



Staff Report for Committee of the Whole Meeting

Date of Meeting: October 18, 2023

Report Number: SRPBS.23.012

Department: Planning and Building Services

Division: Development Planning

Subject: Request for Approval – Draft Plan of Subdivision Application – MMKS Holdings Inc. – City File SUB-22-0006

Owner:

MMKS Holdings Inc.
16 Finesse Court
Richmond Hill, Ontario
L4E 4S1

Agent:

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

Location:

Legal Description: Block 18, Plan 65M-4321
Municipal Address: 16 Finesse Court

Purpose:

A request for approval of a draft Plan of Subdivision application to permit the creation of five (5) single detached dwelling lots on the subject lands.

Recommendation(s):

- a) That the draft Plan of Subdivision application submitted by MMKS Holdings Inc. for lands known as Block 18, Plan 65M-4321 (Municipal Address: 16 Finesse Court), City File SUB-22-0006, be approved subject to the following:
 - (i) that the Plan of Subdivision as depicted on Map 4 to Staff Report SRPBS.23.012 be draft approved subject to the conditions as set out in Appendix “B” hereto; and,

Page 2

- (ii) **that prior to draft approval being granted, the applicant pay the applicable processing fees in accordance with the City’s Tariff of Fees By-law No. 83-22**

- b) **That the authority to assign 13.16 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.**

Contact Person:

Diane Pi, Planner II – Subdivision, phone number 905-747-6436 and/or
Deborah Giannetta, Manager of Development - Subdivisions, phone number 905-771-5542

Report Approval:

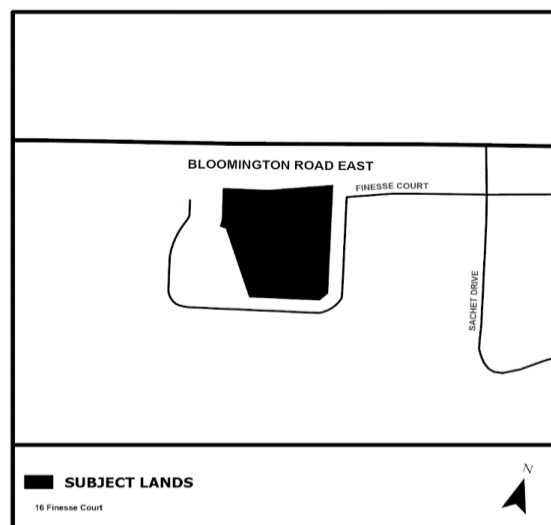
Submitted by: Kelvin Kwan, Commissioner of Planning and Building Services

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.



Page 3

Background Information:

The subject draft Plan of Subdivision application was considered by Council at a statutory Council Public meeting held on December 7, 2023 wherein Council received Staff Report SRPI.22.114 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). A number of comments and concerns were raised at the meeting related to tree preservation and grading, construction debris and noise which are discussed in detail in the later sections of this report. A Resident’s Meeting was held by the applicant with the Local Ward 1 Councillor on March 30, 2023.

All comments from internal departments and external agencies have been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s draft Plan of Subdivision application, subject to the conditions as outlined in Appendix “B” of this report.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on Finesse Court, south of Bloomington Road East and west of Sachet Drive (refer to Map 1). The lands abut Bloomington Road East to the north, Finesse Court to the east, south and west, an existing single detached dwelling to the west, and presently support a single detached dwelling which is proposed to be demolished as part of the proposed development.

Development Proposal

The applicant is seeking Council’s approval of its draft Plan of Subdivision application to facilitate a residential development to be comprised of five single detached building lots with frontage on Finesse Court which is a public road (refer to Map). The following is a summary outlining the pertinent statistics of the applicant’s development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.454 hectares (1.12 acres)
- **Total Number of Lots:** 5
- **Proposed Lot Frontages:** 18.0 metres (59.06 feet) to 38.6 metres (126.64 feet)
- **Proposed Lot Areas:** 600 square metres (6,458.35 square feet) to 1,200 square metres (12,916.69 square feet)
- **Proposed Density:** 11.01 units per hectare (4.46 units per acre)

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 2). The predominant use of

Page 4

land within the **Neighbourhood** designation shall be for low-rise residential uses, including single detached dwellings as proposed by the subject application.

Furthermore, in accordance with **Section 4.9.1** of the Plan, development shall be compatible with the adjacent and surrounding area. In this regard and pursuant to **Section 4.9.2(4)**, development shall be compatible with the existing character of adjacent and surrounding areas with respect to predominant building forms and types, massing, general patterns of streets, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks. In addition, the policies of the Plan restrict building heights on local streets within the **Neighbourhood** designation to a maximum of three storeys. The proposed single detached dwellings are permitted in accordance with the **Neighbourhood** policies of the Plan and the proposed lot fabric is compatible with the established patterns of development on adjacent and surrounding lands.

The subject lands are also located on the Oak Ridges Moraine within the **Settlement Area** designation in accordance with the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). Pursuant to **Section 3.2.1.1** of the Plan, all uses including the creation of new lots which are otherwise permitted under the Plan, as amended from time to time, shall be permitted within the **Settlement Area**. In addition, permitted uses shall be subject to the requirements of Sections 19(3) and 31(4) of the ORMCP and **Section 3.2.1.1** of the Plan. Neither Key Natural Heritage Features (KNHFs) nor Key Hydrologically Sensitive Features (HSFs) as prescribed by the ORMCP have been identified within or adjacent to the subject lands.

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

Zoning

The subject lands are zoned **Single Detached Eight (R8) Zone** under By-law 313-96, as amended, which permits single detached dwellings as proposed by the subject application (refer to Map 3). On the basis of the materials submitted to the City, the proposed lots fully comply with the development standards of the **R8 Zone** category and no relief from the Zoning By-law is required to facilitate the proposed draft Plan of Subdivision.

Draft Plan of Subdivision Application

The proposed draft Plan of Subdivision contemplates the creation of five single detached dwelling lots fronting onto Finesse Court and a 0.3-metre (1 foot) reserve (Block 6) along Bloomington Road. Staff is of the opinion that the 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*. Accordingly, subject to the conditions of draft approval contained in Appendix “B” attached hereto, staff recommends approval of the subject draft Plan of Subdivision.

Page 5

Public Meeting Comments:

The following is a summary of and response to the main comments and concerns expressed by members of Council and the public at the Council Public Meeting held on December 7, 2022 and the Resident's Meeting March 30, 2023:

- **Trees Preservation and Grading**

Concerns were raised with respect to potential impacts to the existing berm along the Bloomington Road frontage of the property that includes a number of mature trees at a higher grade and elevation relative to the area of the property where the proposed development is to be constructed. In this regard, the applicant is proposing to preserve the existing berm including the majority of the trees and slope feature. The City's Development Engineering Section has reviewed the proposed draft Plan of Subdivision and have no objections. In this regard, Engineering staff has provided conditions of approval for the draft Plan of Subdivision as outlined in Appendix "B" attached hereto which addresses the proposed retaining wall details and maintenance. Moreover, the City's Park and Natural Heritage Planning Section has reviewed the Tree Preservation Plan and Report submitted in support of the subject development and has found it to be acceptable. In this regard, Parks staff has provided conditions of approval as outlined in Appendix "B" which address the proposed tree removals along with the required tree compensation for the trees that require removal.

- **Construction**

Concerns were raised with respect to a number of potential impacts that may impact the surrounding properties resulting from the construction of the proposed development, including but not limited to noise, dust, debris and safety. The applicant will be required to adhere to the City's standard construction management practices with respect to the minimizing dust and removal of construction debris during construction. Additionally, the applicant will work with City staff to determine if a Construction Management Plan will be required to demonstrate sufficient planning for and mitigation of any construction impacts on adjacent lands. With respect to noise, the applicant is required to adhere to the City's noise By-law which regulates the hours that construction noise is permitted.

- **Loss of Privacy**

As noted previously, the proposed development complies with the current zoning of the subject lands and adjacent properties and is therefore in keeping with the lot sizes, built form and setbacks in this area. Based on the foregoing, the proposed development will not have an adverse impact on the privacy of the adjacent properties.

City Department and External Agency Comments

All circulated City departments and external agencies have indicated no objections and/or have provided conditions of draft approval with respect to the proposed draft

Page 6

Plan of Subdivision application including the City's Development Engineering Division and Park and Natural Heritage Planning Section, and the Regional Municipality of York. Applicable conditions of draft approval are contained in Appendix "B" attached hereto.

Planning Summary

Planning staff has undertaken a comprehensive review and analysis of the applicant's proposed draft Plan of Subdivision and finds that it has appropriate regard for and is consistent with the broader policy direction for this part of the City as outlined within the Plan. On this basis, it is recommended that the draft Plan of Subdivision application be approved for the following reasons:

- the proposed low density development is permitted within the **Neighbourhood** designation of the Plan;
- the proposed built form and lot fabric are in keeping with the character of the neighbourhood and therefore are considered appropriate for the orderly development of the subject lands;
- the proposed lots comply with the **R8 Zone** category applicable to the subject lands and no relief from the by-law is required to facilitate the proposed development; and,
- the comments and concerns with the proposed development have been adequately addressed

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 proposed draft Plan of Subdivision application, however, at the time of writing of this report, the applicant's sustainability score is slightly below the City's minimum score requirement applicable to the subject development. In this regard, staff will continue to work with the applicant to ensure that they meet the City's minimum score requirements in order to assign servicing allocation to this development in accordance with the requirements of By-law 109-11.

It is noted that the subject lands contain an existing single detached dwelling. Accordingly, municipal servicing allocation is only required for the additional four lots proposed or 13.16 persons equivalent. In consideration of the above and in order to streamline the servicing allocation assignment process for the proposed development, staff recommends that Council delegate the authority to assign allocation to the Commissioner of Planning and Building Services in accordance with By-Law 109-11.

Page 7

Financial/Staffing/Other Implications:

The recommendations of this report does 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.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

Conclusion:

The applicant is seeking Council's approval of its proposed draft Plan of Subdivision application to facilitate the creation of five residential building lots on its land holdings. Staff has completed a comprehensive review and evaluation of the applicant's development proposal and is of the opinion that the submitted application conforms with the policies of the City's Official Plan, is appropriate and represents good planning. On the basis of the preceding, staff recommends that Council approve the subject application, subject to the conditions and 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, Schedule of Draft Plan of Subdivision Conditions
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Draft Plan of Subdivision

Page 8

Report Approval Details

Document Title:	SRPBS.23.012 - Request for Approval - Draft Plan of Subdivision - SUB-22-0006.docx
Attachments:	<ul style="list-style-type: none">- SRPBS.23.012 - Map 1 - Aerial Photograph.docx- SRPBS.23.012 - Map 2 - Official Plan Designation.docx- SRPBS.23.012 - Map 3 - Existing Zoning.docx- SRPBS.23.012 - Map 4 - Draft Plan of Subdivision.docx- SRPBS.23.012 - Appendix A - Council Public Meeting Extract.docx- SRPBS.23.012 - Appendix B - Schedule of Conditions.docx
Final Approval Date:	Sep 30, 2023

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

Gus Galanis - Sep 29, 2023 - 1:42 PM

Kelvin Kwan - Sep 29, 2023 - 1:53 PM

Darlene Joslin - Sep 30, 2023 - 8:10 AM