



## **Staff Report for Council Public Meeting**

**Date of Meeting:** February 15, 2023

**Report Number:** SRPI.23.014

**Department:** Planning and Infrastructure

**Division:** Development Planning

**Subject:** **SRPI.23.014 – Request for Comments – Official Plan Amendment and Zoning By-law Amendment Applications – Gil Shcolyar and Maria Shcolyar – City Files OPA-22-0007 and ZBLA-22-0022**

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### **Owner:**

Gil Shcolyar and Maria Shcolyar  
261 Arnold Avenue  
Vaughan, Ontario  
L4J 1C3

### **Agent:**

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

### **Location:**

Legal Description: Lots 29 and 30, Plan 12003  
Municipal Addresses: 16 and 20 Centre Street West

### **Purpose:**

A request for comments concerning proposed Official Plan Amendment and Zoning By-law Amendment applications to facilitate a proposed six storey residential building to be comprised of 27 apartment dwelling units on the subject lands.

### **Recommendation:**

- a) **That Staff Report SRPI.23.014 with respect to the Official Plan and Zoning By-law Amendment applications submitted by Gil Shcolyar and Maria Shcolyar for lands known as Lots 29 and 30, Plan 12003 (Municipal Addresses: 16 and 20 Centre Street West), City Files OPA-22-0007 and ZBLA-22-0022, be received for information purposes only and that all comments be referred back to staff.**

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### Contact Person:

Sarah Mowder, Planner II – Subdivisions, phone number 905-771-5475 and/or  
Sandra DeMaria, Manager of Development – Site Plans, phone number 905-747-6312

### 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 Information:

The subject Official Plan and Zoning By-law Amendment Applications were received on November 1, 2022 and deemed complete by the City on November 21, 2022. The applications and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

Accordingly, 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 located on the south side of Centre Street West, west of Yonge Street. The lands are comprised of two residential lots having a combined lot frontage of 36.93 metres (121.16 feet) along Centre Street West and a total site area of 0.094 hectares (0.232 acres) (refer to Map 1).

The lands presently support two single detached dwellings and abut Centre Street West to the north beyond which are existing single detached dwellings and local commercial uses including the Richmond Hill Animal Hospital, existing commercial uses to the east, a parking lot servicing existing commercial uses on Yonge Street to the east and south and an 11 storey residential apartment building to the west (refer to Map 1).

It is also noted that the subject lands are surrounded by several buildings listed and/or designated in the City's Inventory of Cultural Heritage, including but not limited to the commercial buildings immediately abutting the subject lands to the east (Old Post Office which is designated), as well as the two mixed use buildings directly to the north (Temperance Hall and Louis Doner House both of which are listed).

The existing dwelling on the subject lands, municipally addressed as 16 Centre Street West, was previously listed in the City's inventory as the Thomas Munshaw House. At its meeting of January 27, 2021, Council approved the removal of the dwelling from Richmond Hill's Heritage Register as it was deemed to not merit a cultural heritage designation under Part IV of the *Ontario Heritage Act* (Staff Report SRPI.21.011).

#### Development Proposal

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to facilitate a six storey residential building with one level of underground parking on its land holdings (refer to Maps 4 and 5). 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:

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- **Total Lot Area:** 0.094 hectares (0.232 acres)
- **Total Lot Frontage:** 36.93 metres (121.16 feet)
- **Number of Buildings:** 1
- **Number of Storeys:** 6 (excluding the mechanical penthouse)
- **Gross Floor Area:** 3,026.0 square metres
- **Total Number of Units:** 27
  - 1 Bedroom: 6
  - 2 Bedroom: 3
  - 3 Bedroom: 18
- **Floor Space Index (FSI):** 3.25
- **Parking Spaces:** 29 (including 4 visitor and 2 accessible spaces)

### Supporting Documentation/Reports

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

- Planning Justification Report;
- Topographic Survey;
- Site Plan;
- Architectural Plans;
- Landscape Plan;
- Tree Inventory and Preservation Plan Report;
- Noise Study;
- Urban Design Brief;
- Transportation Study;
- Functional Servicing Report;
- Hydrogeological Assessment;
- Geotechnical Investigation;
- Phase One Environmental Site Assessment;
- Draft Official Plan Amendment; and,
- Draft Zoning By-law Amendment.

### Official Plan and Zoning By-law Amendment Applications

The applicant's proposed Official Plan Amendment application seeks a site specific exception to the **Downtown Local Centre** designation policies applicable to the subject lands in order to permit:

- an increase in the maximum permitted density of a development block from 2.0 FSI (Floor Space Index) to 3.25 FSI (Floor Space Index); and,
- an increase to the maximum permitted building height from 5 storeys to 6 storeys (not including mechanical penthouse).

The related Zoning By-law Amendment application seeks approval to rezone the subject lands from **General Commercial (GC) Zone** to **Residential Multiple Sixth Density (RM6)** with site

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specific provisions under Zoning By-law 66-71, as amended, in order to permit the proposed development. The appropriateness of the proposed amendments to the Official Plan policies and the Zoning By-law provisions are currently under review. The site specific exceptions sought through the amendments shall be considered and refined through the detailed application review process.

### Analysis:

#### Provincial Policy Regime

Staff has undertaken a preliminary review and evaluation of the applicant's development proposal based on the policy framework contained within the *Provincial Policy Statement (2020)* (the "PPS"), the *Growth Plan for the Greater Golden Horseshoe (2019)* (the "Growth Plan"), the *Regional Official Plan (2022)* (the "ROP") and the City's *Official Plan* (the "Plan"). Since the Plan's approval, the PPS and the Growth Plan were updated in 2020 and the ROP was updated in 2022. In this regard, the City is currently undertaking a Municipal Comprehensive Review (MCR) to update its Official Plan as necessary in order to align with more recent Regional and Provincial planning direction. Below is a more detailed outline of the applicant's proposal relative to the current policy.

#### York Region Official Plan

The subject lands are designated **Urban Area** in accordance with Map 1 (Regional Structure) of the Regional Official Plan ("ROP"). Lands designated **Urban Area** support a wide range and mix of uses which are intended to accommodate a significant portion of planned growth within the Region. Additionally the subject lands are also located within the boundary of Protected Major Transit Station Area 48 associated with the Major Mackenzie BRT Station, as illustrated in Appendix 2 – York Region Major Transit Station Areas of the ROP (2022), which has a proposed density target 160 people/jobs per hectare.

The subject applications have been circulated to York Region for review and comment; however, formal comments have yet to be provided at the time of writing this report. The Region will be required to provide written confirmation as to whether the proposed Official Plan Amendment may be exempted from Regional approval and delegated to the City for final consideration. As a result, a more detailed review and evaluation of the proposed amendment in the context of the applicable policies of the ROP will form part of a future recommendation report to Council.

#### City of Richmond Hill Official Plan

The subject lands are designated **Downtown Local Centre** in accordance with Schedule A2 – Land Use of the City's Official Plan (the "Plan") and are located within the Village District of the **Downtown Local Centre** (refer to Map 3).

It should be noted that the *Official Plan Update Key Directions Report (2021)* which was endorsed by Council at its meeting on February 9, 2022, provides direction for future City initiated Official Plan Amendments. The Key Directions Report highlights proposed changes to the **Downtown Local Centre**, renaming the **Downtown Local Centre** to "**Village Local**

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**Centre**”, outlines boundary adjustments of the **Village Local Centre** area, and sets out new policy framework.

Furthermore, City initiated Official Plan Amendments (“OPA”) 18.3 and 18.4, which were adopted by Council as of July 6, 2022 and the Region on September 9, 2022, are now in full and partially full force and effect, respectively. In accordance with OPA 18.3, the **Downtown Local Centre** has been renamed to the **Village Local Centre**. Notwithstanding, the policy overview in this report will maintain the reference to the **Downtown Local Centre** designation as currently identified in Schedule A2 as well as **Section 4** of the City’s current Official Plan.

In accordance with Policy **4.3.1.1(3)** of the Plan, the predominant land use within the **Downtown Local Centre** shall be for mixed-use, transit-oriented development. Uses permitted within the Village District of the **Downtown Local Centre** designation for lands without direct frontage on Yonge Street include low and medium density residential uses as well as small scale office, commercial and retail uses subject to certain criteria. Further, **Section 4.3.1.1** of the Plan requires development in the Village District that does not have direct frontage on Yonge Street shall have a maximum density of 2.0 FSI per development block, and a maximum building height of 5 storeys with a maximum base height of 3 storeys.

**Policy 2.2.6.3** of OPA 18.4, updates the definition of “*medium density residential*” to mean “*low-rise triplex, fourplex, townhouse, or walk-up apartment forms of dwellings*”. In accordance with the updated Plan, the applicant’s proposal is considered a high density residential development, which is not a permitted use in the Village District of **Downtown Local Centre** as noted above.

**Policy 4.3.1.1(2)** of the Plan directs the review and evaluation of development applications within the **Downtown Local Centre** through the land use and design guidelines as set out in the Council approved *Downtown Design and Land Use Strategy Recommendations Report* (the “DDLUS”) (2009) until such time as Council adopts a Secondary Plan for the **Downtown Local Centre**. The subject lands are located within the Village Centre identified by the DDLUS which promotes mixed use development by allowing for all forms and scales of retail/entertainment uses, residential apartments, offices, entertainment and recreational uses, public utilities, public parks and public and private urban squares. Staff also notes that the policies of the DDLUS stipulate that all buildings should include retail or commercial uses at grade, with office and/or residential uses on floors above grade.

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

### Zoning By-law

As previously noted, the subject lands are zoned **General Commercial (GC) Zone** under By-law 66-71, as amended (refer to Map 2). The current zoning applicable to the lands permits a range of commercial uses, including but not limited to, automobile service station and public garage, bus station, custom workshop, bakery, hotel, motor vehicle sales outlet, day nursery, offices, restaurant, among other uses. In this regard, the applicant is seeking Council’s approval to rezone the lands to **Residential Multiple Sixth Density (RM6) Zone** which would permit a

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residential apartment building, parks, playgrounds and day nursery subject to specific criteria. The applicant’s development proposal contemplates site-specific development standards with respect to building height, density, parking, landscaped area, driveway width, gross floor area, lot frontage, floor area, and building setbacks.

The following table provides a summary of the applicable development standards within the **Residential Multiple Sixth Density (RM6) Zone** under By-law 66-71, as amended, including site-specific provisions proposed by the applicant highlighted in bold text:

Development Standard	RM6 Zone Standards, By-law 66-71, as amended	Proposed Standards
Minimum Lot Frontage	38.1 metres (125.0 feet)	<b>36.5 metres (119.75 feet)</b>
Minimum Lot Area	N/A	<b>N/A</b>
Maximum Gross Floor Area % of Lot Area	150%	<b>325%</b>
Minimum Front Yard Setback	7.62 metres (25.0 feet)	<b>0.75 metres (2.46 feet)</b>
Minimum Side Yard Setback	6.1 metres 20.0 feet	<b>0.75 metres (2.46 feet)</b>
Minimum Rear Yard Setback	7.62 metres (25.0 feet)	<b>4.0 metres (13.12 feet)</b>
Minimum Floor Area per Dwelling Unit (2 Bedroom)	62.71 square metres (675.0 square feet)	<b>55.74 square metres (600.0 square feet)</b>
Minimum Usable Open Space % of Gross Floor Area	50%	<b>9%</b>
Maximum Density	60 units per acre	<b>120 units per acre</b>
Maximum Height	13.72 metres (45.0 feet)	<b>25.0 metres (82.02 feet)</b>
Minimum Parking	1.75 spaces/unit	<b>0.9 spaces per unit</b>

It should be noted that the draft by-law submitted in support of the application includes more site specific standards in addition to the general standards outlined in the table above (refer to Appendix “A”). In particular, the draft by-law includes specific standards relating to the projection of balconies, landscape strips associated with a parking lot, setbacks to the below grade parking area, driveway width, and parking stall sizes. The appropriateness of the proposed zoning provisions and land uses, as well as the need for additional standards and/or restrictions will continue to be evaluated through the review of the submitted development applications with regard to policy conformity, compatibility, design and function.

### Department and External Agency Comments:

The subject Official Plan Amendment and Zoning By-law Amendment applications, in addition to the associated background studies and reports submitted in support of these applications have been circulated to various departments and external agencies for their review and

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comment. The following is a summary of the comments received as of the time of writing this report.

### Heritage and Urban Design Section

The City's Heritage and Urban Design Section has advised that the density proposed by the subject applications exceeds the planned density for the **Downtown Local Centre**. Staff have provided comments requesting revisions and additional information to be provided in relation to the relationship between the proposed buildings, the existing streetscape and the public realm, as well as with respect to architectural design and proposed height (refer to Appendix "B").

### Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has reviewed the proposed development and advises that the amount of parkland generated for this development does not create a viable park that can be programmed or contributed to the overall park system and therefore recommend accepting cash-in-lieu of parkland for this development. Additionally, staff have provided comments with respect to ensuring adequate space be provided for tree planting and landscaping as well as outdoor amenity areas, requiring consent for removal of trees, and additional matters that will need to be addressed through a future Site Plan application (refer to Appendix B).

### Development Planning Division

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

- the submitted Official Plan Amendment application and supporting Planning Justification shall be updated to reflect the changes in applicable policies as a result of the approval of City initiated Official Plan Amendments 18.3 and 18.4;
- the applicant is advised that the City is undertaking a further review to the **Downtown Local Centre** (now "**Village Local Centre**") policies as part of the ongoing Official Plan update. In this regard, consideration shall be made to these updates through the application review process;
- the proposed building height exceeds the maximum height of 5 storeys permitted within the **Downtown Local Centre** designation as set out in **Policy 4.9** of the Plan. The proposed height will be comprehensively reviewed given the changing policies and context of the surrounding area;
- the proposed density of 3.25 FSI exceeds the maximum permitted development block density of 2.0 FSI for this area of the **Downtown Local Centre**. It should be noted that the applicant will be required to provide additional information with respect to how the proposed density has been calculated;
- in accordance with **Section 4.3.1.1(7)** high density residential development is not permitted within the Village District of the **Downtown Local Centre**. With the approval of OPA 18.4, the proposed development is considered a high density residential development;



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- staff will continue to review the proposed development to determine the appropriateness of the request to amend the Plan with respect to height and density as well as the proposed site specific development standards;
- 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. In this regard, it should be noted that a number of City departments and external agencies continue to review the applications at the time of writing this report;
- future Site Plan and draft Plan of Condominium applications will be required to facilitate the proposed development. Staff recommends submission of a Site Plan application prior to finalizing the implementing Zoning By-law Amendment; and,
- staff will continue to work with the applicant through the review of the form, content and appropriateness of the draft Official Plan and Zoning By-law Amendments.

A comprehensive review and evaluation of the subject applications will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public. Staff will continue to review the form, content and appropriateness of the proposed draft Official Plan and Zoning By-law Amendments, including the site specific uses, standards requested by the applicant with respect to the form, content and appropriateness of the amendments. This detailed review will be completed in advance of and addressed as part of a recommendation report to be prepared for a future Council meeting.

### **Other City Department and External Agency Comments**

Comments have been also received from Alectra Utilities and the York Region District School Board. These external agencies have no objections to the application and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. As of the time of writing this report, the subject applications remain under review by the City's Development Engineering Division, Building Department – Zoning Section, Community Services Department – Waste Management Section, Fire and Emergency Services Division, and Financial Services Division, as well as the Regional Municipality of York, Bell Canada, Canada Post, Rogers Communications Canada Inc., Enbridge Gas Distribution Inc., and Conseil Scolaire de District Catholique Monavenir.

### **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 applications are aligned with the Strategic Plan 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 Official Plan and Zoning By-law Amendment applications to permit a six storey residential building on its land holdings. The purpose of this

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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 these planning applications. 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 Official Plan Designation
- Map 3 Existing Zoning
- Map 4 Proposed Development Plan
- Map 5 Conceptual Elevation Plans
- Appendix A, Applicant's Draft Zoning By-law
- Appendix B, Heritage and Urban Design Section Comments dated January 12, 2023
- Appendix C, Park and Natural Heritage Planning Comments dated January 10, 2023

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### Report Approval Details

Document Title:	SRPI.23.014 - Request for Comments - OPA-22-0007 and ZBLA-22-0022.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPI.23.014 - Map 1 - Aerial Photograph.docx</li><li>- SRPI.23.014 - Map 2 - Official Plan Designation.docx</li><li>- SRPI.23.014 - Map 3 - Existing Zoning.docx</li><li>- SRPI.23.014 - Map 4 - Proposed Development Plan.docx</li><li>- SRPI.23.014 - Map 5 - Conceptual Elevation Plans.docx</li><li>- Appendix A - SRPI.23.014.pdf</li><li>- Appendix B - SRPI.23.014.pdf</li><li>- Appendix C - SRPI.23.014.pdf</li></ul>
Final Approval Date:	Jan 26, 2023

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

**Gus Galanis - Jan 25, 2023 - 11:43 AM**

**Kelvin Kwan - Jan 25, 2023 - 1:05 PM**

**Darlene Joslin - Jan 26, 2023 - 9:09 AM**