



## Staff Report for Committee of the Whole Meeting

Date of Meeting: June 12, 2024

Report Number: SRPBS.24.073

Department: Planning and Building Services

Division: Development Planning

**Subject: SRPBS.24.073 – Request for Approval – Zoning By-law Amendment Application – 2575563 Ontario Inc. – 152, 160, 166, 172 and 178 Major Mackenzie Drive East and 123 Ruggles Avenue - City File D02-19017 (Related City File D06-20040)**

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### Owner:

2575563 Ontario Inc.  
7300 Warden Avenue, Suite 405  
Markham, ON  
L3R 9Z6

### Agent:

Goldberg Group  
2098 Avenue Road  
Toronto, ON  
M5M 4A8

### Location:

Legal Description: Lots 59 and 86 and Part of Lots 57, 58, 87 and 88, Registered Plan 1883

Municipal Addresses: 152, 160, 166, 172 and 178 Major Mackenzie Drive East and 123 Ruggles Avenue

### Purpose:

A request for approval concerning a Zoning By-law Amendment application to permit the construction of a medium density residential development to be comprised of 35 back-to-back townhouse dwelling units on the subject lands.

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### Recommendations:

- a) **That the Zoning By-law Amendment application submitted by 2575563 Ontario Inc. for lands known as Lots 59 and 86, and Part of Lots 57, 58, 87 and 88, Registered Plan 1883 (Municipal Addresses: 152, 160, 166, 172 and 178 Major Mackenzie Drive East and 123 Ruggles Avenue), City File D02-19017, be approved, subject to the following:**
- (i) **that the subject lands be rezoned from Residential Multiple Third Density (RM3) Zone to Residential Multiple Second Density (RM2) Zone under By-law 66-71, as amended, with site specific development standards as outlined in Staff Report SRPBS.24.073;**
  - (ii) **that the amending Zoning By-law be brought forward to the June 19 Council meeting for consideration and enactment; and,**
  - (iii) **that pursuant to Section 34(18) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft Zoning By-law to implement the proposed development on the subject lands.**
- b) **that Council assign 80.01 persons equivalent of municipal servicing allocation to the proposed development to be constructed on the subject lands, to be released by the Commissioner of Planning and Building Services in accordance with By-law 109-11, as amended.**

### Contact Person:

Marc Mitanis, Planner II, phone number 905-771-2459 and/or

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

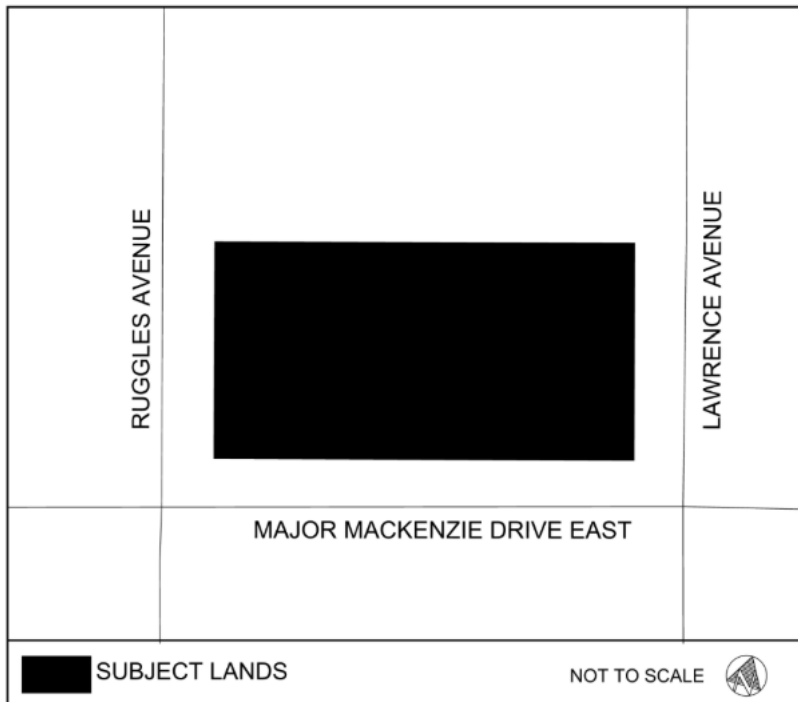
**Approved by:** Darlene Joslin, City Manager

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 report's approval are attached.

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### 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:

A statutory Council Public Meeting was held on January 22, 2020 to consider the subject Zoning By-law Amendment application wherein Council received Staff Report SRPRS.20.007 for information purposes and directed that all comments be referred back to staff (refer to Appendix “A”). A number of comments were raised at the meeting with respect to the adequacy of parking spaces within the proposed development, the proposed removal of mature trees on the subject lands, pedestrian safety along Major Mackenzie Drive East, and a general lack of housing affordability in the City, which are addressed in detail in later sections of this report.

Staff has been working closely with the applicant to resolve various technical matters and can advise that all comments from City departments and external agencies have been satisfactorily addressed. Remaining technical matters will be addressed as part of the review of the associated Site Plan application. Accordingly, the purpose of this report is to seek Council’s approval of the subject Zoning By-law Amendment application.

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### Summary Analysis:

#### Site Location and Adjacent Uses

The subject lands are located on the north side of Major Mackenzie Drive East between Ruggles Avenue and Lawrence Avenue (refer to Map 1). The lands are comprised of six (6) existing residential lots and have a total combined lot area of 0.351 hectares (0.867 acres) and a combined lot frontage of 82.31 metres (270.05 feet). Each lot presently supports a single detached dwelling which are to be demolished to facilitate the proposed development. The lands abut existing low density residential uses to the north, Major Mackenzie Drive East to the south, Ruggles Avenue to the west, and Lawrence Avenue to the east.

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the construction of a medium density residential development to be comprised of 35 back-to-back townhouse dwelling units on its land holdings (refer to Maps 5 to 7). The proposed development includes at-grade parking within the first floor of the four (4) storey residential building. Access is proposed via a two-way private driveway from Lawrence Avenue and will also provide access to the at-grade parking along the rear of the proposed building. An additional one-way access route is proposed from Ruggles Avenue to enable waste collection and access to resident and visitor parallel parking spaces that are proposed to abut the driveway.

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:** 0.351 hectares (0.867 acres)
- **Total Lot Frontage:** 82.31 metres (270.05 feet)
- **Number of Buildings:** 1
- **Number of Dwelling Units:** 35
- **Number of Storeys:** 4
- **Maximum Building Height:** 13 metres (42.65 feet)
- **Lot Coverage:** 55.3%
- **Floor Space Index (FSI):** 1.5
- **Parking (Resident):** 34 (0.97 spaces per unit)
- **Parking (Visitor):** 5 spaces (0.15 spaces per unit)

The applicant's current development proposal reflects a number of modifications relative to its original 2019 development proposal presented at the Council Public Meeting in 2020. Key differences between the original 2019 development proposal and the current 2024 development proposal are summarized below:

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- increased landscape strip along the north side of the driveway and the addition of two (2) landscaped “islands” to allow a greater buffer at interfacing locations with abutting single detached dwellings;
- the parking garage entrance has shifted from the west side of the site to the east side of the site;
- the addition of resident bicycle parking as well as visitor bicycle parking at the west and east sides of the building; and,
- modification of the proposed stormwater management system to accommodate runoff from the north that no longer requires a municipal servicing easement to be established with the City.

## Planning Analysis:

### City of Richmond Hill Official Plan

The subject lands are designated **Local Mixed-Use Corridor** in accordance with Schedule A2 – Land Use of the City’s Official Plan (“the Plan”) (refer to Map 3). The **Local Mixed-Use Corridor** designation functions as a smaller-scale, urban main street connecting the **Local Development Areas (LDAs)** and provides opportunities for east-west regional connection and the movement of people, goods and services by way of planned, long-term public rapid transit. The **Local Mixed-Use Corridor** designation is intended to accommodate a more limited range and mix of land uses and activities in a compact, pedestrian-oriented built form, including medium density residential uses such as back-to-back townhouses. In accordance with **Policy 4.7.1.4** and **Policy 4.7.1.5** of the Plan, the maximum site density for development in the **Local Mixed-Use Corridor** designation shall be a Floor Space Index (FSI) of 1.5, and development shall have a maximum building height of four (4) storeys.

In this regard, the proposed development is consistent with the maximum building height and density provisions of the Plan and provides a compact, pedestrian-oriented built form along a future Bus Rapid Transit (BRT) corridor. It is further noted that the subject lands are located within a Protected Major Transit Station Areas (PMTSA) in association with the future Major Mackenzie BRT Station (PMTSA 48) as identified in the Regional Official Plan 2022 (the “ROP”).

On the basis of the preceding, Planning staff is of the opinion that the proposed development conforms with the relevant policies of the Plan and represents an appropriate form of smaller-scale development within the context of the **Local Mixed-Use Corridor** designation.

### Zoning By-law Amendment Application

The subject lands are currently zoned **Residential Multiple Third Density (RM3) Zone** under By-law 66-71, as amended, which permits an apartment dwelling as well as various recreational, institutional and public uses (refer to Map 4) and does not permit multiple attached dwellings as proposed by the subject application. Accordingly, the

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applicant is seeking Council’s approval to rezone the subject lands from **RM3 Zone to Residential Multiple Two Density (RM2 Zone)** under By-law 66-71, as amended, to permit the proposed development. Additionally, the following are site specific standards and exceptions are also proposed:

- add and amend various definitions, including daylight triangle, gross floor area, established grade, height of building, and mechanical penthouse; and,
- establish site-specific development standards to permit the proposed development on the subject lands.

The following table outlines the applicable development standards for the applicant’s proposed development:

<b>Development Standard</b>	<b>RM2 Zone under By-law 66-71, as amended</b>	<b>Proposed, RM2 Zone under By-law 66-71, as amended</b>
<b>Maximum Gross Floor Area</b>	Not Applicable	<b>5,264 square metres (56,661.22 square feet)</b>
<b>Maximum Floor Area Ratio</b>	Not Applicable	<b>1.5</b>
<b>Maximum Lot Coverage</b>	30%	<b>57%</b>
<b>Minimum Front Yard</b>		
• to main building	6.10 metres (20 feet)	<b>2.0 metres (6.56 feet)</b>
• to porches/steps	2.44 metres (8 feet)	<b>0.6 metres (1.97 feet)</b>
<b>Minimum Exterior Side Yard</b>	3.05 metres (10 feet)	<b>3.0 metres (9.84 feet)</b>
<b>Minimum Rear Yard</b>	7.62 metres (25 feet)	Complies
<b>Maximum Building Height</b>	13.72 metres (45 feet)	Complies
<b>Maximum Number of Storeys</b>	Not Applicable	<b>4</b>
<b>Maximum Number of Dwelling Units</b>	Not Applicable	<b>35</b>
<b>Minimum Aisle Widths</b>		
• Perpendicular	7.01 metres (23 feet)	<b>6.0 metres (19.69 feet)</b>
• Parallel	3.66 metres (12 feet)	Complies
<b>Minimum Parking Spaces</b>	1.25 spaces per dwelling unit	<b>0.97 spaces per dwelling unit 0.15 visitor spaces per dwelling unit</b>
<b>Minimum Bicycle Parking Spaces</b>	Not Applicable	<b>0.89 resident spaces per dwelling unit 0.23 visitor spaces per dwelling unit</b>

Staff has undertaken a comprehensive review and analysis of the applicant’s development proposal and are of the opinion that the subject Zoning By-Law Amendment application is appropriate and represents good planning. The proposed site specific development standards implement a pedestrian and transit-oriented built form

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along an arterial road as envisioned by the **Local Mixed Use Corridor** policies of the Plan. The proposed lot coverage of 57% is aligned with the maximum site density for development in the **Local Mixed Use Corridor** of 1.5 FSI, and maintains sufficient space for site access, landscaping, and appropriate building setbacks. The proposed reduced front yard setback of 2.0 metres (6.56 feet) allows for landscaped bump outs between each of the townhouse entrances as well as front porches and stairs to access the at-grade dwelling units along Major Mackenzie Drive East, thereby creating an attractive and pedestrian-oriented streetscape. Further, the proposed reduction in side yard setbacks is minor and provides adequate space for the installation of four visitor bicycle spaces on the east and west sides of the building.

With regards to parking and bicycle spaces, Transportation staff have reviewed the Transportation Impact Study (TIS) submitted in support of the subject application and find the proposed vehicular parking rate to be acceptable, particularly given the subject lands' inclusion within PMTSA 48, has frontage on a future Rapid Transit Corridor, and the provision of bicycle parking which exceeds the minimum and aspirational requirements of the City's Sustainability Metrics.

In this regard, the proposed site-specific development standards are considered contextually appropriate, conforms with the applicable policies of the Plan, and represents good planning.

### Site Plan Application

A related Site Plan application (City File D06-20040) has been received by the City and remains under review by staff. Staff will continue to work with the applicant to address remaining technical matters in order to finalize the Site Plan Agreement, which will include securing the applicant's sustainability commitments.

### Council and Public Comments:

As noted previously, comments from members of the public were raised at the Council Public Meeting held on January 22, 2020 in consideration of the proposed development. A summary of the comments received and staff responses are outlined in the following sections.

### Parking and Pedestrian Safety

Concerns were raised regarding the adequacy of the proposed vehicular parking supply and pedestrian safety along Major Mackenzie Drive East. A Transportation Impact Study (TIS) was submitted by the applicant in support of the proposed development concluded that although the proposed 34 residential parking spaces represented a shortfall of one (1) vehicular parking space against the requirements of the City's 2010 Parking Strategy and therefore the proposed deficiency is considered adequate to serve resident parking demands from the proposed development. Transportation Engineering staff have reviewed and accept the findings of the TIS on the basis that given the

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location of the subject lands within a PMTSA associated with the future Major Mackenzie BRT Station.

With respect to pedestrian safety, the proposed development will facilitate the installation of a sidewalk along the Ruggles Avenue frontage of the building, and the reconstruction of the sidewalk along the Major Mackenzie Drive East frontage. The sidewalk will be set back approximately 3 metres (9.84 feet) from the street to enhance pedestrian safety and provide adequate space for a landscaped buffer.

### **Housing Affordability**

Concerns were also raised with respect to the affordability of new housing in Richmond Hill and the impact on youth and recent immigrants. While the applicant is not contemplating the provision of affordable housing units within the proposed development, the housing form proposed, namely, back-to back townhouse units contributes to the diversification of housing forms available within the City. Additionally, the proposed development includes 5 (five) three bedroom units, which provides additional housing options for families and larger households, also contributing to a diversified range of housing typologies and sizes in the City.

### **Tree Preservation**

Concerns regarding the preservation of mature trees on the subject lands were raised with respect to the proposed development. A total of 52 trees are to be removed in order to accommodate the proposed development, two (2) trees will be preserved and a total of 32 replacement trees are required to be provided on the subject lands or via cash-in-lieu of tree planting in accordance with City requirements. A total of seven (7) deciduous street trees are proposed within the enhanced landscaped boulevard along Major Mackenzie Drive East and Parks staff are working with the applicant to provide additional street trees along the proposed Ruggles Avenue and Lawrence Avenue landscaped boulevards. The applicant's commitments with respect to tree preservation, tree planting and landscaping will be secured through the associated Site Plan application in accordance with City standards and requirements.

### **Development and External Agency Comments:**

As noted previously in this report, all comments from City departments and external agencies have been satisfactorily addressed. Additionally, all circulated City departments and external agencies have either indicated no objections or have provided technical comments to be addressed through the associated Site Plan application, including the following:

- updated landscape plans to show trees to be planted within the boulevards of Ruggles Avenue and Lawrence Avenue;
- consent from abutting property owners will need to be obtained to address boundary/co-owned trees along the north property line that may be impacted as a result of the proposed development;



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- review and approval of Construction Management and Traffic Management Plans by the City's Transportation Engineering staff and the Region of York to mitigate impact to the surrounding area during construction; and,
- land conveyance to the Region of York for road widening purposes to achieve a 32 metre (104.99 feet) right-of-way along Major Mackenzie Drive East.

### **Recommendation:**

Planning staff has undertaken a comprehensive review and evaluation of the subject Zoning By-law Amendment application and are in support of same, for the following principal reasons:

- the proposed back-to-back townhouses are permitted within the **Local Mixed-Use Corridor** designation of the Plan;
- the proposed development conforms with the maximum building height of four (4) storeys and the maximum density of 1.5 FSI of the Plan;
- the proposed site-specific development standards are appropriate to facilitate the proposed development;
- the proposed development will include an appropriate landscape buffers and privacy fencing from adjacent residential uses to minimize overlook and privacy impacts, which will be finalized and secured through the detailed design of the related Site Plan application;
- the applicant has satisfactorily addressed all comments raised by City departments and external agencies at this stage of the development process;
- staff will continue to work with the applicant to address all technical comments received with respect to the associated Site Plan application; and,
- a future draft Plan of Condominium application will be required to facilitate the proposed development.

On the basis of the preceding, staff supports the applicant's Zoning By-law Amendment application and recommends approval subject to the recommendations outlined in this report.

### **Interim Growth Management Strategy:**

Council has approved and implemented a comprehensive strategy comprised of eight (8) growth management eligibility criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The criteria are as follows:

- 1. Providing community benefits and completion of required key infrastructure.*
- 2. Developments that have a mix of uses to provide for live-work relationships.*
- 3. Developments that enhance the vitality of the Downtown Core.*
- 4. Higher-order transit supportive development.*
- 5. Developments that represent sustainable and innovative community and building design.*

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6. *Completion of communities.*
7. *Small scale infill development.*
8. *Opportunities to provide affordable housing.*

In this regard, staff are satisfied that the proposal meets Criteria 1, 4, 6 and 7 as follows:

- the subject lands are located within the **Local Mixed-Use Corridor** designation and are along a future Bus Rapid Transit (BRT) corridor as identified in the Plan, where compact and transit-oriented development is encouraged;
- the subject lands are located within a PMTSA in association with the future Major Mackenzie BRT Station (PMTSA 48);
- the proposed development provides for small-scale infill intensification with a mix of larger two and three bedroom dwelling units;
- the proposed development is compatible with existing development within the vicinity of the subject lands and generally along Major Mackenzie Drive East; and,
- the proposed development will facilitate the installation of a sidewalk along Ruggles Avenue and introduce enhanced streetscaping along Major Mackenzie Drive East.

With respect to IGMS Criteria 5, the applicant has submitted a Sustainability Performance Metrics Tool to the City as part of its review and approval of the associated Site Plan application. A minimum “bronze” score will need to be achieved in order to obtain servicing allocation. As noted previously in this report, the subject lands are comprised of six (6) existing building lots each with a single detached dwelling, resulting in a servicing allocation credit of 19.74 persons equivalent. Accordingly, a total of 80.01 persons equivalent of additional servicing allocation will be needed to facilitate the approval and construction of the proposed development. In consideration of the preceding, and to streamline the servicing allocation assignment process for the proposed development, staff recommends that Council assign the servicing allocation at this time, to be released by 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 Strategic Plan:**

The recommendations of this report are aligned with **Pillar 1: Growing a Livable, Sustainable Community**, as the proposed development supports active and sustainable modes of transportation given its location adjacent to a rapid transit bus corridor, and by providing bicycle parking spaces which exceed the minimum and aspirational requirements of the City’s Sustainability Metrics. Additionally, the proposed development supports a range of housing options and affordability through the provision of two and three bedroom units, which increases housing opportunities for family households.

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### **Climate Change Considerations:**

The recommendations of this report are generally aligned with the City's Climate Change Considerations as the proposed development will introduce a more efficient use of land within the Settlement Area. Furthermore, the proposed development will be subject to the minimum thresholds of the City's Sustainability Metrics as reviewed through the associated Site Plan application. Sustainability commitments relating to site and building design will be secured through a future Site Plan Agreement.

### **Conclusion:**

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the construction of a medium density residential development on its land holdings. Staff has completed a comprehensive review and evaluation of the proposed development and is of the opinion that the submitted application conforms with the overarching principles of the Plan, is appropriate in the context of the area, and represents good planning. On the basis of the preceding, staff recommends that Council approve the subject application, subject to the recommendations 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#32-22, held September 7, 2022
- Appendix "B", Draft Zoning By-law
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations
- Map 7, Proposed Elevations

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### Report Approval Details

Document Title:	SRPBS.24.073 - Request for Approval - D02-19017.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - CPM Extracts.doc</li><li>- Appendix B - Draft ZBA.docx</li><li>- SRPBS.24.073 - Map 1 - Aerial Photograph.docx</li><li>- SRPBS.24.073 - Map 2 - Neighbourhood Context.docx</li><li>- SRPBS.24.073 - Map 3 - Official Plan Designation.docx</li><li>- SRPBS.24.073 - Map 4 - Existing Zoning.docx</li><li>- SRPBS.24.073 - Map 5 - Proposed Site Plan.docx</li><li>- SRPBS.24.073 - Map 6 - Proposed Elevations.docx</li><li>- SRPBS.24.073 - Map 7 - Proposed Elevations.docx</li></ul>
Final Approval Date:	May 22, 2024

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

**Deborah Giannetta - May 22, 2024 - 3:35 PM**

**Maria Flores on behalf of Gus Galanis - May 22, 2024 - 3:46 PM**

**Darlene Joslin - May 22, 2024 - 3:55 PM**