



Report to the Committee of Adjustment Minor Variance Application

Date: April 16, 2025
Address: 1000 Elgin Mills Road East
Owner(s): Elgin House Properties Ltd.
Applicant: KLM Planning Partners Ltd.
File Number(s): MV-25-18
Related Application(s): N/A
Hearing Date: April 24, 2025
Prepared By: Francesco Caparelli, Planner I

Application Request

The following relief to Zoning By-law 55-15, as amended, is requested:

	By-Law Requirement	Proposed	Deficiency
Minimum Number of Parking Spaces	1.38 Parking Spaces per dwelling Unit, of which 0.25 parking spaces per dwelling unit shall be for visitors	1.38 parking spaces per dwelling unit, of which 0.24 parking spaces per dwelling unit shall be for visitors	0.01 parking spaces per dwelling unit for visitors

The applicant is requesting relief from the requirements of the City of Richmond Hill Zoning By-law 55-15, as amended..

Background

Subject Property and Area Context

The subject lands, municipally known as 1000 Elgin Mills Road East are generally located on the north side of Elgin Mills Road East, east of Bayview Avenue, and south of Saigon Drive, and have a total lot area of approximately 4.04 hectares (9.99 acres). The lands support an approved medium/high density residential development which has been constructed.

The lands abut two existing retirement residences (Hilltop Place and Brookside Court) and Elgin Mills Road East to the south and southwest, approved medium density residential uses to the west (City File D06-17042), approved low density residential uses to the north (City File D03-03006), and proposed low and medium density

residential uses to the east (City File D03-17001).

Official Plan

The subject lands are designated “Medium/High Density Residential” and “Natural Heritage System” in the North Leslie Secondary Plan (the “Secondary Plan”) in accordance with Schedule “A” – (Land Use Plan), as amended by Official Plan Amendment 9 (“OPA 9”) adopted by City Council in 2017, and further amended by Official Plan Amendment 35 (“OPA 35”) adopted by City Council in June 2022. A wide range of uses are permitted within the Medium/High Density Residential designation including townhouses, stacked townhouses, back-to-back townhouses, low-rise to mid-rise apartment buildings and other similar housing forms in accordance with the density and height requirements of the Secondary Plan.

Zoning

The subject lands are currently zoned “Multiple Residential Ten” (RM10) Zone and “Environmental Protection Two” (EPA2) Zone under By-law 55-15, as amended by By-laws 108-18 and 95-22. The RM10 Zone permits residential apartment buildings and stacked townhouse dwellings as approved and created on the subject lands. The EPA2 Zone permits agriculture, conservation, forestry, and stormwater management facilities.

Related Applications on The Subject Lands

D01-21005, D01-15007, D02-21008, D02-15036, CON-23-0004, CON-23-0005, CON 23-0006, CON-23-0007, CON-23-0008, and D06-21032.

Planning Comments

Planning Staff have evaluated the requested minor variance pursuant to the prescribed tests as set out in Section 45 (1) of the *Planning Act*, as follows:

1) Does the proposed variance meet the general intent and purpose of the Official Plan?

The “Medium/High Density Residential” designation permits townhouses, stacked townhouses, back-to-back townhouses, low-rise to mid-rise apartment buildings and other similar housing forms in accordance with the density and height requirements of the Secondary Plan. The approved medium and high density development is consistent with the uses contemplated within the Medium/High Density Residential designation applicable to the lands. The portion of the lands designated Natural Heritage System containing the existing heritage designated single detached dwelling and accessory structure (Steckley-Eyer House and Stone Shed) which has been retained, also conforms with the site-specific provisions of the Secondary Plan.

Staff are of the opinion that the requested variance is in keeping with the general intent and purpose of the Official Plan.

2) Does the proposed variance meet the general intent and purpose of the Zoning By-law?

The intent of the Zoning By-law for the required parking spaces and visitor parking spaces per dwelling is to ensure that there is sufficient parking available

for both residents and visitors on the subject lands. The by-law requirement for the number of parking spaces per dwelling unit is 1.38 parking spaces per unit. The proposed parking rate is sufficient for the number of dwelling units, however the number of visitor parking spaces required is deficient. The by-law requirement for visitor parking spaces per dwelling unit is 0.25 parking spaces per dwelling unit. The approved condominium is deficient 6 visitor parking spaces and therefore the visitor parking rate is 0.24 visitor parking spaces per dwelling unit. Furthermore, the parking rate is deficient 0.01 visitor parking spaces per unit and will not negatively impact the approved and constructed condominium.

Staff are of the opinion that the proposed variance maintains the general intent and purpose of the Zoning By-law.

3) Is the proposed variance considered desirable for the appropriate development of the land?

The approved condominium is compatible with and in keeping with the existing character of the neighbourhood, particularly with respect to building massing and scale. The proposed visitor parking rate will not negatively impact the subject lands and surrounding neighbourhood.

Staff are of the opinion that the proposed variance is desirable for the appropriate development of the land.

4) Is the proposed variance considered minor in nature?

In the opinion of staff, the proposed variance is considered minor in nature as the proposed visitor parking rate is deficient 0.01 visitor parking spaces per unit and will not adversely impact the subject lands and surrounding neighbourhood. Furthermore, the proposed condominium will not result in negative impacts to the streetscape or functionality of the subject lands and abutting properties.

Staff are of the opinion that the requested variance is minor in nature.

Additional Comments

The subject minor variance application was circulated to Municipal Departments and external agencies for review and comment, as outlined below:

Department or Agency	Comments
Zoning Section	The requested variance(s) are correct. No other areas of non-compliance were identified.
Development Engineering/Transportation	No objections.
Parks & Natural Heritage	No objections.
Heritage	No comments.

Corporate & Financial Services	Not applicable.
Alectra Utilities	No objections. See Appendix D.
Enbridge	No comments.
Bell Canada	No comments.
York Region: Transportation & Community Planning Department	No comments.
Toronto & Region Conservation Authority	No objections. See Appendix E.
CN Rail	No comments.
TransCanada Pipeline	No comments.
Abutting Municipality	No comments.
Ministry of Transportation	No comments.
Ministry of Housing	No comments.
Infrastructure Ontario	No comments.

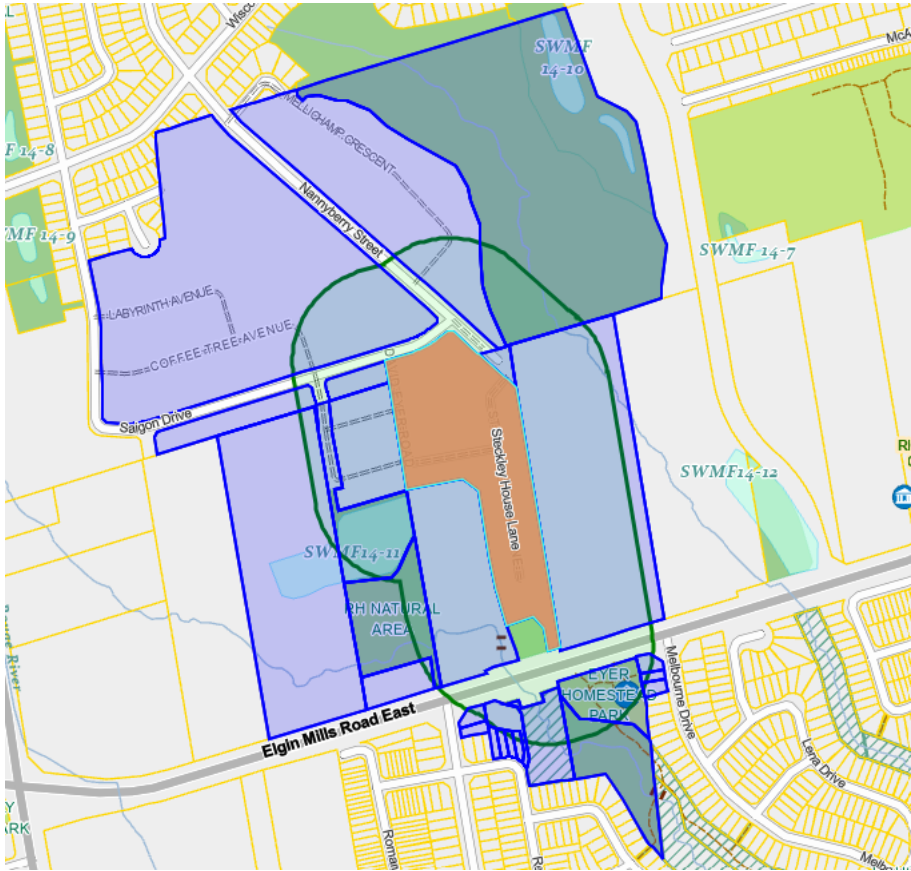
Conclusion

Planning Staff have reviewed the requested variances pursuant to Section 45 (1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and are of the opinion that the requested variance(s) meet the four tests of the *Planning Act* for granting of minor variances. Staff recommend approval of the requested variance(s), subject to the conditions outlined in Appendix 'B'.

Attachments

Appendix 'A' — Location Map
Appendix 'B' — Recommended Conditions of Approval
Appendix 'C' — Site Plan
Appendix 'D' — Alectra Comments
Appendix 'E' — TRCA Letter

Appendix 'A' – Location Map



Appendix 'B' – Recommended Conditions of Approval

The following conditions are recommended should application MV-25-08 be approved by the Committee of Adjustment:

- 1) That the variances pertain only to the request as submitted with the application.
- 2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.

Date: April 1st 2025

Attention: **Courtney Cullum**

RE: Request for Comments

File No.:

Related Files: **MV-25-18**

Applicant: Elgin House Properties Ltd.

Location 1000 Elgin Mills Road East



Discover the possibilities

COMMENTS:

☐

We have reviewed the proposed Variance Application and have no comments or objections to its approval.

☒

We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).

☐

We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Stephen Cranley, C.E.T

Supervisor, Distribution Design, ICI & Layouts (North)

Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

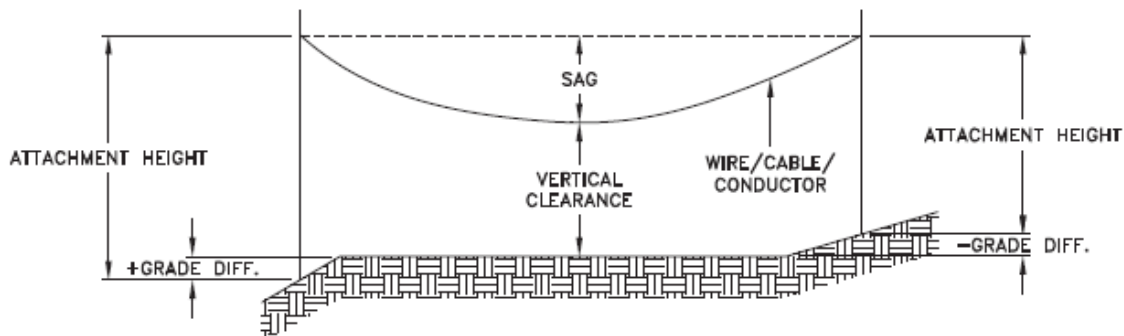
Mitchell Penner

Supervisor, Distribution Design-Subdivisions

Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS</u> AND <u>BICYCLES</u> ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

REFERENCES

SAGS AND TENSIONS | SECTION 02

MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

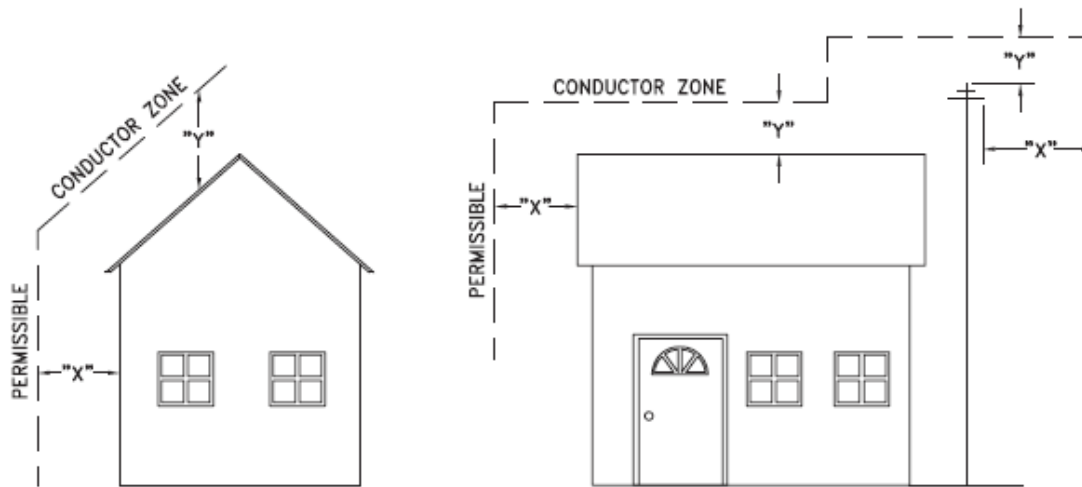
ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval

This construction Standard meets the safety requirements of Section 4 of Regulation 22/04

Joe Crozier, P.Eng. 2012-JAN-09
 Name Date

P.Eng. Approval By: Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
- THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
- THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
- BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
- IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
- DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
- ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Debbie Dadwani, P.Eng.	2010-MAY-05
Name	Date
P.Eng. Approval By: <u>D. Dadwani</u>	

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
P:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 2\3-4\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 9:27:03 AM, Adobe PDF

April 9, 2025

PAR-DPP-2024-00657
XREF: CFN 62162, 52346.04

By Email Only (email: courtney.cullum@richmondhill.ca)

Courtney Cullum
Town of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON
L4B 3P4

Dear Courtney Cullum,

Re: Minor Variance Application MV-25-18
1000 Elgin Mills Road East
City of Richmond Hill, York Region
Owner: Elgin House Properties Ltd.
Agent: KLM Planning Partners Ltd.

This letter provides TRCA staff updates regarding the above noted Minor Variance Application, received April 1, 2025. A list of materials reviewed by TRCA is included in Appendix "A".

TRCA staff have reviewed the application in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Planning Statement (PPS 2024) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed this application in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

Purpose of the Application

Minor Variance Application MV-25-18: The following relief to Zoning By-law 55-15 as amended, is requested to permit a 0.01 parking space deficiency. More specifically the applicant is proposing 1.38 parking spaces per dwelling unit, of which 0.24 parking spaces per dwelling unit shall be for visitors, whereas the By-law permits 1.38 parking spaces per dwelling unit, of which 0.25 parking spaces per dwelling unit shall be for visitors.

O. Reg. 41/24 and CA Act

A portion of the property is located within TRCA's Regulated Area of the Rouge River Watershed and is subject to O. Reg. 41/24 and the CA Act. The property is regulated by TRCA as it is partially traversed by a stream corridor and associated with Regulator Flood Plain along the south end (fronting Elgin Mills Road East) and partially within the 30-metre wetland area of interference of a Provincially Significant Wetland (PSW). As such, a TRCA permit in accordance with Section 28.1 of the Conservation Authorities Act will be required for development activity within TRCA's regulated area.

Application Specific Comments

TRCA staff previously issued a permit for the site grading associated with the proposed development (CFN 62162) and reviewed the applicable Planning Act applications (CFN 52346.04) associated with this property.

No new development is being proposed within TRCA's Regulated Area. Therefore, a new TRCA permit or permit revision in accordance with Section 28.1 of the CA Act will not be required in this instance. Notwithstanding, TRCA has an interest in all future development on the above-mentioned property as it may be subject to a TRCA permit in accordance with Section 28.1 of the CA Act. Given the above, staff have no concerns with the Minor Variance application as currently proposed.

Application Review Fee

We thank the applicant for remitting the application review fee.

Recommendations

Based on the comments noted in this letter, TRCA staff recommend approval of this application

We trust these comments are of assistance. Should you have any questions, please contact me at porter.greatrex@trca.ca

Sincerely,

Porter Greatrex, MCIP, RPP
Planner I
Development Planning and Permits | Development and Engineering Services
PG

Appendix A: Materials Reviewed

- Circulation Memo.
- Application Form.
- Minor Variance Planning Letter, prepared by KLM Planning Partners Ltd., dated March 20, 2025.
- Draft Plan of Condominium, prepared by R-PE Surveying Ltd., dated March 5, 2025.