



Staff Report for Council Public Meeting

Date of Meeting: November 26, 2024

Report Number: SRPBS.24.116

Department: Planning and Building Services

Division: Development Planning

Subject: **SRPBS.24.116 – Request for Comments –
Zoning By-law Amendment Application – Peter
An Dung and Ling Huang Chun – City File
ZBLA-24-0004**

Owners:

Peter An Dung and Ling Huang Chun
11198 Bayview Avenue
Richmond Hill, ON
L4S 1L5

Agent:

KLM Planning Partners Inc.
64 Jardin Drive
Concord, ON
L4K 3P3

Location:

Legal Description: Lot 3, Registered Plan 4007
Municipal Address: 11198 Bayview Avenue

Purpose:

A request for comments concerning a Zoning By-law Amendment application to permit one (1) additional building lot on the subject lands.

Recommendation:

- a) That Staff Report SRPBS.24.116 with respect to the Zoning By-law Amendment application submitted by Peter An Dung and Ling Huang Chun for lands known as Lot 3, Registered Plan 4007 (Municipal Address: 11198 Bayview Avenue), City File ZBLA-24-0004, be received for information purposes only and that all comments be referred back to staff.

Page 2

Contact Persons:

- Diya Matroja, Planner I, 905-747-6470
- Kaitlyn Graham, Acting Manager of Development Planning, 905-771-5563
- Deborah Giannetta, Director of Development Planning, 905-771-6312
- Gus Galanis, Commissioner, Planning and Building Services, 905-771-9966

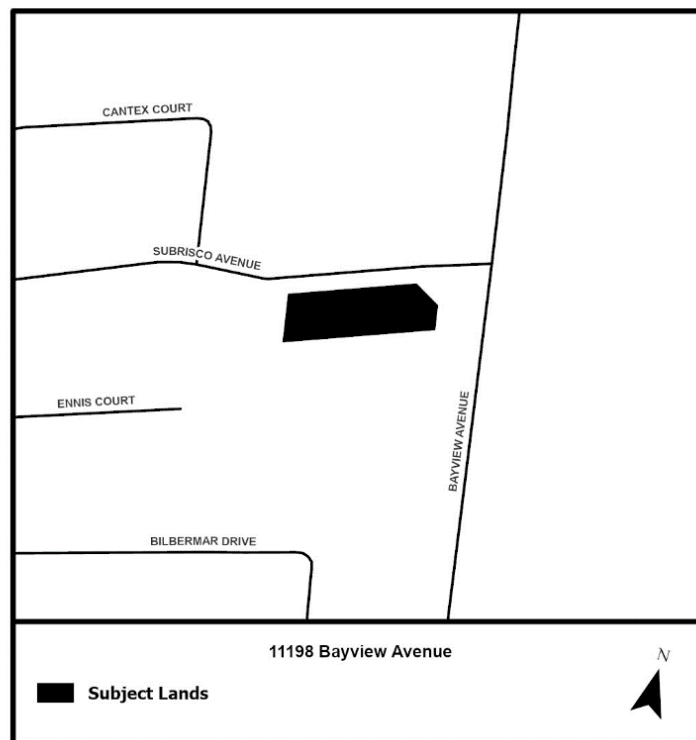
Report Approval:

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.

Key Messages:

- the applicants are seeking approval of a Zoning By-law Amendment application to permit the creation of one (1) additional building lot on the subject lands; and,
- the purpose of this report is to seek comments from Council and the public with respect to the subject applications, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Location Map:



Page 3

Background:

The subject Zoning By-law Amendment application was received and deemed complete by the City on August 9, 2024. The application and supporting materials were circulated to relevant City departments and external agencies for review and comment. The purpose of this report is to seek comments from Council and the public with respect to the subject application, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Discussion:

Site Location and Adjacent Uses

The subject lands are located on the south side of Subrisco Avenue and west of Bayview Avenue. The lands have frontage of 15.09 metres (49.51 feet) along Bayview Avenue, frontage of 79.73 metres (261.58 feet) along Subrisco Avenue and a total lot area of 0.27 hectares (0.67 acres). The lands currently support a single detached dwelling and accessory shed, which are to be demolished to facilitate the proposed development. The eastern portion of the subject lands includes a portion of the Rouge River tributary which is to remain undeveloped (refer to Maps 1 and 2).

Surrounding land uses include single detached residential dwellings to the north, south and west of the subject lands and Bayview Avenue to the east of the , beyond which is a naturalized area and a low density residential development that is currently under construction (City File D03-12013).

Development Proposal

The applicants are seeking Council's approval of their Zoning By-law Amendment application to permit the creation of one (1) additional building lot to accommodate two (2) single-detached dwellings on the subject lands with vehicular access proposed from Subrisco Avenue (refer to Map 5). The following is a summary table outlining the relevant statistics of the applicants' development proposal based on the plans and drawings submitted to the City:

- **Existing Lot Frontage (Bayview):** 15.09 metres (49.51 feet)
- **Existing Lot Frontage (Subrisco):** 79.73 metres (261.58 feet)
- **Existing Lot Area:** 0.27 hectares (0.67 acres)
- **Proposed Lot 1 (West Side)**
 - **Lot Frontage (Subrisco):** 13.47 metres (44.19 feet)
 - **Lot Area:** 490.30 square metres (5,277.54 square feet)
- **Proposed Lot 2 (East Side)**
 - **Lot Frontage (Subrisco):** 29.04 metres (95.28 feet)
 - **Lot Area:** 687.69 square metres (7,402.23 square feet)
- **Proposed Natural Area:** 0.16 hectares (0.38 acres)
- **Proposed Dwellings Units:** 2

Page 4

Zoning By-law Amendment Application

The applicants' Zoning By-law Amendment application seeks to rezone the subject lands from **Rural Residential (RR1) Zone** under By-law 2325-68, as amended, to **Residential (R6) Zone** under By-law 184-87, as amended, with site-specific development standards to facilitate the creation of one (1) additional building lot to accommodate a total of two (2) single detached dwellings on the subject lands. The portion of the lands containing natural heritage features and associated buffers are proposed to be rezoned to **Flood (F) Zone** under By-law 184-87, as amended.

Supporting Documentation

- Planning Justification Report;
- Draft Zoning By-law Amendment;
- Property Survey;
- Parcel Register;
- Site Plan;
- Environmental Impact Study;
- Development Application Summary;
- Functional Servicing and Stormwater Management Brief;
- Arborist Report and Tree Protection Plan;
- Grading and Servicing Plan; and,
- Erosion and Sediment Control Plan.

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). In accordance with **Section 4.9.1** of the Plan, uses permitted within the **Neighbourhood** designation include low density residential uses, such as single detached and semi-detached dwellings, medium density residential uses and various other land uses subject to specific criteria. In accordance with **Section 4.9.2** of the Plan, development shall 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.

The eastern portion of the subject lands is designated **Natural Core** which forms part of the City's Greenway System and includes Key Natural Heritage features, Key Hydrological Features and their functions and Landform Conservation Areas. In accordance with **Section 4.10.5.1** of the Plan, permitted uses within the **Natural Core** designation are limited to fish, wildlife and forest management, conservation projects and flood and erosion control projects, essential transportation, infrastructure and utilities, low-intensity recreational uses, unserviced parks, and uses accessory to the permitted uses herein. Further, **Section 3.2.1.2** of the Plan requires the establishment of Minimum Vegetation Protection Zones to provide for appropriate buffers to Key

Page 5

Natural Heritage Features and Key Hydrological Features. In accordance with **Section 3.2.1.3**, the City shall seek the dedication of these features and their associated buffers into public ownership, where appropriate, to ensure their long-term protection. Additionally, **Section 3.2.2.3** of the Plan requires that a minimum protection zone (or buffer) of 10 metres (32.81 feet) shall be provided and enhanced from the outer limits of hazardous lands and hazardous sites. In this regard, an Environmental Impact Study has been submitted in support of the subject application and is currently under review to assess and confirm the limits of the natural features, floodplain and associated buffers with the Rouge River tributary, and to determine how the proposed development aligns with the policies of the Plan in this regard.

A more detailed review and evaluation of the proposed amendment in the context of the applicable Plan policies will be completed following the receipt of comments from Council, the public, City departments and external agencies and will form part of a future recommendation report to Council.

Zoning By-law

The subject lands are presently zoned **Rural Residential (RR1) Zone** under By-law 2325-68, as amended (refer to Map 3). Permitted uses in the **RR1 Zone** category include one single family detached dwelling, home occupation, place of worship or cemetery, elementary school, commercial uses lawfully in existence as of September 18, 1967, medical clinic, and public utilities, subject to specific building and lot standards. As noted previously, the applicants are seeking Council’s approval to rezone their land holdings to **Residential (R6) Zone** and to rezone the natural feature, floodplain and buffer lands to **Flood (F) Zone** under By-law 184-87, as amended (refer to Appendix “A”). The following table provides a summary of the applicable development standards within the **R6 Zone** under By-law 184-87, as amended, relative to the site-specific provisions proposed by the applicants highlighted in bold:

Development Standard	R6 Zone Standards By-law 184-87, as amended	Proposed Site Specific Standard (Lot 1)	Proposed Site Specific Standard (Lot 2)
Maximum Lot Coverage	40%	Complies	Complies
Minimum Lot Area	502 sq. m (5,403.48 sq. feet)	490.3 sq. m (5,277.54 sq. feet)	Complies
Minimum Lot Frontage	15 m (49.21 feet)	13.47 metres (44.19 feet)	Complies
Minimum Front Yard	4.5 m (14.76 feet)	4 metres (13.12 feet)	4 metres (13.12 feet)
Minimum Side Yard	1.5 m (4.92 feet)	Complies	Complies
Minimum Rear Yard	7.5 m (24.61 feet)	7 m (22.97 feet)	5.58 m (18.31 feet)
Maximum Height	11 m (36.09 feet)	Complies	Complies

Page 6

The draft Zoning By-law submitted by the applicants' in support of their development proposal is currently under review (refer to Appendix "A"). The appropriateness of the proposed zoning category, development standards, as well as the need for additional standards and/or restrictions will continue to be evaluated through the review of the development application with regards to policy conformity, compatibility, design and function.

City Department and External Agency Comments:

The subject Zoning By-Law Amendment application and associated background studies and reports submitted in support of the same have been circulated to various City departments and external agencies for their review and comment. Comments have been received from Alectra Utilities, Bell Canada, Enbridge, and the Regional Municipality of York. These external agencies have no objections to the applications and/or have provided comments to be considered by the applicants during the more detailed implementation stage of the approval process and have not been appended to this report. The application remains under review by the City's Park and Natural Heritage Planning Section and Financial Services Division, and Canada Post. The following is a summary of the main comments received to date.

Heritage and Urban Design Section

The City's Heritage and Urban Design Section has reviewed the applicants' development proposal and recommends that it be revised to maintain the defined street edge and existing front yard setbacks established along Subrisco Avenue. Additionally, staff have recommended that the applicants maximize soft landscape areas by pairing the proposed driveways and have provided advisory comments with respect to the design of the proposed dwellings (refer to Appendix "B").

Community Services Department - Waste Management Section

The City's Community Services Department – Waste Management Section has reviewed the development proposal and has identified that a detailed Site Plan and/or Floor Plan drawings are required to be submitted in accordance with the City's Waste Management Design and Collections Standards for Development (refer to Appendix "C").

Building Services - Zoning Section

The City's Zoning Section has reviewed the development proposal and has determined that the Conceptual Site Plan submitted by the applicants is insufficient to confirm compliance with the provisions of the draft Zoning By-law and Zoning By-law 184-87, as amended. Accordingly, the applicants are required to resubmit drawings with additional dimensioning and detail for review and comment (refer to Appendix "D").

Infrastructure Planning and Development Engineering Division

The City's Infrastructure Planning and Development Engineering Division has advised that it has no concerns regarding the subject development proposal. In this regard, Engineering staff have reviewed the Functional Servicing Report submitted by the applicants and have made comments concerning the proposed servicing for the development as the subject lands are not serviced by an existing municipal sewer. In

Page 7

this regard, staff have advised that a Site Servicing Agreement will be required to facilitate the development proposal, to be reviewed in tandem with the required Site Alteration Permit application (refer to Appendix “E”).

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority has reviewed the development proposal and has advised that they do not have any concerns with the draft Zoning By-law Amendment. However, TRCA staff recommend that the natural heritage lands and associated buffer portions of the subject lands be conveyed to the City of Richmond Hill and not be held in private ownership (refer to Appendix “F”).

Development Planning Division

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

- the proposed single detached dwellings are permitted in accordance with the policies of the **Neighbourhood** designation under **Section 4.9.1** of the Plan;
- the applicants have submitted an Environmental Impact Study in support of the subject application as it relates to the limits of the natural features, floodplain and associated buffers with the Rouge River tributary applicable to the lands to determine the appropriateness of the proposed development as it relates to the **Natural Core** policies of the Plan;
- the applicant will be required to ensure the delineation, protection and conveyance of the portion of the subject lands containing natural features and their associated buffers, where appropriate;
- further to the comments provided by IPDE, the subject lands are not serviced by an existing municipal sewer. Accordingly, the extension of this service to support this development will require coordination between the Region and the City should the subject application be approved. The applicants’ will be required to enter into a Servicing Agreement with the City and the municipal servicing required to support the proposed development and any other necessary infrastructure will be at the applicants’ cost;
- the applicants’ shall be required to provide fully dimensioned Site Plan drawings pertaining to the proposed development in accordance with comments provided by the City’s Zoning Section (refer to Appendix “D”) and with respect to the design of the proposed vehicular access and parking spaces proposed;
- a future Consent application will be required to facilitate the proposed development; and,
- the applicants must satisfactorily address comments and requirements identified by City departments and external agencies that have been requested to review the development proposal.,

Page 8

A comprehensive review and evaluation of the subject Zoning By-law Amendment application will be conducted following the receipt of comments and feedback from all circulated City departments, external agencies, Council and the public. 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.

Financial Implications:

The recommendation of this report does not have any financial, staffing or other implications.

Relationship to Strategic Plan 2024-2027:

The recommendation of this report does not have any direct implications with respect to Council's Strategic Plan. An overview of how the subject application is aligned with the Strategic Plan will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicants' development proposal.

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" – Applicants' Draft Zoning By-law Amendment
- Appendix "B" – Memo from the City's Heritage and Urban Design Section, dated September 19, 2024
- Appendix "C" – Memo from the City's Community Services Department – Waste Management Section, dated September 23, 2024
- Appendix "D" – Memo from the City's Zoning Section, dated September 26, 2024
- Appendix "E" – Memo from City's Infrastructure Planning and Development Engineering Division, dated October 22, 2024
- Appendix "F" – Memo from Toronto and Region Conservation Authority, dated October 16, 2024
- Map 1 – Aerial Photograph
- Map 2 – Neighbourhood Context
- Map 3 – Existing Zoning
- Map 4 – Official Plan Designation
- Map 5 – Conceptual Site Plan

Page 9

Report Approval Details

Document Title:	SRPBS.24.116 - Request for Comments – 11198 Bayview Avenue - City File ZBLA-24-0004.docx
Attachments:	<ul style="list-style-type: none">- SRPBS.24.116 - Map 1 Aerial Photograph.docx- SRPBS.24.116 - Map 2 Neighbourhood Context.docx- SRPBS.24.116 - Map 3 Existing Zoning.docx- SRPBS.24.116 - Map 4 Official Plan Designation.docx- SRPBS.24.116 - Map 5 Conceptual Site Plan.docx- SRPBS.24.116 - Appendix A - Draft ZBLA.pdf- SRPBS.24.116 - Appendix B - HUD Memo.pdf- SRPBS.24.116 - Appendix C - Waste Memo.pdf- SRPBS.24.116 - Appendix D - Zoning Memo.pdf- SRPBS.24.116 - Appendix E - Dev Eng Memo.pdf- SRPBS.24.116 - Appendix F - TRCA Memo.pdf
Final Approval Date:	Nov 14, 2024

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

Deborah Giannetta - Nov 6, 2024 - 11:38 AM

Gus Galanis - Nov 6, 2024 - 11:46 AM

Darlene Joslin - Nov 14, 2024 - 8:57 AM