



Staff Report for Council Public Meeting

Date of Meeting: December 7, 2022

Report Number: SRPI.22.111

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.111 – Request for Comments – Zoning By-law Amendment Application – Eugene and Marie Sturino and Domenic and Daniela Marie Sorbara – City File D02-22018

Owners:

Eugene and Marie Sturino
83 Elm Grove Avenue
Richmond Hill, Ontario
L4E 2W8

Domenic and Daniela Marie Sorbara
85 Elm Grove Avenue
Richmond Hill, Ontario
L4E 2W8

Agent:

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

Location:

Legal Description: Lots 5 and 6, Plan M-1563
Municipal Addresses: 83 and 85 Elm Grove Avenue

Purpose:

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

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Recommendation:

- a) That Staff Report SRPI.22.111 with respect to the Zoning By-law Amendment application submitted by Eugene and Marie Sturino and Domenic and Daniela Marie Sorbara for the lands known as Lots 5 and 6, Plan M-1563 (Municipal Addresses: 83 and 85 Elm Grove Avenue), City File D02-22018, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Giuliano La Moglie, Planner II - Subdivisions, phone number 905-711-8800 ext. 6465 and/or Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

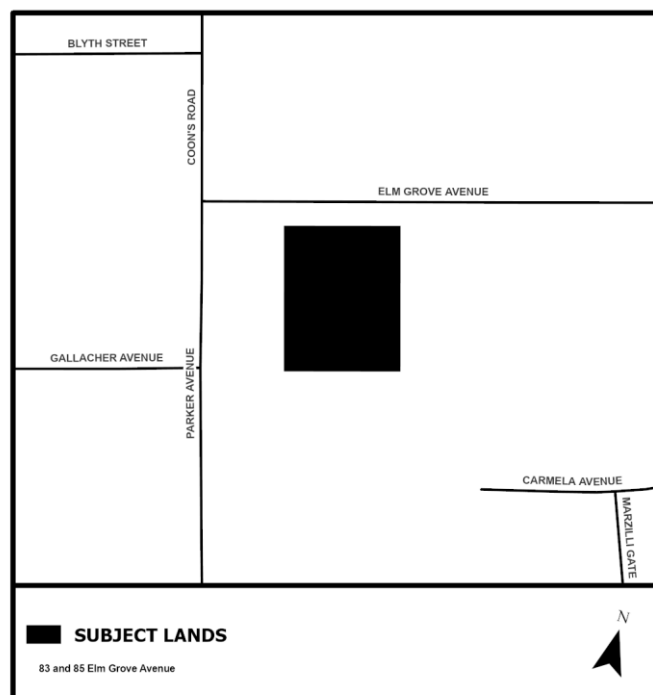
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 September 8, 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 applicants 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 located on the south side of Elm Grove Avenue, east of Parker Avenue, within the community of Oak Ridges (refer to Map 1). The lands are comprised of two existing building lots with a total lot frontage of 48.78 metres (160.04 feet) along the south side of Elm Grove Avenue and a total lot area of 0.297 hectares (0.73 acres) and currently support two single detached dwellings that are to be demolished in order to facilitate the proposed development. The subject lands abut Elm Grove Avenue to the north, and existing single detached dwellings to the east, west and south (refer to Map 2).

Development Proposal

The applicants are seeking Council's approval of its Zoning By-law Amendment application to permit the creation of one additional building lot for single detached residential purposes on their landholdings. A total of three lots would be created and each would contain a new single detached dwelling with frontage along Elm Grove Avenue (refer to Maps 6 to 9). The following is a summary table outlining the relevant statistics of the applicants development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** **0.297 hectares (0.73 acres)**
- **Total Lot Frontage:** **48.77 metres (160.01 feet)**
- **Total Number of Units:** **3**
- **Proposed Lot 1 (Western)**
 - **Proposed Lot Area:** **1,021.74 square metres (10,997.92 square feet)**
 - **Proposed Lot Frontage:** **16.76 metres (54.99 feet)**
- **Proposed Lot 2 (Central)**
 - **Proposed Lot Area:** **1,021.74 square metres (10,997.92 square feet)**
 - **Proposed Lot Frontage:** **16.76 metres (54.99 feet)**
- **Proposed Lot 3 (Eastern)**
 - **Proposed Lot Area:** **929.48 square metres (10,004.84 square feet)**
 - **Proposed Lot Frontage:** **15.25 metres (50.03 feet)**

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Supporting Documentation/Reports

The applicants have submitted the following updated documents/information to the City in support of the proposed development:

- Planning Justification Report;
- Topographic Survey;
- Site Plan;
- Architectural Plans;
- Arborist Report;
- Tree Inventory and Preservation Plan;
- Archaeological Assessment; 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, and permitted uses include single detached dwellings (refer to Map 3). The proposed development does not comply with a number of the development standards of the **RU Zone** category applicable to the lands, including the required minimum lot frontage of 22.86 metres (75.0 feet). As such, the applicants are seeking approval of its Zoning By-law Amendment application to rezone the subject lands to **Single Detached Five (R5) Zone** under By-law 313-96, as amended, with site specific provisions to permit the proposed development.

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

Development Standard	R5 Zone Standards, By-law 313-96, as amended	Proposed R5 Zone Standards
Minimum Lot Frontage (Interior)	13.5 metres (44.29 feet)	Complies
Minimum Lot Area (Interior)	450.0 square metres (4,843.76 square feet)	Complies
Maximum Lot Coverage	40%	Complies
Minimum Required Front Yard	4.5 metres (14.76 feet)	Complies
Minimum Required Side Yard	1.5 metres (4.92 feet)	1.2 metres (3.94 feet)
Minimum Required Rear Yard	7.5 metres (24.61 feet)	Complies
Maximum Height	11.0 metres (36.09 feet)	Complies

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Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the City’s Official Plan (the “Plan”) (refer to Map 4). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”), and the **Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study area** (refer to Map 5).

The **Neighbourhood** designation generally permits low density and medium density residential uses, neighbourhood commercial uses, community uses, parks and open space uses, as well as automotive service commercial uses, subject to specific policy criteria as outlined in Chapter 4 of the Plan. Development in the **Neighbourhood** designation must be compatible with the character of the adjacent and surrounding area, in accordance with **Section 4.9.2.4** of the Plan. Small scale infill development that enhances and strengthens the character of the existing area and promotes connectivity and high quality design is also permitted.

The subject lands are located within the **Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study area** (the “Infill Study”) as identified under **Policy 4.9.1.1.1(p)** of the Plan. The subject development proposal is to be evaluated based on conformity with the infill and urban design guidelines of the Infill Study (discussed in greater detail below), in accordance with **Policy 4.9.1.1.3** of the Plan. The lands are also located within the **Settlement Area** of the Oak Ridges Moraine as defined in the ORMCP. In accordance with **Section 3.2.1.1 (18)** of the Plan, all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**.

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

Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study

As noted above, the subject lands are located within the boundaries of the **Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study area** approved by Council in 1999. This study area is generally bounded by Parker Avenue to the west, George Street to the south, the rear lot line of properties west of Yonge Street on the east, and Regatta Avenue to the north (refer to Map 5). The primary objective of the Infill Study is to guide infill development within the area through urban design principles as well as recommended street network layouts, residential housing types and lot sizes.

As per the Infill Study, single detached dwellings are permitted throughout the study area. The Infill Study identifies that single detached lots are to have a minimum lot frontage of 13.5 metres (44.29 feet) and a minimum lot area of 450 square metres (4,843.8 square feet). The subject applications propose a minimum lot frontage of 15.26 metres (50.07 feet) and a minimum lot area of 929.48 square metres (10,004.84 square

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feet), which exceeds the minimum lot frontage and lot area recommended in the Infill Study.

The Infill Study also provides a recommended Concept Plan to demonstrate how the overall area can develop. A demonstration plan in the Infill Study illustrates four distinct areas that reflect backlot subdivision opportunities and medium density residential development opportunities. While the subject lands are not located within any of the four distinct areas, the Infill Study anticipates that redevelopment will occur through severances on existing streets. The proposed development contemplates a future severance to create one additional building lot for residential purposes, resulting in three lots. Given the proposed lotting pattern for the three proposed lots, the subject development proposal is consistent with the Infill Study's vision for redevelopment potential in the neighbourhood.

A more detailed review of the subject applications will be undertaken to ensure the proposed development is in keeping with the recommendations of the Infill Study.

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.

Development Engineering Division

The City's Development Engineering Division has reviewed the application and has advised that the applicants are required to submit a detailed Grading and Servicing Plan at the Consent application stage.

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has provided comments with respect to tree preservation, replacement and compensation requirements. These requirements will be further refined at the Consent application stage.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has no objections to the proposal. However, through the detailed design process, a Water Balance Assessment will be required to ensure the policies of the Source Water Protection Plan are met.

Development Planning Division

Development Planning staff has completed a preliminary review of the applicants development proposal. In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

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- the proposed single detached lots are permitted under the **Neighbourhood** designation of the Plan and the **Settlement Area** policies of the ORMCP;
- the proposed building heights of two storeys are consistent with building heights contemplated within the **Neighbourhood** designation;
- the proposed lotting pattern and development standards appear to be in keeping with and compatible with the proposed and approved development in the surrounding neighbourhood, in accordance with **Policy 4.9.2.4** of the Plan;
- the development proposal meets the minimum lot frontage and lot area requirements for single detached dwelling lots as recommended in the Infill Study for the area;
- the proposed development complies with the provisions of the **Single Detached Five (R5) Zone** under By-law 313-96, as amended, with the exception of the proposed minimum side yard setback, for which the applicants have requested site specific provisions;
- should Council ultimately approve the subject Zoning By-law Amendment application at a future Council meeting, a Consent application(s) will be required to sever and convey the lands to create one additional lot for single detached residential purposes;
- staff note that a future Deeming By-law application may be required to merge the subject lands on title prior to or as a condition of Consent approval(s);
- staff will continue to work with the applicants with respect to the form and content of the draft Zoning By-law Amendment for their development proposal. The appropriateness of the zone category and site specific provisions proposed by the applicants will continue to be reviewed with respect to compatibility, design and function; and,
- the applicants must satisfactorily address any issues identified by City departments and external agencies that have been requested to review the subject development proposal.

A comprehensive review and evaluation of the subject application will be conducted following 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, Urban Design Section, Building Services Division – Zoning Section, Fire and Emergency Services Division and Waste Management Section, in addition to Alectra Utilities, Bell, Enbridge, and the Regional Municipality of York. These City departments and external agencies have indicated no objections to the application and/or have provided comments to be considered by the applicants during the more detailed implementation stage of the approval process. All of the comments have been forwarded to the applicants for consideration but have not been appended to this report.

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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 applicants development proposal.

Conclusion:

The applicants are seeking Council's approval of the Zoning By-law Amendment application submitted in support of their proposal to permit the creation of an additional building on their 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, Existing Official Plan - Land Use Designation
- Map 5: Elm Grove/Maple Grove/Aubrey Infill Study
- Map 6, Proposed Site Plan
- Map 7, Proposed Elevations - Lot 1
- Map 8, Proposed Elevations - Lot 2
- Map 9, Proposed Elevations - Lot 3
- Map 10, Proposed Tree Inventory and Preservation Plan

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Report Approval Details

Document Title:	SRPI.22.111 - Request for Comments - 83 and 85 Elm Grove Avenue - D02-22018.docx
Attachments:	<ul style="list-style-type: none">- Map 1 - Aerial Photograph.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Existing Zoning.docx- Map 4 - Existing Official Plan - Land Use Designation.docx- Map 5 - Elm Grove Aubrey Infill Study.docx- Map 6 - Proposed Site Plan.docx- Map 7 - Proposed Elevations - Lot 1.docx- Map 8 - Proposed Elevations - Lot 2.docx- Map 9 - Proposed Elevations - Lot 3.docx- Map 10 - Proposed Tree Inventory and Preservation Plan.docx
Final Approval Date:	Nov 9, 2022

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

Gus Galanis - Nov 9, 2022 - 11:19 AM

Kelvin Kwan - Nov 9, 2022 - 11:57 AM

Darlene Joslin - Nov 9, 2022 - 1:22 PM