



Staff Report for Council Meeting

Date of Meeting: February 8, 2023

Report Number: SRPI.23.010

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.23.010 – Request for Approval – Zoning By-law Amendment – Eugene and Marie Sturino and Domenic and Daniela Marie Sorbara – City File D02-22018**

Owner:

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 approval concerning a proposed 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 Eugene and Marie Sturino and Domenic and Daniela Marie Sorbara for the lands known**

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as **Lots 5 and 6, Plan M-1563 (Municipal Addresses: 83 and 85 Elm Grove Avenue), City File D02-22018** be approved, subject to the following:

- (i) that the subject lands be rezoned from Residential Urban (RU) Zone under By-law 1275, as amended, to Single Detached Five (R5) Zone under By-law 313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.23.010;
- (ii) that the amending Zoning By-law be brought forward to a future Council Meeting for consideration and enactment.

Contact Person:

Giuliano La Moglie, Planner II - Subdivisions, phone number 905-747-6465 and/or Gus Galanis, Director of Development Planning, phone number 905-771-2465

Report Approval:

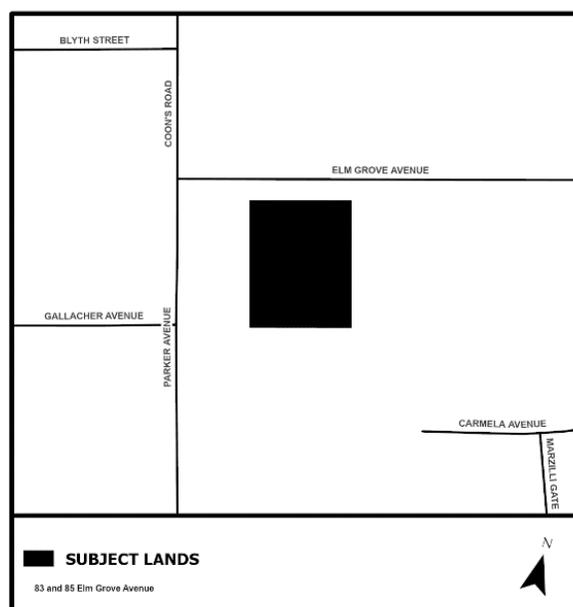
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, 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:

The subject Zoning By-law Amendment was considered at a statutory Council Public Meeting held on December 7, 2022 wherein Council received Staff Report SRPI.22.111 for information purposes and directed that all comments be referred back to staff (refer to Appendix “A”). At the meeting, a comment was raised by Council with respect to the loss of existing trees on the subject lands. This matter is addressed in subsequent sections of this report.

The applicant has filed a revised submission with the City in order to address various design and technical matters identified through the circulation of its development proposal. All significant comments raised by circulated City departments and external agencies have now been satisfactorily addressed by the applicant for this stage of the approval process, and the balance of any technical matters shall be addressed as part of a future Consent application(s). Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s revised Zoning By-law Amendment application.

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). The lands 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 their 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 would each 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 applicant’s 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)**

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- **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)

Consent application(s) will be required to sever and convey the subject lands. At the time of preparation of this report, the aforementioned application(s) has not been submitted to the City.

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** designation 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** designation 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**.

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.

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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 application proposes 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 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 in which the lands are located 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.

In consideration of the preceding, Planning staff is satisfied that the proposed Zoning By-law Amendment conforms with applicable policies of the City's Official Plan and is consistent with the recommendations of the approved Infill Study.

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 their 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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The proposed development standards are consistent with development that has been approved for an adjacent draft approved subdivision to the east (By-law 79-21) and for the draft approved Plan of Subdivision further to the south (By-law 5-19) of the subject lands. The proposed reduced side yard setbacks are consistent with the development trends of the surrounding neighbourhood for infill development.

Planning staff has reviewed the applicants Zoning By-law Amendment request and finds that the proposal to establish site specific provisions to the **R5 Zone** under By-law 313-96 as amended is consistent with the overall policy direction for the area. In this regard, the proposed site specific amendments will result in lots that maintain sufficient yard setbacks and shall be compatible with the surrounding area and lot fabric. It should be noted that the development standards of Zoning By-law 1275 reflect the built form standards of the 1970's when the Zoning By-law was originally passed. The proposed site specific development standards identified above and in the attached draft Zoning By-law (refer to Appendix "B") reflect newer and more typical development standards which have been approved and implemented in the surrounding neighbourhood.

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

City Department and External Agency Comments:

All City departments and external agencies have indicated no objections in principle to the Zoning By-law Amendment application and/or have provided comments that can be appropriately satisfied through future Consent applications, as outlined below.

Development Engineering Division

The City's Development Engineering Division has reviewed the application and has advised that the applicants shall be 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. These comments will be further refined at the Consent application stage. In accordance with the City's Tree Preservation and Street Tree By-laws, the removal of any existing trees on the subject lands will be assessed by Park staff, and a permit will be required prior to any removals. In this regard, the removal of trees will be appropriately compensated through the City's Tree Preservation By-law.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has no objections to the proposal. However, through the future Consent application(s) or the Building Permit stage, a Water Balance Assessment will be required to ensure the policies of the Source Water Protection Plan are met.

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Development Planning Division

Development Planning staff has completed a review of the applicant's development proposal and provides the following additional comments:

- the proposed single detached dwellings are permitted and appropriate within the **Neighbourhood** designation of the Plan;
- the subject lands are situated within a Priority Infill Area identified pursuant to **Section 4.9.1.1** of the Plan and are subject to the provisions of the Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study. The proposed Zoning By-law Amendment, including site-specific provisions, is consistent with the objectives and recommendations of the Study;
- the proposed lot fabric is considered appropriate for the orderly development of the subject lands and is in keeping with the evolving character of the neighbourhood;
- a future Consent application(s) will be required to sever and convey the lands in order to create one additional lot for single detached residential purposes;
- staff note that a future Deeming By-law application will be required in order to merge the subject lands on title prior to or as a condition of Consent approval(s); and,
- the development proposal is contextually appropriate and therefore represents proper and orderly planning;

In accordance with the comments above, Planning staff have no further comments or objections with respect to the Zoning By-law Amendment application.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any 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 a Priority Infill Area.

Climate Change Considerations:

The recommendations of this report are aligned with Council's climate change considerations in that the proposed development will utilize existing residential land and incorporating a more efficient use of land within a settlement area.

Conclusion:

The applicants are seeking Council's approval of their Zoning By-law Amendment application to permit the creation of an additional building lot on their land holdings. Staff has completed a comprehensive review and evaluation of the applicants development proposal and is of the opinion that the submitted application conform with the applicable policies of the City's Official Plan, implements the recommendations of the applicable

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infill study approved by Council, and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application 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 from Council Public Meeting C#41-22 held December 7, 2022
- Appendix “B”, Draft Zoning By-law
- 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.23.010 – Request for Approval – Zoning By-law Amendment – City File D02-22018.docx
Attachments:	<ul style="list-style-type: none">- Appendix A.docx- Appendix B.docx- Map 1.docx- Map 2.docx- Map 3.docx- Map 4.docx- Map 5.docx- Map 6.docx- Map 7.docx- Map 8.docx- Map 9.docx- Map 10.docx
Final Approval Date:	Jan 11, 2023

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

Gus Galanis - Jan 11, 2023 - 12:25 PM

Kelvin Kwan - Jan 11, 2023 - 12:36 PM

Darlene Joslin - Jan 11, 2023 - 3:52 PM