



Staff Report for Committee of the Whole Meeting

Date of Meeting: September 20, 2023

Report Number: SRPBS.23.005

Department: Planning and Building Services

Division: Development Planning

Subject: SRPBS.23.005 - Request for Approval and Comments - Zoning By-law Amendment and Draft Plan of Subdivision Applications - Prosper Living Developments Inc. - City Files D02-13032 and D03-13013 (Related Files D05-13007 and D06-13097)

Owner:

Prosper Living Developments Inc.
106 Munro Boulevard
North York, ON
M2P 1C6

Agent:

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

Location:

Legal Description: Part of Lots 1 and 2, Registered Plan 1960
Municipal Address: 741 Carrville Road

Purpose:

A request for approval concerning Zoning By-law Amendment and draft Plan of Subdivision applications to permit a medium density residential development to be comprised of eight townhouse dwelling units on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Prosper Living Developments Inc. for the lands known as Part of Lots 1 and 2, Registered Plan 1960 (Municipal Address:

Page 2

741 Carrville Road), City Files D02-13032 and D03-13013 be approved, subject to the following:

- (i) that the subject lands be rezoned from Third Density Residential (R3) Zone to Multiple Residential One (RM1) Zone under By-law 2523, as amended, with site-specific provisions as set out in Appendix “B” to Staff Report SRPBS.23.005;**
 - (ii) that prior to forwarding the amending Zoning By-law to Council for consideration and enactment:**
 - (a) the draft Zoning By-law attached as Appendix “B” to Staff Report SRPBS.23.005 be finalized to the satisfaction of the Commissioner of Planning and Building Services;**
 - (b) confirmation be received that the applicant has registered restrictions over the subject lands under Section 118 of the *Land titles Act*;**
 - (iii) that pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft amending Zoning By-law to implement the proposed development on the subject lands;**
 - (iv) that the Plan of Subdivision as depicted on Map 4 to Staff Report SRPI.23.003 be draft approved, subject to the conditions as set out in Appendix “C”;**
 - (v) that prior to draft approval being granted, the applicant pay the applicable Draft Plan of Subdivision processing fee in accordance with the City’s Tariff of Fees By-law 83-22, as amended;**
- b) That the authority to assign 22.80 persons equivalent of servicing allocation to the proposed development to be constructed on the subject lands be delegated to the Commissioner of Planning and Building Services subject to the criteria in the City’s Interim Growth Management Strategy, and that the assigned servicing allocation be released in accordance with the provisions of By-law 109-11, as amended.**

Contact Person:

Giuliano La Moglie, Planner II – Site Plans, phone number 905-771-6465 and/or Deborah Giannetta, Manager of Development, Subdivisions, phone number 905-771-5542

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Building Services

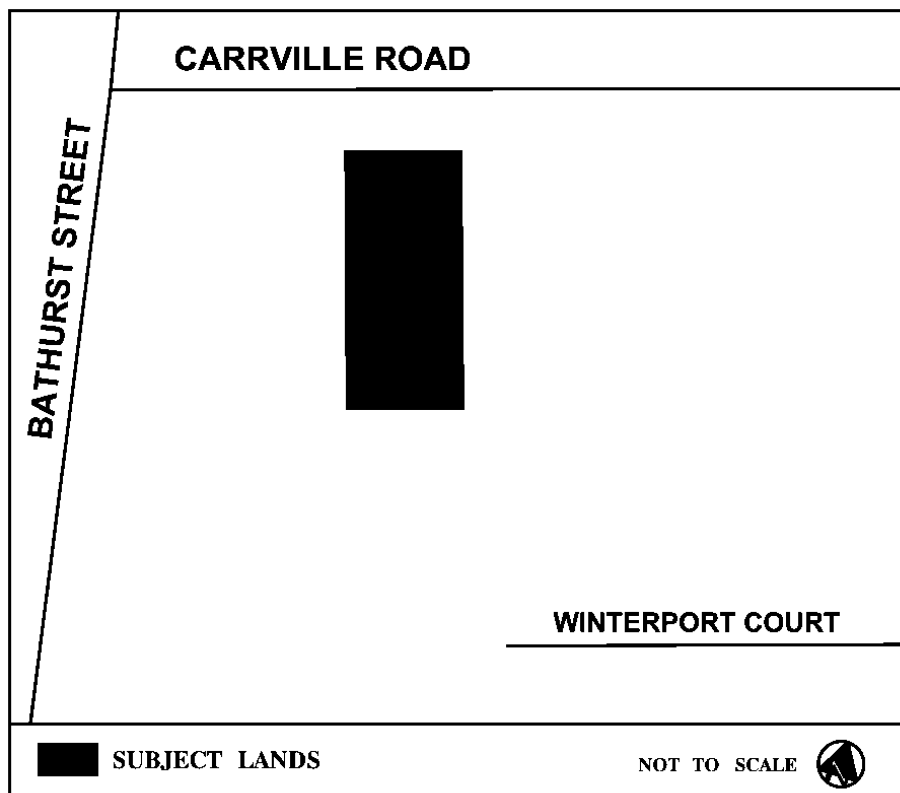
Page 3

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.



Background:

The subject Zoning By-law Amendment and draft Plan of Subdivision applications were considered at a statutory Council Public Meeting held on June 11, 2014, wherein Council received Staff Report SRPRS.14.108 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). At the public meeting, concerns were raised by Council and the public with respect to the building heights of the proposed townhouses, potential traffic generation, safety and access, as well as tree preservation. These comments are addressed in detail in the later sections of this report.

Further to the above, the applicant has also submitted Site Plan and draft Plan of Condominium applications (City Files D06-13097 and D05-13007) in order to facilitate

Page 4

its development proposal. These applications have been circulated to relevant City Departments and external agencies and are currently under review.

It is noted that there is a time gap between the initial submission of the subject applications and staff bringing the applications forward for approval. This is attributable to a change in ownership followed by a lengthy period of inactivity and the recent reactivation of the applications. The review of the applicant's development proposal has progressed to a point where City staff is now in a position to support the subject Zoning By-law Amendment and draft Plan of Subdivision applications. All matters raised through the initial review of the applicant's development proposal, along with the comments received from Council and the public have been addressed to the satisfaction of staff.

Accordingly, 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 for the proposed medium density residential development on the subject lands.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Carrville Road, east of Bathurst Street and have a total lot area of 0.20 hectares (0.49 acres) (Refer to Map 1). The lands currently support a single detached dwelling that is to be demolished to facilitate the construction of the proposed development. Adjacent and surrounding land uses include existing low and medium density residential uses. Additionally, medium density residential development (townhouse units) has been approved and exists in the immediate vicinity along Carrville Road to the east and west of the subject lands (City Files D02-10028, D06-10084 and D15-13009).

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to permit the construction of a common element condominium development which is to be comprised of eight townhouse dwellings within two blocks on two private roads on its land holdings (refer to Maps 6 to 7). The proposed draft Plan of Subdivision proposes to establish a development block to facilitate freehold units on a common element road and a road widening block to be dedicated to York Region. 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: | 0.20 hectares (0.49 acres) |
| ○ Development Block: | 0.19 hectares (0.46 acres) |
| ○ Road Widening Block: | 0.01 hectares (0.02 acres) |
| • Total Lot Frontage: | 30.48 metres (100.0 feet) |
| • Total Number of Units: | 8 |
| • Density: | 40 units per hectare (10.13 units per acre) |

Page 5

- **Proposed Building Height:** 3 storeys
- **Parking Spaces (Resident):** 16
- **Parking Spaces (Visitor):** 4

The following modifications were made relative to the initial proposal as described below (Map 5):

- the total number of townhouse dwelling units has been reduced from 9 to 8;
- the inclusion of a “T” turnaround in accordance with the City’s minimum standards for fire and emergency services as well as for waste management purposes to provide improved vehicular circulation on the site; and,
- the realignment of the private east-west condominium road to facilitate a future vehicular interconnection between the subject lands and the adjacent lands to the east (municipally known as 737 Carrville Road) should they re-develop in the future.

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 (“Plan”) (refer to Map 2). The **Neighbourhood** designation permits medium density residential uses at a maximum building height of four storeys on an arterial street with a maximum density of 50 units per hectare (20 units per acre). The proposed three storey townhouse dwelling units are consistent with the land use, building height, and density of the **Neighbourhood** designation in the Plan. Further to the above, in accordance with **Section 4.9.2** of the Plan, development shall also 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.

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 proposal has regard for, and is compatible with existing development in the area. The proposed development provides for building types that are envisioned in the Plan and are similar to development that currently surrounds the subject lands. The massing of the proposed townhouse dwellings is generally consistent with the existing dwellings and zoning permissions in the area.

Given all of the above, staff is of the opinion that the applicant’s development proposal conforms with the applicable policies of the Plan.

Zoning By-law Amendment

The subject lands are zoned **Third Density Residential (R3) Zone** under By-law 2523, as amended, which permits single detached dwellings, a converted dwelling, institutional uses, and home occupation uses subject to specific development standards outlined within the by-law (refer to Map 3). The existing zoning does not permit

Page 6

townhouse dwelling units as proposed by the subject applications. Accordingly, the applicant is seeking Council's approval to rezone the subject lands to **Multiple Residential One (RM1) Zone** under By-law 2523, as amended, with site-specific development standards to facilitate the proposed development. The following tables provide a comparison of the applicable development standards of the typical RM1 Zone category for freehold units relative to the proposed site-specific RM1 zone category proposed by the applicant depicted in bold:

Townhouse Block 1

Development Standard	RM1 Zone Standards, By-law 313-96	Proposed RM1 Zone Standards
Minimum Lot Frontage (Interior Lot)	30 m (98.43 ft.)	6.50 m (21.33 ft.)
Minimum Lot Area (Interior Lot)	nil	135 sq. m (1453.13 sq. ft.)
Maximum Lot Coverage	50%	60%
Minimum Front Yard	4.5 m (14.76 ft.)	4 m (11.48 ft.)
Minimum Side Yard	1.5 m (4.59 ft.)	nil
Minimum Rear Yard	7.5 m (24.61 ft.)	6 m (19.70 ft.)
Maximum Height	11 m (35 ft.)	12 m (39.37 ft.)

Townhouse Block 2

Development Standard	R3 Zone Standards, By-law 2523	Proposed RM1 Zone Standards
Minimum Lot Frontage (Interior Lot)	30 m (598.43 ft.)	5.80 m (19.03 ft.)
Minimum Lot Area (Interior Lot)	nil	117 sq. m (1259.38 sq. ft.)
Maximum Lot Coverage	50%	60%
Minimum Front Yard	4.5 m (14.76 ft.)	3.50 m (11.48 ft.)
Minimum Side Yard	1.5 m (4.59 ft.)	nil
Minimum Rear Yard	7.5 m (24.61 ft.)	4.50 m (14.76 ft.)
Maximum Height	11 m (35.00 ft.)	12 m (39.37 ft.)

In addition to the site-specific provisions noted above, the applicant has requested site-specific development standards with respect to the minimum setback to a private garage, balcony, deck, and porch encroachments, among other provisions. It should be noted that the proposed site-specific zoning standards are generally based on a conservative assessment as it relates to the proposed development, whereby individual standards may vary within the development. A more detailed breakdown of the proposed site-specific development standards is outlined in the draft Zoning By-law Amendment appended to this report (refer to Appendix "B").

Planning staff has undertaken a comprehensive review of the applicant's Zoning By-law Amendment request and is satisfied that the proposed **RM1 Zone** category, including site-specific provisions, conform with the applicable policies of the Plan and are appropriate for the development of the lands. The site-specific development standards requested with respect to the proposed townhouse dwellings, including but not limited to

Page 7

building height, lot size, setbacks, and lot coverage are generally in keeping with the character of similar residential built forms on adjacent and surrounding lands within this area of the City. Additionally, the applicant's site design provides for a total of four visitor parking spaces, inclusive of two barrier-free parking spaces to serve the development. Transportation Engineering Staff has reviewed the proposed parking supply, including supporting technical materials, and finds the proposed visitor and residential parking supply and arrangement to be appropriate.

Based on the aforementioned, staff advise that the applicant has satisfactorily addressed the comments and concerns as they relate to this stage of the approval process; however, a number of minor technical matters remain to be addressed prior to Site Plan approval which may require refinements to the proposed site-specific development standards. On the basis of the preceding, it is recommended that the applicant's amending Zoning By-law be finalized and brought to a Council meeting for enactment at such time as the related Site Plan approval process has been substantially completed.

Draft Plan of Subdivision

The submitted draft Plan of Subdivision application facilitates the creation of a residential development block and a road widening block to facilitate the proposed common element condominium development on the subject lands (Map 4). The creation of a residential block within a registered Plan of Subdivision would allow for the creation of parcels through a Part Lot Control Exemption application process pursuant to Subsection 50(5) of the *Planning Act*. These parcels will ultimately form Parcels of Tied Land (POTLs) within a future Common Element Condominium.

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

Site Plan Application

The applicant has submitted a related Site Plan application (City File D06-13097) that is currently under review by City departments and external agencies. The submitted Site Plan contemplates the construction of eight common element condominium townhouse units having frontage on a proposed private road accessed by Carrville Road. Amenity space for each individual townhouse dwelling unit is to be provided through at-grade front and rear yards and by way of private balconies.

The proposed development is to incorporate both a north-south and an east-west private condominium road that provides for vehicular interconnection with the abutting lands immediately to the east (municipally known as 737 Carrville Road) so as to allow for future development. At the time of writing this report, no development applications have been submitted for the abutting lands.

Page 8

The Site Plan application remains under review at this time and a number of minor technical matters still need to be addressed prior to final approval. Detailed comments must be addressed as part of a Site Plan application re-submission and prior to bringing forward the amending Zoning By-law to Council for enactment.

Draft Plan of Condominium Application

The applicant's draft Plan of Common Element Condominium application is intended to facilitate the creation of common element condominium tenure over the following portions of the development, shared driveway access from Carrville Road, private roads, visitor parking, sidewalks, and landscaping. The draft Plan of Condominium application remains under review.

Council and Public Comments:

The following is a summary of and response to the comments and concerns expressed by members of Council at the Council Public Meeting held on June 11, 2014, in addition to those provided by members of the public through written correspondence following the Council Public Meeting, respectively:

- **Building Height**

Concerns were raised with respect to the proposed building height of three storeys. In accordance with the **Neighbourhood** designation policies of the Plan, a maximum building height of four storeys for lands on arterial streets, such as Carrville Road is permitted. Given that the proposed development seeks building heights less than the permitted building heights and the proposed building heights are comparable to those on adjacent lands, staff have no concerns with the applicant's development proposal.

- **Safety and Access**

Safety concerns were raised with respect to the appropriateness of the proposed 6.0 metre wide private lane in terms of providing access into the subject development for the residents as well as access for waste management and emergency services vehicles to the subject development. The proposed development is to provide an access route, including points of ingress and egress designed for two-way traffic, a minimum inside turning radius, and a "T" Turnaround Minimum Standard design all in accordance with the City's standards as detailed in the City's Standards and Specifications Manual. The City's Fire and Emergency Services Division has signed off on the proposed development as it meets the minimum fire route and turning radius requirements. The City's Development Engineering Division is also satisfied with the proposed laneway design for the development.

Page 9

- **Traffic**

Concerns were raised with respect to the potential for increased traffic as a result of the development. A Transportation Study submitted in support of the subject development and the City's Transportation Engineering staff has advised that it has no objections with the proposed development. Furthermore, York Region has not raised any concerns with respect to traffic generation or the proposed access for the proposed development.

- **Tree Preservation**

Concerns were raised with respect to the removal of mature, large trees as a result of the proposed development. A Tree Inventory/Preservation Plan and Arborist Report was submitted in conjunction with the subject Zoning By-law Amendment application which indicates that approximately three out of seventeen trees will be retained on the subject lands. Where tree removals are proposed, the applicant will be required to provide either on-site tree replanting and/or cash-in-lieu in accordance with the City's standard requirements to the satisfaction of Park and Natural Heritage Planning. In this regard, a total of fourteen trees are to be planted on the subject lands. Subject to minor technical comments that are to be addressed through the remaining Site Plan review process, Park Planning staff do not have any objections to the removal of the trees on the subject property. The required Tree Inventory/Preservation Plan and requirements for tree replacement shall be approved and secured through the remaining Site Plan Application process and has been included as a condition of draft Plan of Subdivision approval (refer to Appendix "C) to secure these requirements.

City Department and External Agency Comments:

As noted previously, circulated City departments and external agencies have indicated no objections and/or have provided conditions of draft approval with respect to the proposed revised Zoning By-law Amendment and draft Plan of Subdivision applications. The schedule of draft plan conditions is attached as Appendix "C" attached hereto.

The following sections provide an overview of the applicable technical comments received from circulated City departments and external agencies that remain to be addressed with respect to the applicant's Site Plan application. The applicant will be required to address all comments prior to final Site Plan approval.

Development Engineering Division

The City's Development Engineering Division has provided technical comments with respect to servicing and grading, lighting, stormwater management and infrastructure to be captured within the future common element areas, among other matters. It should be noted that the Site Plan application remains under review by the City's Development Engineering Division at the time of writing of this report.

Page 10

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has provided detailed design comments with respect to the submitted Tree Inventory and Preservation Plan to ensure that all grading and servicing is outside of the minimum tree protection zones to be retained on the lands. Comments have also been provided with respect providing more diversity and native plants on the site.

Regional Municipality of York

The Regional Municipality of York has also provided detailed Site Plan comments with respect to road widening requirements, transportation demand management, access, and interconnection with the adjacent lands to the east, among various other matters. The Region has requested to be a Party to the Site Plan Agreement and the Site Plan Application remains under review with the Region.

Development Planning Division

Planning staff has undertaken a comprehensive review and evaluation of the applicant's Zoning By-law Amendment and draft Plan of Subdivision applications and are in support of same, for the following principle reasons:

- the proposed townhouse dwellings are permitted within the **Neighbourhood** designation of the Plan;
- the proposed residential development conforms with the maximum permitted density of 50 units per hectare for medium density residential development and with the maximum permitted building height of four storeys on an arterial streets (Carrville Road) within the **Neighbourhood** designation;
- the proposed site design incorporates provisions for a proposed future vehicular interconnection between the subject development and future development to the east of the subject lands;
- staff supports the proposed **RM1 Zone** category and associated site-specific zoning provisions and finds them appropriate in consideration of the surrounding context which is reflective of newer development standards for comparable developments approved within the City. The site-specific provisions shall be refined through the finalization of the Site Plan application;
- the associated draft Plan of Subdivision application has appropriate regard for the criteria outlined under Section 51(24) of the *Planning Act*;
- all remaining technical comments as outlined in the preceding section of this report will be required to be addressed prior to the finalization of the related Site Plan Application and the enactment of the amending Zoning By-law for the proposed development;
- the applicant will be required to register Section 118 restrictions on the lands pursuant to the *Land Titles Act* prior to finalization and approval of the amending Zoning By-law. This restriction is intended to prevent the transfer of lands unless consent is provided by the City's Commissioner of Planning and Building Services, thereby ensuring that the Plan of Condominium is registered prior to the conveyance of parcels to future homebuyers; and,

Page 11

- the applicant will be required to submit Part Lot Control Exemption, Private Street naming and Municipal Addressing applications in order to facilitate the proposed development.

On the basis of the preceding, it is recommended that the proposed revised Zoning By-law Amendment and draft Plan of Subdivision applications be approved in accordance with the recommendations of this report.

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 applicant has submitted a Sustainability Metrics Tool (the “Metrics”) in support of its development proposal, demonstrating an overall “Application” score of 37, which achieves a “good” score and meets the threshold score for Site Plan applications.

However, at the time of writing this report, the applicant’s Site Plan application and Sustainability Metrics submission remain under review with respect to the feasibility and appropriateness of the proposed sustainability measures. In this regard, staff will continue to work with the applicant in meeting the City’s minimum score requirements applicable to the subject development in order to enable the consideration of servicing allocation assignment in the future.

The proposed total unit count of eight townhouse dwelling units is equivalent to 22.80 persons for the purposes of municipal servicing allocation. As such, appropriate servicing allocation will be required to facilitate the applicant’s development proposal. Staff further notes that the metrics proposed by the applicant in support of its allocation request are comprised of both site works and building design measures. These commitments will be secured through the Site Plan approval process and reflected in the Site Plan Agreement, where applicable. In consideration of the preceding and in order to streamline the servicing allocation assignment process for the proposed development, staff recommends that Council delegate its authority to assign allocation to the Commissioner of Planning and Building Services.

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 an existing neighbourhood, as well as **Strong Sense of Belonging** by adding additional housing stock in existing communities.

Page 12

Climate Change Considerations:

The recommendations of this report are aligned with Council's climate change considerations as the development proposal contemplates infill development within an existing urban area and achieves a good score meeting the Sustainability Metrics threshold score for approval of a draft Plan of Subdivision.

Conclusion:

The applicant is seeking Council's approval of its revised Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development to be comprised of eight townhouse dwelling units on its landholdings. 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*, represent good planning and are considered to be appropriate for the development of the lands. On the basis of the preceding, staff recommends that Council approve the subject applications, subject to the conditions and directions 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#22-14 held June 11, 2014
- Appendix "B", Draft Zoning By-law
- Appendix "C", Schedule of Draft Plan of Subdivision Conditions
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Proposed Draft Plan of Subdivision
- Map 5, Initial Site Plan
- Map 6, Proposed Site Plan
- Map 7, Proposed Elevation Plans (Block 1)
- Map 8, Proposed Elevation Plans (Block 2)

Page 13

Report Approval Details

Document Title:	SRPBS.23.005 - Request for Approval and Comments - D02-13032, D03-13013.docx
Attachments:	<ul style="list-style-type: none">- Appendix A.docx- Appendix B.docx- Appendix C.docx- Map 1 - Aerial Photograph AODA.docx- Map 2 - Official Plan Designation AODA.docx- Map 3 - Existing Zoning AODA.docx- Map 4 - Proposed DPOS AODA.docx- Map 5 - Initial Site Plan AODA- Map 6 - Proposed Site Plan AODA.docx- Map 7 - Proposed Elevation Plans (B1) AODA.docx- Map 8 - Proposed Elevation Plans (B2) AODA.docx
Final Approval Date:	Aug 28, 2023

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

Gus Galanis - Aug 25, 2023 - 10:21 AM

Nadim Khan on behalf of Kelvin Kwan - Aug 25, 2023 - 12:59 PM

Darlene Joslin - Aug 28, 2023 - 8:42 AM