potential for future mid-block road connections in the area and sought clarification on the intention of future public and private right-of-ways. In this regard, staff confirmed that the applicant’s development proposal is intended to provide for an east-west public street in order to achieve backlotting/infill development.

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 and draft Plan of Subdivision applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located between 16th Avenue and Duncan Road, west of Fern Avenue and have a total lot area of approximately 0.63 hectares (1.56 acres) (refer to Map 1). The lands are located directly to the rear of the lands municipally known as 170, 172, 176 and 180 Duncan Road and 519, 531, 543, 551 and 561 16th Avenue, and have a lot frontage of approximately 14.07 metres (46.16 feet) on Fern Avenue. The lands are presently vacant and form a land assembly created through a number of related Consent applications in order to establish a consolidated parcel for backlot residential infill development purposes.

The lands abut a mix of uses including residential dwellings, clinics and a childcare facility to the north, single detached dwellings to the south and west and Fern Avenue to the east (Maps 1 and 2). Further, a low density residential development proposal which is to be comprised of 14 semi-detached dwelling units and 2 single detached dwelling units is currently under review for the abutting lands to the northeast (City File D02-21010). It should be noted that the lands abut City owned lands to the south where proposed Street “A” is to intersect with Fern Avenue and to the north at the proposed westerly termination of said street, both of which were previously acquired by the City for future right-of-way purposes (refer to Map 5).

Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential infill development to be comprised of ten single detached dwelling lots and the creation of a new public street extending westward from the Fern Avenue (refer to Maps 5 to 8). The following is a

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summary table outlining the relevant statistics of the applicant's development proposal based on the plans and drawings submitted in support of the applications:

- **Total Lot Area:** 0.63 hectares (1.56 acres)
 - **Area of Residential Lots:** 0.42 hectares (1.03 acres)
 - **Area of Proposed Street:** 0.20 hectares (0.54 acres)
- **Total Number of Dwellings:** 10
- **Proposed Density:** 15.87 units per hectare (6.41 units acres)
- **Proposed Number of Storeys:** 2
- **Proposed Lot Frontages:** 12.49 metres (40.97 feet) to 13.44 metres (44.09 feet)
- **Proposed Lot Areas:** 411.42 square metres (4,428.49 square feet) to 483.20 square metres (5,201.12 square feet)

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use by the City's Official Plan ("Plan") which permits single detached dwellings as proposed by the applicant (refer to Map 4). As required by **Policy 4.9.1(3)** of the Plan, new infill development must be compatible with the character of the adjacent and surrounding area in accordance with **Policy 4.9.2.4** of the Plan. In particular, infill development must be compatible with the predominant building forms and types, massing, general patterns of streets, blocks and lanes, landscaped areas and treatments, and the general pattern of yard setbacks within the area. Additionally, **Policy 4.9.2.1** states that site design which would inhibit future infill development shall not be permitted.

The lands are also located within a Priority Infill Area in accordance with **Policy 4.9.1.1.1(f)** of the Plan as the lands are located within "***the area bounded by Sixteenth Avenue, Little Don River and the lots south of Duncan Road and Bayview Avenue***". This Priority Infill Area does not presently have a corresponding Infill Study or Tertiary Plan. In this regard, staff has evaluated the applicant's development proposal in relation to the land use, design and compatibility policies of the Plan and is satisfied that the proposed development has regard for and will be compatible with the existing development in the area.

The proposed development is intended to commence the infill pattern for future infill development of the rear lots along this section of 16th Avenue and Duncan Road, extending westward from Fern Avenue. While the lots along Duncan Road and 16th Avenue are predominantly larger, the proposed development contemplates an intensification appropriate for new residential infill development. Furthermore, the proposed lot fabric facilitates a more uniform and seamless development pattern along the proposed new public road.

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Furthermore, although there is no current Council-approved Infill Plan or Tertiary Plan, the subject lands were previously part of the 16th Avenue/Duncan Road Area Secondary Plan (OPA 156) which was repealed upon approval of the City’s current Official Plan. OPA 156 previously provided detailed policy direction for infill development and backlot plans of subdivision within the 16th Avenue/Duncan Road neighbourhood (including new infill streets) and, as such, the City acquired several parcels of land for future road allowance purposes as part of other development approvals over the years.

The proposed east-west local street to be established on the subject lands is consistent with the mid-block infill street contemplated from Fern Avenue and is supported by the Priority Infill Area policies in the current Official Plan. Furthermore, the applicant has submitted a Concept Plan which demonstrates that the proposed public road can continue to extend further westward to provide future infill development opportunities on adjacent lands (refer to Map 8). Staff notes that any future development potential, including new lot creation, the siting of new buildings and the potential location of local or private roads within this block shall be comprehensively reviewed and considered as part of the submission of future development applications on adjacent lands.

In consideration of the preceding, staff is of the opinion that the applicant’s development proposal conforms with the applicable policies of the Plan.

Zoning By-law Amendment Application

The subject lands are currently zoned **Low Density Residential Six (R6) Zone** under By-law 255-96, as amended, which permits single detached dwellings (refer to Map 3). The applicant is proposing to establish site specific development standards to the **Low Density Residential Six (R6) Zone** to permit the creation of ten lots for single detached residential purposes on the subject lands. The following summary table outlines the relevant development standards of the current **R6 Zone** in comparison to the proposed site specific development standards outlined in bold:

Development Standard	Existing Zoning (R6 Zone)	Proposed Development Standards
Minimum Lot Area (Interior Lot)	502.0 square metres (5,403.48 square feet)	410.0 square metres (4,413.20 square feet)
Minimum Lot Frontage (Interior Lot)	15.0 metres (49.21 feet)	12.40 metres (40.68 feet)
Minimum Front Yard Setback	4.5 metres (14.76 feet)	Complies
Minimum Side Yard Setback	1.5 metres (4.92 feet)	1.22 metres (4.00 feet)
Minimum Rear Yard Setback	7.5 metres (24.60 feet)	Complies
Maximum Height	11.0 metres (36.08 feet)	Complies
Maximum Lot Coverage	40%	Complies

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Planning staff have reviewed the applicant's proposed site specific development standards and find them appropriate for the proposed development. In this regard, the proposed lot frontages and lot areas on the proposed public street serve to facilitate a more consistent development pattern which will allow for a generally even division of the existing lots.

Since the time of the initial submission, the applicant's proposed Zoning By-law has been revised to include a Holding (H) Provision for Lot 1 on the proposed draft Plan of Subdivision (refer to Map 5). Planning staff are recommending that the Holding (H) Provision be imposed to prevent the issuance of a Building Permit on Lot 1 until such time as the applicant has acquired the necessary consent from the abutting landowner to the east (286 Fern Avenue) in order to address impacts to the neighbouring trees.

Given all of the above, staff is of the opinion that the subject Zoning By-law Amendment application implements the submitted draft Plan of Subdivision application, conforms with the applicable policies of the Plan, and represents good planning.

Draft Plan of Subdivision Application

The applicant has submitted a draft Plan of Subdivision application to facilitate the creation of ten single detached dwelling lots fronting onto a proposed new public street extending westward from Fern Avenue. The proposed lots are to range in size from 411.42 square metres (4,428.49 square feet) to 483.20 square metres (5,201.12 square feet), with lot frontages ranging from 12.49 metres (40.97 feet) to 13.44 metres (44.09 feet). The applicant's draft Plan of Subdivision is comprised of proposed Street "A" with a right-of-way width of 20.0 metres and three 0.3 metre (1 foot) reserves (Blocks 11, 12 and 13) (refer to Map 5). Proposed reserve Block 11 is to protect for the future westward extension of Street "A", while Blocks 12 and 13 are to temporarily restrict access to the proposed new public street from abutting lands to the north.

It should be noted that at the April 21, 2021 Council Public Meeting, Council authorized the inclusion of the City-owned lands (previously acquired for future road allowance purposes) as part of the submitted Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the comprehensive design and construction of proposed Street "A" (refer to Appendix "A").

Subject to the conditions of draft approval contained in Appendix "C" attached hereto, staff is of the opinion that the applicant's draft Plan of Subdivision application conforms with the applicable policies of the Plan and has appropriate regard for the criteria under Section 51(24) of the *Planning Act*.

City Department and External Agency Comments:

All circulated City department and external agencies have indicated no objections and/or have provided conditions of draft approval with respect to the proposed Zoning By-law Amendment and draft Plan of Subdivision applications, including the City's Development Engineering Division and Park and Natural Heritage Planning Section,

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and the Regional Municipality of York. The applicable conditions of draft approval are contained in Appendix “C” attached hereto.

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 Metrics Tool (the Metrics) in support of its proposed draft Plan of Subdivision application. However, at the time of writing this report, the applicant’s Metrics remain under review with respect to the appropriateness of the proposed sustainability measures. The applicant’s current submission includes a number of measures staff are in support of, including but not limited to, the implementation of Energy Star certification for new dwellings, street tree plantings, and the site being designed with Low Impact Development (LID) measures and rainwater retention of between 10-15mm during a rainfall event.

However, staff’s comments with respect to a number of the proposed Metrics and their applicability to the proposed development have not been satisfactorily addressed, and the applicant has requested to defer this matter to the detailed design stage of the development review process. In this regard, staff will continue to work with the applicant in an effort to meet and/or exceed the City’s minimum threshold score requirements applicable to the subject development in order to enable the consideration of servicing allocation assignment in the future.

The subject lands are presently vacant. In consideration that a total of 10 single detached dwelling lots are proposed, municipal servicing allocation for 35.1 persons will be required. In order to streamline the servicing allocation assignment process for the proposed development, staff recommends that Council delegate its authority to assign servicing allocation to the Commissioner of Planning and Infrastructure.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications.

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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 a Priority Infill Area.

Climate Change Considerations:

The recommendations of this report are aligned with Council’s climate change considerations as the development proposal contemplates infill development within a Priority Infill Area and shall meet the threshold for sustainable design in order to obtain servicing allocation.

Conclusion:

The applicant is seeking Council’s approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development to be comprised of 10 single detached dwellings and the creation of a new public street 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 applications conform with the applicable policies of the City’s Official Plan, have regard for the criteria described under Subsection 51(24) of the *Planning Act* and represent good planning. On the basis of the preceding, staff recommends that Council approve the subject applications 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#16-21 held April 21, 2021
- Appendix “B”, Draft Zoning By-law
- Appendix “C”, Schedule of Draft Plan of Subdivision Conditions
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Proposed Draft Plan of Subdivision
- Map 6, Conceptual Site Plan
- Map 7, Conceptual Elevation Plans
- Map 8, Applicant’s Concept Plan

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Report Approval Details

Document Title:	SRPI.22.069 - Request for Approval - D02-20031 and SUB-20-0005.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - SRPI.22.069.pdf- Appendix B - SRPI.22.069.docx- Appendix C - SRPI.22.069.docx- SRPI.22.069 - Map 1 - Aerial Photograph.docx- SRPI.22.069 - Map 2 - Neighbourhood Context.docx- SRPI.22.069 - Map 3 - Existing Zoning.docx- SRPI.22.069 - Map 4 - Official Plan Designation.docx- SRPI.22.069 - Map 5 - Draft Plan of Subdivision.docx- SRPI.22.069 - Map 6 - Conceptual Site Plan.docx- SRPI.22.069 - Map 7 - Conceptual Elevation Plans.docx- SRPI.22.069 - Map 8 - Applicant's Concept Plan.docx
Final Approval Date:	Aug 25, 2022

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

Gus Galanis - Aug 24, 2022 - 5:28 PM

Kelvin Kwan - Aug 25, 2022 - 9:20 AM

Darlene Joslin - Aug 25, 2022 - 10:30 AM