

SUBJECT: PRELIMINARY REPORT
Three Applications for Zoning By-law Amendment to facilitate the future severances and the creation of new lots with site-specific zoning provisions by Regency Property Inc. (Reego Xue) at 4 Sabiston Drive (two new lots), 14 River Bend Road (two new lots), and 15 River Bend Road (four new lots) (Ward 3)
File Nos. PLAN 21 130958, PLAN 21 130969, PLAN 21 130977

PREPARED BY: Justin Mott, extension 2444
Development Technician, Development Services

REVIEWED BY: Stephen Lue, M.C.I.P., R.P.P., extension 2520
Development Manager, Central District

RECOMMENDATION:

1. That the report dated December 6, 2021, titled "PRELIMINARY REPORT, Three Applications for Zoning By-law Amendment to facilitate the future severances and the creation of new lots with site-specific zoning provisions by Regency Property Inc. (Reego Xue) at 4 Sabiston Drive (two new lots), 14 River Bend Road (two new lots), and 15 River Bend Road (four new lots) (Ward 3), File Nos. PLAN 21 130958, PLAN 21 130969, PLAN 21 130977, Ward 3, be received.

PURPOSE:

This report provides preliminary information on the three separate Applications for Zoning By-law Amendment (the "Applications") submitted by Regency Property Inc. (Reego Xue) (the "Owner") to facilitate the future severances and the creation of new lots with site-specific zoning provisions. This report contains general information in regards to applicable Official Plan policies and the identified issues and should not be taken as Staff's opinion or recommendation on the Applications.

Process to date

Staff deemed the Applications complete on September 16, 2021. The *Planning Act* sets out a 90-day period after which an applicant can appeal an application to the Ontario Land Tribunal (the "OLT") for a non-decision. This period ends on December 15, 2021, after which the applicant would be in the position to appeal the application for a non-decision to the OLT.

Next Steps

- Holding the statutory Public Meeting at a future date, when appropriate
- Consideration of a Recommendation Report by the Development Services Committee ("DSC")

- In the event of an approval, adoption of site-specific Zoning By-law Amendments by Council
- Submission of the future Consent applications to the Committee of Adjustment will follow to address the land severances
- Approval of the Site Plan Control applications for each new lot

BACKGROUND:

Locations and Area Context

Figures 1 and 2 show the subject lands (collectively referred to as the “Subject Lands”) within the Oakcrest/Sabiston community, which are undergoing a transition with several properties having received rezoning approvals to facilitate severances. Figure 3 shows the surrounding lands uses. The Subject Lands consist of the following properties:

- a) 4 Sabiston Drive (“4 Sabiston”) has an area of approximately 0.202 ha (2,028.20 m²), a frontage of approximately 38.61 m (126.67 ft), and contains a one-storey single detached dwelling constructed in 1952, with mature vegetation parallel to the front and rear lot lines
- b) 14 River Bend Road (“14 River Bend”) has an area of approximately 0.23 ha (2,312 m²), a frontage of approximately 30.48 m (100 ft), and contains a one-storey single detached dwelling constructed in 1972. 14 River Bend abuts the Rouge River Valley system
- c) 15 River Bend Road (“15 River Bend”) has an area of approximately 0.222 ha (2,223.77 m²), a frontage of approximately 85.34 m (279.98 ft), and contains a one-storey single detached dwelling constructed in 1964. 15 River Bend maintains a generally flat topography and contains some mature trees

The Proposed Developments

The Owner proposes to rezone the Subject Lands from “Single Family Rural Residential” (RRH) to “Single Family Residential” (R3), under By-law 122-72, as amended, with site-specific development standards to facilitate the severances at 4 Sabiston (two new lots, as shown on Figure 4), 14 River Bend (two new lots, as shown on Figure 5), and 15 River Bend (four new lots, as shown on Figures 6 to 9) (the “Proposed Developments”).

The intent of the Proposed Developments is to demolish the existing dwellings, which have no heritage value, and construct two-storey dwelling units on each lot, for a total of eight new dwelling units on the Subject Lands. Figures 4 to 9 illustrates the proposed dwellings and summarizes their respective proposed development standards. .

Staff will continue to work with the Owner to refine the Proposed Developments prior to any Consent to Sever and Site Plan Approval applications, should Council approve the current Applications.

Provincial and Region of York Policies

In considering the Applications, Staff will assess consistency with the 2020 Provincial Policy Statement, conformity with the 2019 Growth Plan for the Greater Golden Horseshoe, and conformity with the York Region 2010 Official Plan.

2014 Markham Official Plan (the “2014 Official Plan”)

The Subject Lands

Policy 8.2.3.5, Development Criteria – Infill, of the 2014 Official Plan requires that in consideration of an application(s) for development approval on lands designated “Residential Low Rise”, Council shall ensure infill development respects and reflects the existing pattern and character of adjacent area by adhering to the development criteria including, but not limited to, lot frontage, lot area, heights, massing and scale, setbacks, and existing trees and vegetation.

14 River Bend

The 2014 Official Plan designates 14 River Bend “Residential Low Rise” and “Greenway”, which are both subject to the “Site Specific Area” (Policy 9.19.2) where the approval for land severance to create one new lot shall also be subject to the Toronto and Region Conservation Authority review. Under the same policy, Council may consider a zoning by-law amendment to permit one additional dwelling unit for the new lot created within the “Site Specific Area” equal to one half of the area and frontage of lots from the original plans of subdivision.

The “Residential Low Rise” designation permits the proposed single detached dwelling use as shown in Figures 4 and 5. The “Greenway” designation applies only to the rear portion 14 River Bend as part of the City’s Natural Heritage Network and permits dwelling units.

4 Sabiston and 15 River Bend

The 2014 Official Plan designates 4 Sabiston and 15 River Bend “Residential Low Rise”, which is reflected in the Zoning By-law (See Figure 2) and permits the single detached dwelling use.

Zoning

By-law 122-72, as amended by 16-93, zones the Subject Lands “Single Family Rural Residential” (RRH), which permits single-family detached dwellings on lots with a minimum lot frontage of 30.5 m (100 ft) and a minimum area of 0.2 ha (0.5 ac). By-law 16-93 is an area specific infill by-law that applies to the subject lands and contains specific infill developments standards. The rear portion of 14 River Bend is zoned “Open Space” (O1), which permits golf courses, public or private parks, athletic fields, and public conservation projects.

The draft Zoning By-law Amendments (“draft ZBLA”) submitted by the Owner in support of the Applications propose to rezone the Subject Lands from “Single Family Rural Residential” (RRH) to “Single Family Residential” (R3), with the respective site-specific development standards, shown on Figures 4 to 9, inclusive.

OPTIONS/ DISCUSSION:

The following summarizes the matters raised to date. These matters, as well as other matters identified through the circulation and detailed review of the Applications for the Proposed Developments will be addressed in a final Recommendation Report to the DSC:

- 1) Staff are reviewing the submitted Planning Justification Brief and draft ZBLA, prepared by JKO Planning Services Inc. Staff will provide further comments on these documents, if necessary, in a future Recommendation Report.
- 2) Review of the appropriateness of the Proposed Developments and the draft ZBLA, with regard for the following:
 - a) compatibility with existing and planned surrounding land uses;
 - b) the appropriateness of the proposed buildings and site design;
 - c) built form and massing, and building location/orientation;
 - d) traffic impacts, driveway access, and parking; and,
 - e) municipal servicing.
- 3) Review of all technical studies submitted in support of the Proposed Developments including, but not limited to, the following:
 - a) Environmental Impact Study;
 - b) Phase One Environmental Site Assessment; and
 - c) Stormwater Management Report;
- 4) The Proposed Developments must have regard for any requirements of external agencies including, but not limited to, the TRCA.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Proposed Developments will be reviewed in the context of City's strategic priorities, including safe, sustainable, and complete communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications have been circulated to various departments and external agencies and their requirements will be addressed as part of a future recommendation report.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning and Urban Design

Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Area Context and Zoning
- Figure 3: Aerial Photo (2020)
- Figure 4: Site Plan (4 Sabiston) North and South Lots
- Figure 5: Site Plan (14 River Bend) East and West Lots
- Figure 6: Site Plan (15 River Bend) Lot 1
- Figure 7: Site Plan (15 River Bend) Lot 2
- Figure 8: Site Plan (15 River Bend) Lot 3
- Figure 9: Site Plan (15 River Bend) Lot 4

Applicant/Agent:

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