



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** February 21, 2024

**Report Number:** SRPBS.24.013

**Department:** Planning and Building Services

**Division:** Development Planning

**Subject:** SRPBS.24.013 - Request for Approval - Zoning  
By-law Amendment Application - Stanley Joel  
Potter - City File D02-22011

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### **Owner:**

Stanley Joel Potter  
25 Cynthia Crescent  
Richmond Hill, ON  
L4E 1J3

### **Agent:**

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

### **Location:**

Legal Description: Lot 8, Plan M-36  
Municipal Address: 25 Cynthia Crescent

### **Purpose:**

A request to approve a revised Zoning By-law Amendment application to permit one (1) additional residential building lot on the subject lands.

### **Recommendation:**

- a) That the Zoning By-law Amendment application submitted by Stanley Joel Potter for the lands known as Lot 8, Plan M-36 (Municipal Address: 25 Cynthia Crescent), City File D02-22011, be approved, subject to the following:
  - i. that the portion of the lands zoned Residential Urban (RU) Zone under By-law 1275, as amended, be exempt from Paragraph 1(c) of By-law 146-



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**75, and that a portion of the lands be rezoned from Residential Urban (RU) Zone to Open Space (O) Zone under By-law 1275, as amended, as set out in Appendix “B” to Staff Report SRPBS.24.013; and,**

- ii. **that the amending Zoning By-law be brought forward to the February 28, 2024 Council meeting for enactment.**

### Contact Person:

Umar Javed, Planner I, phone number 905-747-6470

Kaitlyn Graham, Acting Manager of Development Planning, phone number 905-771-5563

Deborah Giannetta, Acting Director of Development Planning, phone number 905-771-5542

### Report Approval:

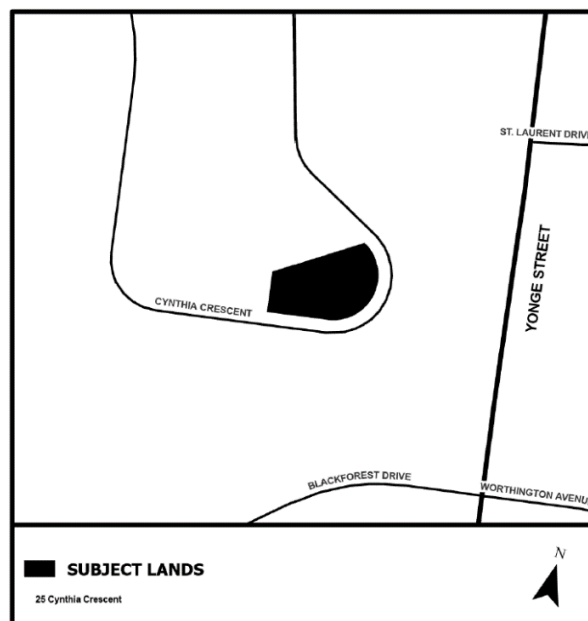
**Submitted by:** Gus Galanis, Acting Commissioner, Planning and Building Services

**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 the person listed under the “Contact Person” above.





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### Background:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on September 7, 2022 wherein Council received Staff Report SRPI.22.095 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). As part of its original submission, the applicant sought approval to permit the creation of two (2) additional residential building lots on its land holdings. Comments and concerns were raised at the meeting with respect to the preservation of the existing woodland on the lands, the level of intensification in the neighbourhood, traffic, and noise, which are addressed in subsequent sections of this report.

Following the Council Public Meeting, and in response to the concerns raised at the Council meeting, the applicant revised their proposal to seek approval to permit only one (1) additional residential building lot on the subject lands. At this time, all comments from circulated City departments and external agencies as they relate to this stage of the approval process have been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council’s approval of the subject revised Zoning By-law Amendment application.

### Summary Analysis:

#### Site Location and Adjacent Uses

The subject lands are generally located south of Bloomington Road and west of Yonge Street, within the community of Oak Ridges. More specifically, the lands are situated on the west side of Cynthia Crescent within the Beaufort Hills neighbourhood (refer to Maps 1 and 2). The lands have a lot area of approximately 0.38 hectares (0.94 acres), a lot frontage of approximately 135.74 metres (445.34 feet) and are surrounded by existing large single detached residential lots which are heavily treed. The subject lands support an existing single detached dwelling and contain a portion of an existing woodland, both of which are to be retained as part of the proposed development.

#### Revised Development Proposal

The applicant is seeking Council’s approval of its revised Zoning By-law Amendment application to permit one (1) additional residential building lot on the subject lands (refer to Maps 5 and 6).

The following is a summary of the pertinent statistics of the applicant’s development proposal based on the revised plans and drawings submitted to the City:

- **Total Lot Area:** **0.38 hectares (0.94 acres)**
- **Total Lot Frontage:** **135.74 metres (445.34 feet)**
- **Total Number of Units:** **2**
- **Proposed Lot 1 (severed):**



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- **Proposed Lot Area:** 1,136.40 square metres (12,232.11 square feet)
- **Proposed Lot Frontage:** 24.4 square metres (262.64 square feet)
- **Proposed Lot 2 (retained):**
  - **Proposed Lot Area:** 2,668.60 square metres (28,724.57 square feet)
  - **Proposed Lot Frontage:** 92.3 square metres (993.51 square feet)
- **Proposed Open Space (O Zone):** 166.80 square metres (1,795.42 square feet)

In order to facilitate its revised development proposal, the applicant is seeking relief from Section 1(c) of By-law 146-76 and proposes to rezone a portion of the lands to **Open Space (O) Zone** under By-law 1275, as amended.

## Planning Analysis:

### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** and **Natural Core** in accordance with Schedule A2 - Land Use of the City's Official Plan (the "Plan") (refer to Map 4) and are located within the **Settlement Area** of the Oak Ridges Moraine (the "ORM"), in accordance with the *Oak Ridges Moraine Conservation Plan* (the "ORMCP"). Uses permitted within the **Neighbourhood** designation include primarily low density residential uses, as proposed by the applicant. In accordance with **Section 4.9.2** of the Plan, the proposed additional single detached residential lot is compatible with the character of adjacent and surrounding development with respect to the size and configuration of lots, massing of nearby residential properties, patterns of yard setbacks and landscaped areas, and preservation of mature trees that characterize the properties on Cynthia Crescent.

The **Natural Core** designation corresponds to the *Significant Woodlands* identified on Schedule A4 – Key Natural Heritage Features and Key Hydrological Features of the Plan which is consistent with the westerly portion of the site which contains a woodland. Development is not permitted within this designation as the permitted uses include fish, wildlife, and forest management, conservation projects and flood and erosion control projects among other essential uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. Notwithstanding the foregoing, **Policy 4.10.5.1.5** of the Plan states that the limits of **Natural Core** areas are based on the information available at the time of the adoption of the Plan and that the **Natural Core** boundaries can be refined through the submission and approval of a Natural Heritage Evaluation ("NHE").

In this regard, the applicant submitted an NHE to assess the limits of the environmental features on its land holdings, including an assessment of the woodland located on the westerly portion of the property pursuant to the ORMCP Technical Paper Number 7 – *Identification and Protection of Significant Woodlands*. The City's Park and Natural Heritage Division reviewed the NHE and concluded that the limits of the **Natural Core** designation could be refined in order to facilitate the creation of an additional building lot. Further, the woodland located on the subject lands does not meet the ORMCP definition



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for a *Significant Woodland*; however, it is considered a *woodland* in accordance with the applicable policies of the Plan. The purpose of the **Natural Core** designation is to maintain and, wherever possible, improve or restore the ecological integrity of the natural features and functions outside of the central corridor of the ORMCP area. As such, staff have recommended that the woodland feature on the subject lands be maintained and, accordingly, have recommended that a portion of lands be placed in a protective zone category to which the applicant has agreed.

With respect to the ORMCP, **Section 3.2.1.1 (18)** of the Plan states that all uses, including the creation of new lots which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area**. It is further noted that the lands are also located within an Area of High Aquifer Vulnerability, which are areas susceptible to contamination from both human and natural impacts on water quality. **Section 3.2.1.1(37)** of the Plan identifies specific uses prohibited within an Area of High Aquifer Vulnerability such as storage of hazardous waste or liquid industrial waste and waste disposal sites. The proposed residential development is not a prohibited land use and therefore is considered to comply with this policy of the Plan.

Based on the preceding, the proposed development is consistent with the applicable policies of the Plan.

### Revised Zoning By-law Amendment

The subject lands are currently zoned **Residential Urban (RU) Zone** under By-law 1275, as amended (refer to Map 3). The **RU Zone** permits single detached dwellings as proposed by the subject application. The existing residential dwelling on the proposed retained lot (Part 2) as well as the newly proposed single detached dwelling on the proposed severed lot (Part 1) comply with all the zoning standards of the **RU Zone**. However, in order to facilitate the creation of an additional building lot, the applicant requires relief from Section 1(c) of By-law 146-76, which amended By-law 1275 and stipulates that the minimum lot frontage and lot area requirements for lots within the Beaufort Hills neighbourhood are to remain as those established through the original registered Plan of Subdivision. Further, By-law 146-76 also established minimum ground floor areas for said dwellings of 116.13 square metres (1,250 square feet), which both the existing dwelling and proposed dwelling meet.

The subject Zoning By-law Amendment application is seeking relief from Section 1(c) of By-law 146-76 similar to previous infill developments approved within the Beaufort Hills neighbourhood. Specifically, 125 Coon's Road (City File D02-09020) was granted approval of a Zoning By-law Amendment by the former Ontario Municipal Board (now Ontario Land Tribunal) to facilitate a severance, and 57 Beaufort Hills Road (City File D02-20005) was approved by the former Local Planning Appeal Tribunal (now Ontario Land Tribunal) in May 2021. More recently, the owners of 52 Beaufort Hills Road (City File D02-22003) were granted approval of a Zoning By-law Amendment application in December 2023 to permit one (1) additional lot on its landholdings.



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In order to protect the existing woodland located on the subject lands, the applicant has agreed with staff's recommendation to rezone the westerly portion of the proposed severed lot from **Residential Urban (RU) Zone** to **Open Space (O) Zone** under Zoning By-law 1275, as amended. The **O Zone** permits parks and conservation areas among other like uses, thereby preventing development from occurring on this portion of the proposed lot and providing permanent protection to the woodland, which includes the existing mature trees and vegetation located on the subject lands.

Planning staff has undertaken a comprehensive review of the applicant's revised Zoning By-law Amendment application and on the basis of the foregoing, is of the opinion that the proposal is appropriate for the development of the subject lands.

### Council and Public Comments:

The following is an overview of and response to comments and concerns expressed by the public and members of Council at the Council Public Meeting held on September 7, 2022, as well as through written correspondence received by the City with respect to the applicant's development proposal:

- **Woodland Benefits and Tree Preservation**

Concerns were raised with respect to protection of the natural environment, and more specifically, preservation of the existing mature tree canopy that forms part of the character of Cynthia Crescent. As noted in the preceding sections of this report, the applicant has agreed to protect the woodland located at the westerly portion of the lands by rezoning this portion of the property to an **Open Space (O) Zone** category which would not permit any development and would provide permanent protection to the existing trees within that portion of the subject lands.

- **Community Character**

Concerns were raised with respect to the compatibility of the size and number of building lots proposed in relation to the existing lot fabric and character of the community. Concerns were further raised with respect to the potential for the original development to set a precedent for the community leading to further and less compatible intensification. In response to these concerns, the applicant has revised the development proposal to request approval for only one (1) additional building lot on the subject lands with a larger lot frontage and lot area than those lots initially proposed which is more in keeping with the character of the neighbourhood. The revised proposal complies with the **RU Zone** standards applicable to the subject lands and that of the surrounding lands and no site specific development standards are required to accommodate the proposed additional lot or dwelling.



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- **Traffic and Noise**

Concerns were expressed regarding the potential for increased traffic and noise generated in the area as a result of the proposed development. Staff are of the opinion that the proposed additional building lot will not adversely impact the traffic and noise volumes in the neighbourhood.

### **Recommendation:**

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

- the proposed additional single detached residential lot complies with the applicable **Neighbourhood** and **Natural Core** policies of the Plan and the **Settlement Area** policies of the ORMCP;
- the proposed lot areas and lot frontages are in keeping with the requirements of the **Residential Urban (RU) Zone** under By-law 1275, as amended, and no site-specific development standards are required in order to facilitate the proposed new residential lot or dwelling;
- the proposed lotting pattern is considered to be contextually appropriate and in keeping with the character of the surrounding neighbourhood;
- the proposed **Open Space (O) Zone** category will provide long term protection for the existing mature trees that form part of the woodland feature on the subject lands; and,
- the applicant has satisfactorily addressed all comments raised by City departments and external agencies.

On the basis of the preceding, it is recommended that the proposed Zoning By-law Amendment application be approved. It is noted that a future Consent application will be required in order to facilitate the creation of the additional lot proposed.

### **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** as they demonstrate responsible residential infill development within an existing neighbourhood which thereby reduces the need to expand development into undeveloped areas of the municipality. Further, the recommendations of this report are aligned with **Strong Sense of Belonging** by adding additional housing stock in an existing community.



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### **Climate Change Considerations:**

The recommendations of this report are aligned with Council's climate change considerations as the development proposal intensifies development within an existing residential area and prevents urban sprawl, which represents an efficient use of land within this area of the City.

### **Conclusion:**

The applicant is seeking Council's approval of its revised Zoning By-Law Amendment application to permit one (1) additional residential building lot on its land holdings. Staff is of the opinion that the applicant's development proposal conforms with the applicable policies of the ORMCP and the City's Plan, is considered to be appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the applicant's revised Zoning By-law Amendment application as outlined and described 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 Meeting C#32-22 held on September 7, 2022
- Appendix B, Draft Zoning By-law
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Original Site Plan
- Map 6, Revised Site Plan



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### Report Approval Details

Document Title:	SRPBS.24.013 - Request for Approval - 25 Cynthia Crescent.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - CPM Extract Minutes.docx</li><li>- Appendix B - By-law 14-24 Draft.docx</li><li>- Map 1 - Aerial Photograph.docx</li><li>- Map 2 - Neighbourhood Context.docx</li><li>- Map 3 - Existing Zoning.docx</li><li>- Map 4 - Official Plan Designation.docx</li><li>- Map 5 - Original Site Plan.docx</li><li>- Map 6 - Revised Site Plan.docx</li></ul>
Final Approval Date:	Feb 13, 2024

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

**Deborah Giannetta - Feb 7, 2024 - 1:08 PM**

**Gus Galanis - Feb 7, 2024 - 1:10 PM**

**Darlene Joslin - Feb 13, 2024 - 11:34 AM**