



Staff Report for Council Public Meeting

Date of Meeting: May 27, 2025

Report Number: SRPBS.25.052

Department: Planning and Building Services

Division: Development Planning

Subject: SRPBS.25.052 – Request for Comments -
Official Plan and Zoning By-law Amendment
Applications – Carlo Pacitto and The Estate of
Antonietta Pacitto – City Files OPA-25-0004 and
ZBLA-25-0007

Owners:

Carlo Pacitto and The Estate of Antonietta Pacitto
6 Limerick Street
Richmond Hill, Ontario
L4E 3X1

Agent:

MHBC Planning
12 James Street North, Suite 301
Hamilton, Ontario
L8R 2J9

Location:

Legal Description: Lots 95 and 96, Registered Plan 1923
Municipal Addresses: 174, 176 and 180 Weldrick Road West

Purpose:

A request for comments concerning proposed Official Plan and Zoning By-law Amendment applications to permit a low density residential development on the subject lands.

Recommendation:

- a) That Staff Report SRPBS.25.052 with respect to the Official Plan and Zoning By-law Amendment applications submitted by Carlo Pacitto and The Estate of Antonietta Pacitto for lands known as Lots 95 and 96, Registered Plan

Page 2

1923 (Municipal Addresses: 174, 176 and 180 Weldrick Road West), City Files OPA-25-0004 and ZBLA-25-0007, be received for information purposes only and that all comments be referred back to staff.

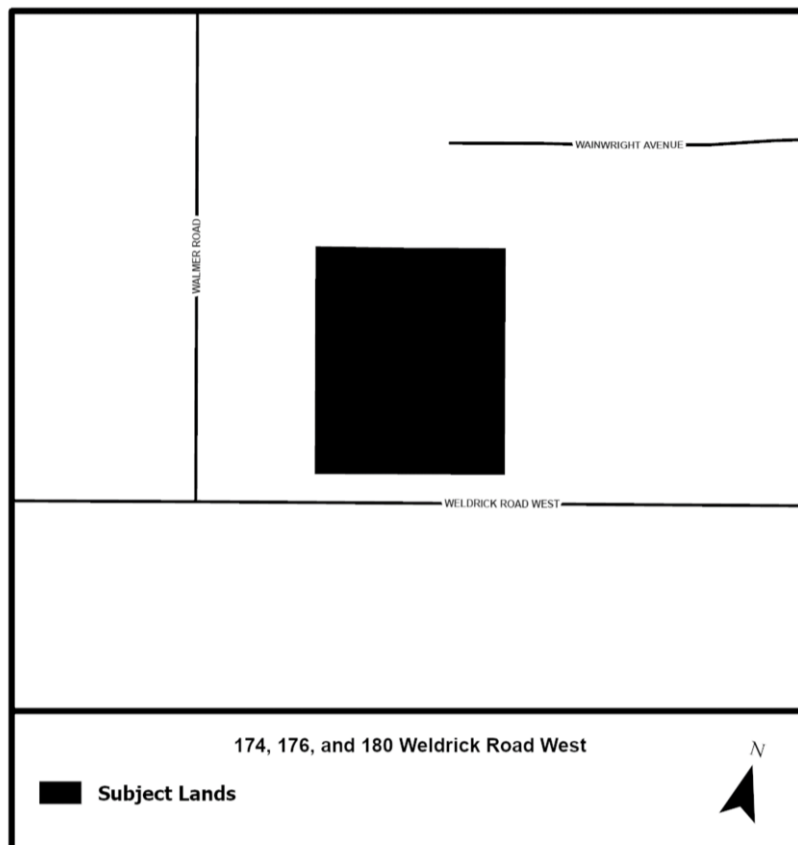
Contact Persons:

- Giuliano La Moglie, Senior Planner, 905-747-6465
- 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.

Location Map:



Page 3

Key Messages:

- the applicants are seeking approval of Official Plan and Zoning By-law Amendment applications to permit a low density residential development to be comprised of 12 single detached dwellings on a private common element condominium road in addition to the existing single detached dwelling fronting Weldrick Road West to be retained 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*.

Background:

The subject Official Plan and Zoning By-law Amendment applications were received and deemed to be complete on March 24, 2025. The applications and supporting materials were circulated to relevant City departments and external agencies for review and comment. Accordingly, the purpose of this report is to seek comments from Council and the public with respect to the applicant's development proposal, 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 north side of Weldrick Road West, east of Walmer Road and are comprised of three (3) contiguous residential lots (refer to Maps 1 and 2). The lands have a combined lot frontage of 82.3 metres (270.01 feet) along Weldrick Road West and a total lot area of 0.8 hectares (2 acres). The lands currently contain three (3) single detached dwellings, two of which (176 and 174 Weldrick Road West) are proposed to be demolished to facilitate the proposed development. The dwelling at 180 Weldrick Road West is proposed to be retained and renovated through the subject applications.

Surrounding land uses include existing single detached dwellings and Pemberton Park to the north and east, Weldrick Road West to the south, beyond which is the Richvale Greenway, and natural heritage lands containing portions of Patterson Creek to the west. The broader neighbourhood contains a mix of housing types, including single detached and townhouse dwellings, as well as community amenities such as Hillcrest Heights Park, St. Charles Garnier Catholic School, Ross Doan Public School and the Richvale Community Centre.

Development Proposal

The applicants are seeking Council's approval of their Official Plan and Zoning By-law Amendment applications to facilitate the construction of a low density residential development to be comprised of 12, three (3) storey single detached dwellings on a private common element condominium road on the easterly portion of the subject lands

Page 4

and the retention of one (1) existing single detached dwelling on the westerly portion of the lands. Each of the proposed dwellings are to be designed to accommodate up to two (2) additional residential dwelling units (“ARUs”). Parking spaces are to be provided within an attached garage and on the driveways of the newly proposed single detached dwellings, and three (3) visitor parking spaces are to be provided along the private common element condominium road. Vehicular access for both the proposed common element condominium portion of the development and the existing single detached dwelling are to be provided from two (2) separate connections to Weldrick Road West (refer to Maps 5 and 6).

The following is a summary table outlining the relevant statistics of the development proposal based on the plans and drawings submitted to the City:

• Lot Area:	0.8 hectares (2 acres)
• Lot Frontage:	82.3 metres (270.01 feet)
• Proposed Single Detached Dwellings:	13 (1 existing to be retained)
• Building Height:	3 storeys or 12.37 metres (40.58 feet)
• Total Parking	
○ Residents:	48 parking spaces
○ Visitors:	3 parking spaces
○ Accessible:	2 parking spaces

The applicants have submitted a related Consent application (City File: CN-25-04) to facilitate a lot line adjustment to convey a portion of land from 180 Weldrick Road West to 176 Weldrick Road West (refer to Maps 5 and 7). The purpose of the lot line adjustment is to facilitate the development as proposed through the subject Official Plan and Zoning By-law Amendment applications. At the time of preparation of this report, the Consent application remains under review by the City.

Supporting Documentation/Reports

The applicants have submitted the following documents to the City in support of the development proposal:

- Planning Justification Report;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Affordable Housing Template;
- Property Survey;
- Site Plan;
- Architectural Plans (Elevation and Floor Plans);
- Natural Heritage Evaluation;
- Phase 1 Environmental Site Assessment;
- Functional Servicing and Stormwater Management Report;
- Preliminary Geotechnical Report;

Page 5

- Preliminary Hydrogeological Report;
- Civil Engineering Plans;
- Landscape Plans;
- Traffic Impact Study;
- Waste Management Plan;
- Urban Design Brief;
- Stage 1 and 2 Archaeological Assessment Report; and,
- Arborist Report.

Official Plan and Zoning By-law Amendment Applications

The applicants are seeking Council's approval of their Official Plan Amendment application to establish site-specific exceptions to the **Natural Hazard** policies (**Section 3.2.2.3**) of the City's Official Plan (the Plan). Specifically, the request seeks to permit residential development within hazardous lands, and to reduce the minimum protection zone (or buffer) of 10 metres (32.80 feet) associated with hazardous lands (refer to Appendix "A").

The applicants are also seeking Council's approval of their related Zoning By-law Amendment application to rezone the subject lands from **Second Density Residential (R2) Zone** and **Flood (F) Zone** to **Fourth Density Residential (R4) Zone** with site specific provisions under Zoning By-law 2523, as amended, in order to establish site specific development standards with respect to minimum front yard, minimum side yard, minimum rear yard, maximum building height, maximum lot coverage, and for residential and visitor parking spaces, among others, in order to facilitate the proposed development (refer to Appendix "B").

Planning Analysis:

Staff has undertaken a preliminary review of the applicants' development proposal based on the policy framework contained within the *Provincial Planning Statement (2024)* (the "PPS 2024"), the *Regional Official Plan (2022)* (the "ROP") and the *City of Richmond Hill Official Plan (2010)* (the "Plan"). Staff notes that the City is currently conducting a *Municipal Comprehensive Review (MCR)* to update the Plan as necessary to align with recent Provincial and Regional planning direction. The following sections provide an overview of the policies relevant to the subject applications.

York Region Official Plan

On June 6, 2024, *Bill 185, Cutting Red Tape to Build More Homes Act* received Royal Assent bringing into effect a series of changes to the *Planning Act* among which included the removal of planning responsibilities from the *Regional Municipality of York*. Effective July 1, 2024, the *Region of York* no longer has planning responsibilities under the *Planning Act* and is no longer the approval authority of the City's Plan or its amendments. Accordingly, the ROP is now deemed to be an Official Plan of the City of Richmond Hill.

Page 6

The subject lands are designated **Urban Area** in accordance with Map 1 (Regional Structure) and more specifically designated as **Community Area** in Map 1A (Land Use Designations) of the ROP. The **Urban Area** is considered the primary location for growth and development within York Region, which includes Towns, Villages, Centres and Corridors. The **Community Areas** are intended to support a wide range and mix of urban uses and to accommodate a significant portion of planned growth within York Region.

In accordance with Map 4 (Key Hydrologic Features) of the ROP, the subject lands abut an area to the west identified as a Permanent or Intermittent Stream and Seepage Areas and Springs. With respect to natural environment and the flood hazard matters, the policies of the ROP generally direct new development away from hazardous lands and prohibits development within defined portions of the floodplain, subject to the conservation authority regulations. The ROP requires that new development be planned and designed to minimize flooding and erosion impacts and to plan for flood events to minimize risks to human health and safety and property.

Notwithstanding the above, the City's Plan is to be relied upon to set out more specific policies related to land use and design that refine the broader direction established in the ROP.

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 - Land Use of the Plan (refer to Map 2). Uses permitted within the **Neighbourhood** designation include primarily low density residential uses as well as medium density residential uses subject to specific criteria outlined in the Plan. In accordance with **Section 4.9.1** of the Plan, development within the **Neighbourhood** designation permits maximum building heights of three (3) storeys, except on an arterial street where the maximum height can be four (4) storeys. It is further noted that ARUs, as contemplated in the subject development proposal, are generally permitted in areas zoned for residential development, subject to **Section 3.1.5.5** and Official Plan Amendment 58 (OPA 58) to the Plan.

In accordance with **Policy 4.9.2.4** of the Plan, development within the **Neighbourhood** designation shall be compatible with the character of the adjacent and surrounding areas with respect to patterns of streets, blocks, and lanes; parks and public building sites; size and configuration of lots; massing, including consideration of height, scale, density and dwelling types of nearby properties; the location, design and elevations relative to driveways and garages; setbacks of buildings from the street; patterns of front, rear, and side yard setbacks and landscaped open space areas; preservation of mature trees and landscape and greenspace features; and, conservation of heritage buildings, structures and landscapes.

Furthermore, the City's relevant Urban Design Guidelines shall be utilized in the review and evaluation of development applications in accordance with **Policies 3.4.1.2**,

Page 7

4.9.2.3, and **4.9.2.4** of the Plan. Development proposals within the **Neighbourhood** designation may be required to submit Concept Plans that demonstrate how the proposed development meets the applicable land use and design policies of the Plan, to be prepared in accordance with **Section 5.2** of the Plan. Site design that would inhibit future infill development is not permitted. In this regard, the applicants have submitted a Concept Block Plan illustrating how the proposed development could integrate with the existing context of the broader neighbourhood on the north side of Weldrick Road West (refer to Map 8).

A portion of the subject lands are within the Toronto and Region Conservation Authority (TRCA) regulated area due to their proximity to a regional storm floodplain, crest of slope and meanderbelt associated with Patterson Creek to the west. The submitted Site Plan identifies the existing floodplain and its associated buffer on the subject lands. Given the presence of a floodplain, the **Natural Hazard** policies in accordance with **Section 3.2.2.3** of the Plan apply to the subject lands. **Natural Hazards** such as flooding, erosion and slope failures pose a risk to human health and safety, as well as to property. As a matter of public safety, it is important to reduce the potential risks and costs associated with natural hazards by ensuring that development is directed away from these areas.

Accordingly, development and site alteration is prohibited within the floodplain subject to Conservation Authority regulations and the natural hazard policies of the PPS 2024. **Section 3.2.2.3** of the Plan sets out that a minimum protection zone (or buffer) of 10 metres (32.81 feet) be provided and enhanced from the outer limits of hazardous lands and hazardous sites. Further, **Section 3.2.1.2** of the Plan requires the establishment of Minimum Vegetation Protection Zones to provide for appropriate buffers to Key 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 through the development approval process to a public authority, where appropriate.

Based on the preceding, a more detailed review and evaluation of the proposed amendments 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 the future recommendation report to Council.

Zoning By-law

The subject lands are zoned **Second Density Residential (R2) Zone** and **Flood (F) Zone** under Zoning By-law 2325, as amended. The **R2 Zone**, which applies to the easterly portion of the applicants' land holdings permits one (1) single detached dwelling, amongst other uses, on an individual residential lot. The **F Zone** portion of the lands, which applies to an area located at the southwest corner of the site, permits conservation, forestry and recreational uses. Buildings and structures are not permitted in the **F Zone** except where they are intended for flood and erosion control. Although the **R2 Zone** permits single detached dwellings, it does not permit single detached dwellings on a private common element condominium road, as currently proposed.

Page 8

In this regard, the applicants are seeking Council's approval to rezone the subject lands to **Fourth Density Residential (R4) Zone** with site specific provisions under Zoning By-law 2523, as amended, to facilitate the development proposal. Outlined below is a comparison of the proposed development standards relative to the associated parent **R4 Zone**, with the requested exceptions in bold:

Development Standard	R4 Zone Standards under By-law 2523, as amended	Proposed R4 Zone Standards
Minimum Lot Frontage	15.24 metres (50 feet)	11.5 metres (37.73 feet)
Minimum Lot Area	557.42 square metres (6,000 square feet)	240 square metres (2,583.34 square feet)
Maximum Lot Coverage	20%	55%
Minimum Front Yard Setback	7.62 metres (25 feet)	1.5 metres (4.92 feet)
Minimum Side Yard Setback	1.52 metres (5 feet)	0.6 metres (1.97 feet)
Minimum Rear Yard Setback	7.62 metres (25 feet)	4 metres (13.12 feet)
Maximum Building Height	10.66 metres (35 feet)	14 metres (45.93 feet)
Minimum Ground Floor Area	58.53 square metres (630 square feet)	4.76 square metres (51.24 square feet)

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

City Department and External Agency Comments:

The subject Official Plan and Zoning By-law Amendment applications and associated background studies and reports submitted in support of same have been circulated to various City departments and external agencies for their review and comment. Comments have been received from Alectra Utilities, Rogers, York Catholic District School Board and York Region District School Board. 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. These comments have been forwarded to the applicants for consideration but have not been appended to this report.

At the time of writing this report, the applications remain under review by the City's Park and Natural Heritage Planning, Building Services – Zoning Division, Infrastructure and

Page 9

Development Engineering Services, Community Services – Waste Collection, Community Services – Fire Protection, Corporate and Financial Services Department, the TRCA, York Region, Bell, Enbridge Gas, Hydro One, Canada Post, Conseil Scolaire Viamonde and Conseil Scolaire De District Catholique Monavenir.

Heritage and Urban Design Section

The City's Heritage and Urban Design Section have provided comments with respect to the applicants' site specific Official Plan amendments and the proposed low rise built form (refer to Appendix "C"). Specifically, staff recommend the applicant revise the proposal to ensure the provision of sidewalks on both sides of the proposed private common element condominium road with a minimum width of 1.5 metres (4.92 feet) to ensure safe, continuous, and accessible pedestrian connections throughout the development. Clarification has also been requested regarding the orientation and front yard setback of the single detached dwelling proposed along Weldrick Road West in relation to the adjacent existing dwelling at 180 Weldrick Road West which is proposed to be retained and expanded.

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 low-rise low density residential development to be comprised of single detached dwellings with purpose built ARUs are permitted land uses within the **Neighbourhood** designation applicable to the subject lands;
- further review and evaluation of the proposal is required to determine the impact and appropriateness of the proposed development in accordance with **Section 4.9.2** of the Plan as it relates to compatibility with the existing area, building forms and types, massing, landscaped areas and treatments and the general pattern of setbacks;
- the applicants have submitted a Concept Block Plan which demonstrates how the proposed development may fit with existing and future development in the surrounding neighbourhood in accordance with the policies of the Plan;
- based on the plans and materials submitted, portions of the proposed development, including the existing dwelling proposed to be retained and enlarged at 180 Weldrick Road West, are located within an area identified as a floodplain and its associated buffer. **Section 3.2.2.3** of the Plan prohibits development and site alteration within the floodplain, subject to TRCA's regulations. Furthermore, a protection zone of 10 metres (32.8 feet) applies to the flood hazard, which is to be conveyed to a public agency where appropriate. In this regard, comments from the City's Park and Natural Heritage Planning Section and the TRCA are critical to confirm the extent of the natural heritage features, the floodplain, and appropriate buffers on the subject lands in order to evaluate the appropriateness of the development proposal,

Page 10

including the proposed addition to the existing single detached dwelling which is proposed to be retained;

- the applicants must confirm how the future lots and Parcel of Tied Land (POTLs) will be created given that the underlying Plan of Subdivision has been deemed to not be a Plan of Subdivision in accordance with By-law 91-78;
- staff will continue to review the appropriateness of the applicants' draft Zoning By-law, including the proposed development standards. The applicants will be required to adjust the limits of the current **Flood (F) Zone** to reflect the updated limits of the existing floodplain on the subject lands;
- the applicants have identified that each of the proposed single detached dwellings are to accommodate up to two (2) additional residential dwelling units ("ARU's"). The proposed ARU's shall comply with the applicable Plan policies and By-law 143-24;
- the applicants must satisfactorily address comments and/or requirements identified by City departments and external agencies that have been requested to review the proposed development. In this regard, it is noted that the application is still under review by a number of City departments and external agencies; and,
- future Site Plan, draft Plan of Subdivision and draft Plan of Condominium will be required to facilitate the proposed development.

A comprehensive review and evaluation of the subject Official Plan and Zoning By-law Amendment applications will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public. Staff will continue to review the form, content and appropriateness of the proposed draft Official Plan and Zoning By-law Amendments, including the site specific uses, and standards requested by the applicants. 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 the 2024-2027 Strategic Plan. An overview of how the subject applications are 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.

Page 11

- Appendix “A” – Applicants Draft Official Plan Amendment
- Appendix “B” – Applicants Draft Zoning By-law Amendment
- Appendix “C” – Memo from Urban Design and Heritage Section
- Map 1 – Aerial Photograph
- Map 2 – Neighbourhood Context
- Map 3 – Existing Zoning
- Map 4 – Official Plan Land Use Designation
- Map 5 – Proposed Site Plan
- Map 6 – Proposed Elevations
- Map 7 – Proposed Boundary Adjustment
- Map 8 – Concept Block Plan

Page 12

Report Approval Details

Document Title:	SRPBS.25.052 - Request for Comments - City Files OPA-25-0004 and ZBLA-25-0007.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Applicants Draft OPA.pdf- Appendix B - Applicants Draft ZBA.pdf- Appendix C - Memo from Urban Design.pdf- Map 1 - Aerial Photograph.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Existing Zoning.docx- Map 4 - Official Plan Designation.docx- Map 5 - Proposed Site Plan.docx- Map 6 - Proposed Elevations.docx- Map 7 - Proposed Boundary Adjustment.docx- Map 8 - Concept Block Plan.docx
Final Approval Date:	May 7, 2025

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

Deborah Giannetta - May 7, 2025 - 9:33 AM

Gus Galanis - May 7, 2025 - 9:35 AM

Darlene Joslin - May 7, 2025 - 11:29 AM