

Subject: Proposed Zoning By-law Amendment (File No. ZBA20.010) at 6745 Main Street

Staff Report No. DS-044-24

**Department/
Commission:** Development Services Commission

Date: September 11, 2024

Recommendation:

- 1) That Council bring forward a By-law to amend the Town of Whitchurch-Stouffville’s Comprehensive Zoning By-law 2010-001-ZO by applying a site-specific zone to the subject property, 6745 Main Street, and to direct Staff to issue a Notice of Passing upon enactment of the By-law.

Report Highlights

- An application for a Zoning By-law Amendment was submitted by Mihael Vlasov and Dinara Abubakirova in September 2021 for a mixed-use building including apartments and/or medical office uses. The proposal includes retaining the existing building with an addition to the western portion of the existing building.
- A public meeting was held in September 2022 in order to receive public comments on the proposal. Comments were received from members of public and Council.
- Since the public meeting, the application has been revised. The current proposal seeks to rezone the subject property to Residential New Five Exception Four [RN5(4)] zone to permit an apartment building comprising of 6 units, with site-specific exceptions. Eight (8) parking spaces have been proposed. No office use has been proposed.
- Staff recommend that the proposed application be approved, as it represents good planning and is supportable under Provincial Policy and Town’s policy ad regulatory framework.

1. Purpose:

The purpose of this report is to make a recommendation to Council regarding the application for Zoning By-law Amendment (ZBA) which, if passed by Council, would permit the use of the subject property as an apartment building including 6 dwelling units.

2. Background:

An application for Zoning By-law Amendment was submitted by Mihael Vlasov and Dinara Abubakirova on September 10, 2021 (Owner) to rezone the subject property to accommodate a medical office and/or apartment units.

On September 28, 2022, an initial statutory public meeting was held in order to receive Council and public comments on the proposal. In May 2023, a revised submission was received that proposed seven (7) apartment units and no office uses.

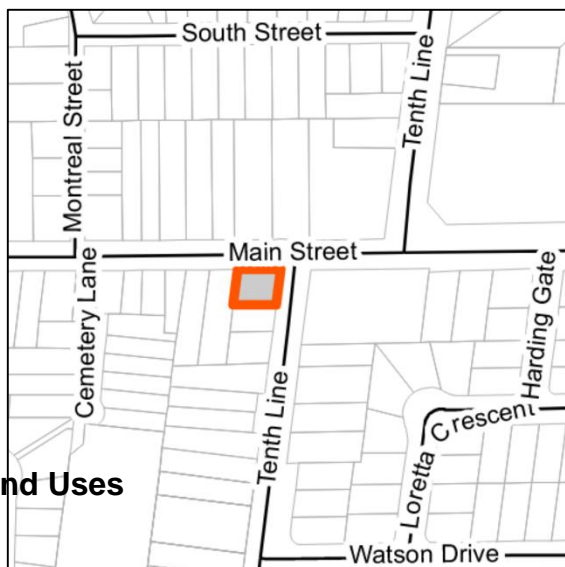
In July 2024, a final submission was received that reduced the proposed unit count to six (6) apartment units and no office use has been proposed. Comments from the Public, Members of Council, and Public Agencies have been reviewed and considered in the writing of this report and the making of the recommendations to Council.

2.1 Location

The subject lands are municipally known as 6745 Main Street and are located on the southwestern corner of Main Street and Tenth Line. The subject property has an approximate area of 694.51 square metres (0.06 hectares) and an approximate frontage of 23.95 metres on Tenth Line. The subject property is currently occupied by a two-storey brick dwelling, currently consisting of residential units.

Attachment 1 to this report is a copy of the location map. **Figure 1** shows the location of the subject property.

Figure 1: Location Map



2.2 Surrounding Land Uses

Below is a description of the adjacent land uses:

North: Main Street and commercial properties zoned Commercial General (CG) and Residential Five (R5).

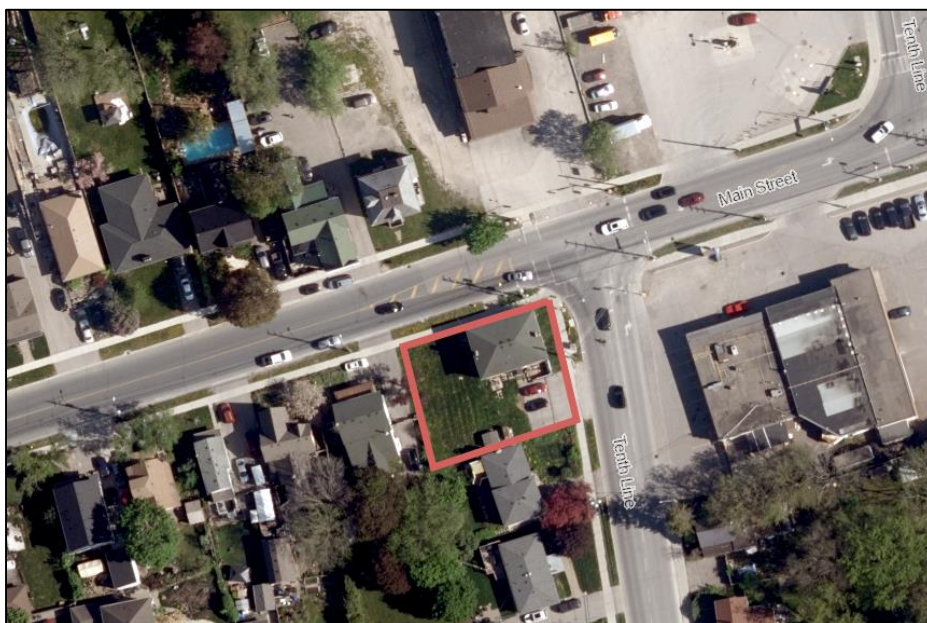
East: Tenth Line and commercial plaza zoned Commercial General (CG) and Residential Five (R5).

South: Low density residential zoned Residential Three (R3).

West: Low density residential zoned Residential Three (R3).

Figure 2 shows an aerial context map, with the subject lands outlined in red.

Figure 2: Aerial Context Map



2.3 Site History

The existing structure on the subject property was built in 1850, possibly as early as 1846, when Edward Wheeler purchased the property from Abraham Stouffer. In 1854, Mr. Wheeler sold the property to Hiram Yake who converted the house into a hotel. With the decline of business in this part of Town in the 1870s, the hotel was converted back into a family dwelling and it remained in the Yake family for a further 114 years.

The building is an example of the late Georgian architectural style and is a landmark at the Tenth Line and Main Street intersection. Historic photos show the property in its time as a hotel with drive sheds to the south, a verandah along tenth line and a two-storey porch along Main Street.

Figure 3 below is an archival photo of the Yake Hote, showing a verandah, porch balcony, and horse stables (Town of WS Museum).

Figure 3: Yake Hotel



The subject property is listed in the Town's Built Heritage Inventory ("BHI") and is not a heritage designated property.

3. Analysis:

3.1 Development Proposal

The sections below provide an overview of the development as proposed for the subject property. The overview includes site statistics and comments/opinions from previous submissions and the required relief from the Town's Zoning By-law.

3.2 Current Proposal (July 2024 Submission)

The current proposal forms part of what is being presented to Council today as well as Staff's recommendation. The applicant is proposing to rezone the subject property in order to accommodate six (6) apartment units. The proposal includes retaining the existing building and an addition of 207 square metres to the western portion of the existing building. The existing parking area is being expanded in order to accommodate eight (8) parking spaces.

Table 1 below outlines the final site statistics from the latest submission.

Table 1 – Site Statistics

Zoning Regulation	Final Statistics	Existing Condition?
Total Unit Count	6	N/A
Residential Density	34.9 units/hectare	N/A
Front Yard Setback (East - Tenth Ln Frontage)	1.85 metres	Yes
Exterior Side Yard Setback (North - Main St Frontage)	1.83 metres	Yes
Interior Side Yard Setback (South)	6.81 metres	N/A
Rear Yard Setback (West)	1.25 metres	No
Minimum Setback for an Above Grade Projection to the Front Lot Line	0.95 metres from lot line	No
Maximum Height	8.37 metres	N/A
Maximum Lot Coverage	31.9%	N/A
Minimum Landscaped Area	16.2%	No
Total Parking Spaces	8 spaces	No
Accessible Parking Spaces	1 space	N/A
Bicycle Parking Spaces	4	N/A
Parking Area Setback to Interior Side Lot Line	0.30 metres	No
Parking Stall Width	2.70 metres	No

**red text indicates site regulations that do not conform or comply with the Town’s Planning Documents.*

Figure 4 below shows an extract of the most recent Site Plan (received in July 2024).

Figure 4: Site Plan Extract (4th Submission)

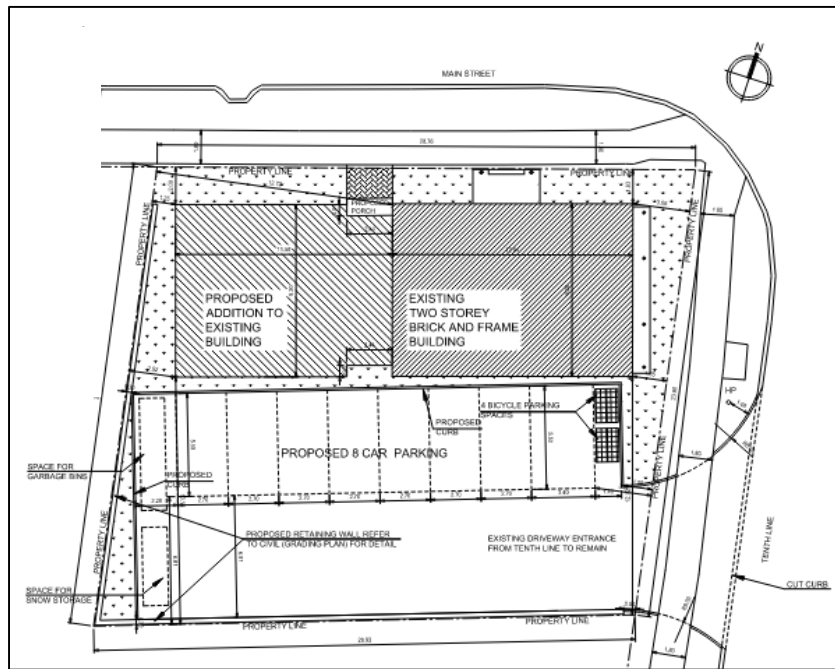


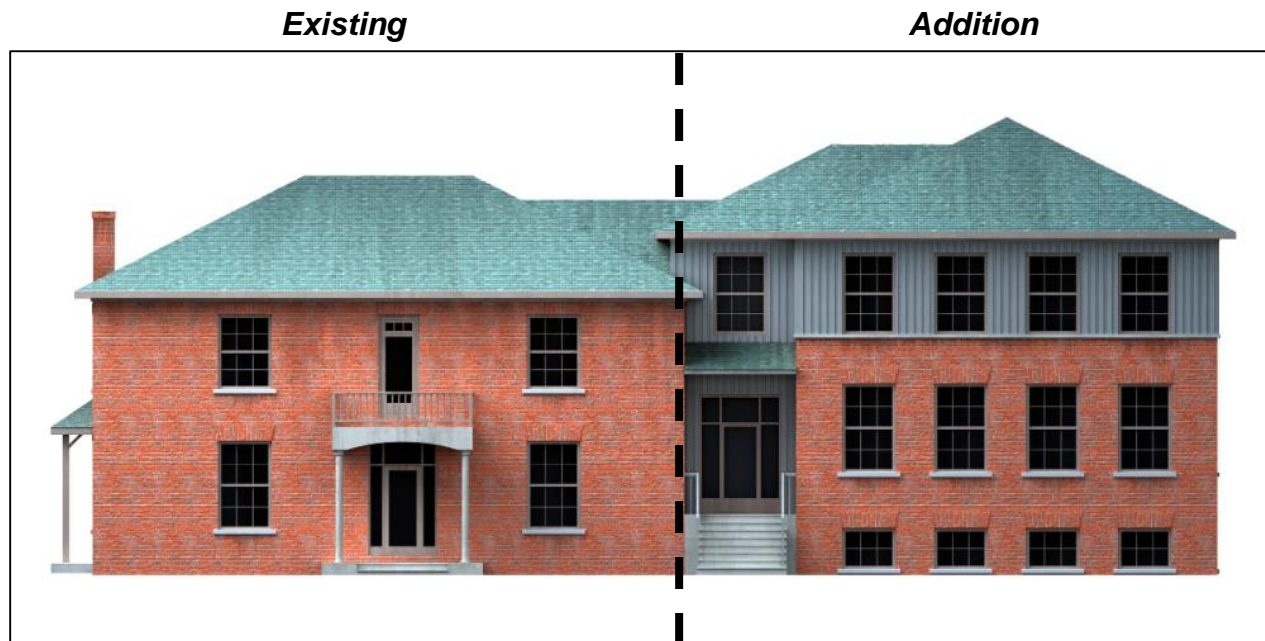
Table 2 below provides zoning-related background information concerning the subject application.

Table 2: Zoning – Permitted Uses

Item	Existing	Requested/Proposed
Zoning By-law Designation	Residential Three (R3)	Residential New Five (RN5)(X) with site specific provisions.
Use	Apartment Building (3 units)	Apartment Building (7 units)

Figure 5 below provides a proposed elevation for the proposed apartment unit (south facing, from Main Street).

Figure 5: South Facing Elevation



3.3 Changes to the Proposal Since the September 2022 Public Meeting

The most recent submission has been revised and refined based on the on-going discussions between the Town, the Property Owner, as well, based on feedback received at the September 2022 Public Meeting. It should be noted that at the time of the Public Meeting, the applicant was proposing a mixed use building incorporating medical office and/or apartment use on the subject property.

At the Public Meeting, concerns were raised over the potential uses being proposed, specifically, the medical office, as it was not seen as appropriate for the site’s location. Additionally, concerns were raised over the parking deficiency that was proposed at the time, as a commercial use would require a substantial amount of parking on-site.

Comments were also raised at the meeting regarding the accessibility of the building, as all of the units are accessed via stairs. In addition, significant concerns were raised about the traffic circulation in the area, access to the property as it relates to proximity to the intersection, and the impact of additional traffic as a result of the medical office use on the property.

Since the September 2022 meeting, the applicant has addressed many of the concerns that were raised through their revised submission. Rather, the proposal is now strictly residential as the medical office use has been removed. While the proposal is deficient in parking (1 space), in staff's opinion the proposed reduction meets the intent of the Zoning By-law and is appropriate for the proposed redevelopment and use. The applicant was unable to address the comments made regarding improving the accessibility of the building given that the building is existing, however, a barrier-free parking space is being proposed.

3.4 Applicable Provincial and Regional Policies

This section will establish the current and relevant policy environment that forms part of the review of the planning applications. The overview will include Provincial Plans and policies, the York Region Official Plan, and the Town's current Official Plan and Secondary Plan.

3.2.1 Provincial Policy Statement (2020)

In April 2023, the Province of Ontario announced proposed changes to the Provincial Policy Statement (PPS) that would consolidate the PPS with the A Place to Grow policy plan, into a new policy document to guide housing and complete communities. The new Provincial Planning Statement 2024 was released by the Province on August 20, 2024 but does not come into effect until October 20, 2024. Currently, the PPS (2020) is still in effect.

The current Provincial Policy Statement (PPS, 2020) establishes policies that set out how municipalities should manage and direct land uses to achieve efficient development and land use patterns.

The PPS provides policies on building strong healthy communities by promoting efficient development and land use patterns which sustain the well-being of the Province and municipalities over the long term and efficiently uses land and resources as well as the efficient use of infrastructure and public services.

PPS policies direct planning authorities to identify appropriate areas for intensification and redevelopment; and, to establish development standards to facilitate the implementation of these policies.

The PPS provides a planning framework to promote intensification, through efficient development and land use patterns, by directing growth and development within Settlement Areas serviced by municipal infrastructure and transit.

The proximity of the subject property to the “Downtown Stouffville MTSA”, the GO Bus availability along Main Street as well as the availability of Local (York Region) Transit along Ninth Line, means that this property is uniquely situated to take advantage of the limited public transportation options available in Stouffville. The proposed redevelopment encourages gentle intensification and represents continued progress and investment into Main Street that would help revitalise the Main Street.

For the reasons set out above, Town Staff are of the opinion that the proposed development is consistent with the Provincial Policy Statement and represents appropriate planning.

3.2.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

As mentioned above, the Province is currently in the review stages of consolidating the PPS with the A Place to Grow policy plan. Until then, the current A Place to Grow plan (known as the “Growth Plan”) is still in effect. The Growth Plan (2020) provides further direction to municipalities for the implementation of the PPS policies with respect to intensification and the accommodation of growth to the year 2051. The Growth Plan’s stated vision for the year 2051 includes the provision of a wide variety of living choices, and urban centres which are characterized by vibrant and more compact settlement and development patterns.

The Growth Plan requires development through intensification and compact urban form. It also provides a framework for the increased use and improvement of infrastructure to support the anticipated population growth. The Growth Plan promotes co-ordination and consistency among land uses and transportation planning and investment in municipal services including water and wastewater systems in order to achieve complete communities.

The subject lands are located within the Built-Up Area of the Growth Plan. Both the PPS and the Growth Plan encourage the intensification of underutilized areas within urban areas that take advantage of existing municipal services and infrastructure.

The proposed development is located within a Settlement Area and provides for gentle intensification of the lands within a recognized growth area. Continual evolution along the Main Street represents good planning desirable for the community, which in turn allows for sustained growth and advancement for a strong and healthy community.

For the reasons set out above, Town Staff are of the opinion that the proposed development conforms with the Growth Plan and represents good planning.

3.2.3 Oak Ridges Moraine Conservation Plan (2017)

The subject site is located within the Oak Ridges Moraine, and as a result, the policies of the Oak Ridges Moraine Conservation Plan (ORMCP) apply. In November 2001, the Province enacted the Oak Ridges Moraine Conservation Act, which established the

authority for the development of a policy framework for the protection of the Oak Ridges Moraine feature. In April 2002 the Province released the Oak Ridges Moraine Conservation Plan. An amendment to the ORMCP was approved by the Lieutenant Governor in Council and became effective July 1, 2017.

The subject site is located within the Settlement Area designation of the ORMCP and is subject to the policies of that Plan. The Settlement Area designation allows for development of lands for all urban uses as permitted within the applicable Official Plan. No environmental designation applies to the subject site. The Toronto Region Conservation Authority have reviewed the application and have no concerns.

Town Staff are of the opinion that the proposed development conforms with the ORMCP and represents good planning.

3.2.4 York Region Official Plan (2022)

The York Regional Official Plan (2022) replaces the previous 2010 York Region Official Plan and provides new guidance on planning and development to support complete communities within the region. The Regional Official Plan (ROP) places the subject properties within the Towns and Villages designation and identified them as being in the existing built-up area of the community of Stouffville.

The York Region Official Plan outlines the population forecasts for the Town of Whitchurch-Stouffville from 2021 to 2051 and estimates that the Town will reach a population of 103,500 people by the year 2051. The ROP identifies Towns and Villages as one of the areas for future growth and development within the Region. The Community Areas are further identified as an area for residential, population-related employment and community services are to be located.

The proposed development supports the need for diverse housing options in Town and supports the objectives of the ROP to establish growth in a Community Area. Staff are of the opinion that the proposed development conforms to the York Region Official Plan.

3.2.5 Town of Whitchurch-Stouffville Official Plan (Community of Stouffville Secondary Plan)

The subject property is designated as Existing Residential Area and Main Street Special Policy Area under the Community of Stouffville Secondary Plan.

The purpose of the Existing Residential Area designation is to provide policies and guide development and redevelopment to ensure that new uses are appropriately integrated into neighbourhoods in a manner that is generally compatible with the existing character and density of these areas. Permitted uses within the Existing Residential Area designation include low and medium density residential uses, including low-rise apartments. Medium density uses are encouraged to front arterial and collector roads.

The purpose of the Main Street Special Policy Area designation under the Community of Stouffville Secondary Plan is to provide policies and guide development and redevelopment that will preserve the facades of existing buildings and structures and enhance landscaping areas on lots with frontage on Main Street. This designation encourages apartment uses in recognition of the area's "high traffic" location.

The proposed development supports the intent of the Official Plan by providing diverse housing options in town, and encourages the preservation, protection, improvement and appreciation of the Town's heritage. Staff are of the opinion that the proposed development conforms to the Town of Whitchurch-Stouffville Official Plan.

Figure 6 below contains an extract of the Community of Stouffville Secondary Plan, highlighting the subject site in the dark purple boundary.

Figure 6: Community of Stouffville Secondary Plan Extract



3.5 New Official Plan (Adopted by Council in May 2024)

At the May 15, 2024, Council meeting, Council adopted the Town's New Official Plan (2024-057-OP). Although adopted by Council, prior to coming into full force and effect, the new Official Plan must be approved by the Province. The Region of York no longer has the jurisdiction to approve the municipal Official Plan.

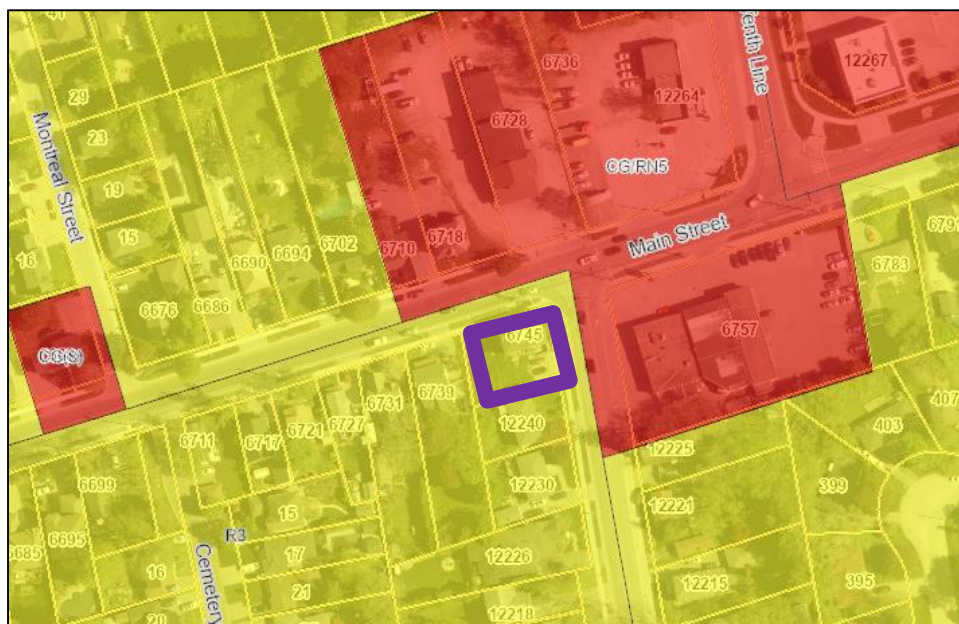
Currently, the policies that are applicable to the subject property and against which the proposed Official Plan Amendment is weighed, are the policies of the Town's existing Official Plan.

3.6 Comprehensive Zoning By-law 2010-001-ZO

The subject property is currently zoned Residential Three (R3) within the Town of Whitchurch-Stouffville’s Comprehensive Zoning By-law 2010-001-ZO (the By-law). The R3 Zone permits a range of low-density residential uses, including single detached, semi-detached, and duplex dwelling types.

Figure 7 contains an extract of the Zoning Map, highlighting the subject site in the dark purple boundary.

Figure 7: Zoning Map Extract



3.7 Proposed Zoning By-law Amendment (File No. ZBA20.010)

To enable the proposed development, the applicant is seeking to amend the Zoning By-law to rezone the subject lands from Residential Three (R3) to the Residential New Five (RN5) Zone. The sought Residential New Five Zone permits the applicable apartment use. In addition to the proposed zone change, several site-specific provisions are presently required for the proposed apartment.

The proposed Zoning By-law regulations are summarized in **Table 3** on the following page. In the event where the proposed development does not comply with the proposed zone standard, the applicant proposes an exception.

Table 3: Proposed Regulations in the RN5 Zone

Applicable Regulations	Required for RN5 Zone	Proposed	Existing Condition?	Comply with RN5 Zone?
Permitted Uses	Apartment Building	Apartment Building	N/A	Yes
Residential Density	Maximum 65 units/hectare	34.9 units/hectare	N/A	Yes
Minimum Front Yard	6 metres	1.85 metres	Yes	No
Minimum Exterior Side Yard	6 metres	1.83 metres	Yes	No
Minimum Interior Side Yard	6 metres	6.81 metres	N/A	Yes
Minimum Rear Yard	6 metres	1.25 metres	No	No
Minimum Setback for an Above Grade Projection to the Front Lot Line	1.5 metres from front lot line	0.95 metres	No	No
Maximum Height	20 metres	8.37 metres	N/A	Yes
Maximum Lot Coverage	35%	31.9%	N/A	Yes
Minimum Landscape Area	35%	16.2%	No	No
Total Parking Spaces	9 (7.5 resident, 1.5 visitor)	8	No	No
Accessible Parking Spaces	0	1	N/A	N/A
Bicycle Parking Spaces	0	4	N/A	N/A
Parking Area Setback to Interior Side Lot Line	1.5 metres	0.30 metres	No	No
Parking Stall Width	2.75 metres	2.70 metres	No	No

3.7.1 Site Specific Exception: Building Setbacks

Amendments have been requested to the required front yard, exterior side yard, and rear yard setback requirements. However, Staff note that the front and exterior side yard amendments are existing non-conformities resulting from the historic siting of the structure in relation to the Town's modern road network.

The 1.25 metre rear yard setback being requested as a result of the proposed addition to the existing structure will continue to permit sufficient access around the perimeter of the structure, as well as appropriate space for grading and drainage purposes. The applicant has submitted a site grading plan that has been reviewed by the Town's Engineering Commission who have no concerns; as such, Staff are of the opinion that the proposed setback amendments are appropriate.

The applicant has also proposed an amendment to the minimum setback for an above grade projection to the front lot line for a covered porch. The Zoning By-law requires above grade projections to be setback a minimum of 1.5 metres from the front lot line, and the applicant is proposing the porch to be located 0.95 metres from the front lot line. It should be noted that a porch did exist in this location when the original building was constructed in the 1800's, and so the applicant has been encouraged to reestablish the porch through this application. Once again, this non-conformity is a result of the historic siting of the structure in relation to the property's existing Tenth Line frontage. The proposed porch structure will be complementary of the existing structure and contribute to the aesthetic of the property and area, and as such, Staff are of the opinion that the proposed amendment is appropriate.

3.7.2 Site Specific Exception: Landscaped Areas

The Zoning By-law requires a minimum landscaped area of 35% in the RN5 Zone. An amendment is being requested to permit a minimum landscaped area of 16.2% on the subject property.

Given the site's existing reductions to the front and exterior side yard setbacks, the ability of the applicant to meet the minimum landscaped area requirement when proposing development on the site is extremely limited. Supplementary to the building addition being proposed on the property, the applicant is also proposing to expand the existing parking area in order to provide additional parking on-site. If the applicant reduced impermeable surfaces on the property in order to accommodate an increase to their landscaped area, the site would be significantly more deficient in the parking requirements. Given the above, Staff are of the opinion that the proposed reduction in the landscaped area is appropriate.

3.6.3 Site Specific Exception: Parking and Setback for Parking Area

The proposed development is required to have a total of 9 parking spaces on-site – 7.5 spaces for residents, and 1.5 spaces for visitors (9 spaces total). The applicant is proposing a total of 8 spaces on the site, which is a reduction of 12% of the required

parking spaces (1 space deficient). An accessible parking space is included as one of the 8 parking spaces being proposed; 4 bicycle parking spaces are also proposed.

Staff are of the opinion that the minor reduction in parking is appropriate for the proposed development given the proximity of the site to nearby transit services that exist along Main Street, including York Region Transit (YRT), and GO Services, as well as the bicycle parking options provided.

Additionally, the Zoning By-law requires a minimum 1.5 metres setback from the driveway/parking area to the interior side lot line. The applicant is proposing a 0.30 metre setback to the existing southern lot line. To meet the applicant's goal of maximizing the proposed parking area while adhering as closely as possible to the Zoning By-law's minimum parking requirements, an expanded parking area encroaching upon this setback requirement is necessary. Engineering Staff have reviewed the site grading plan provided and have no concerns with the reduced setbacks.

3.8 Site Design and Access

The proposed site plan is included in **Attachment 2** to this report. The applicant proposes to maintain the existing listed heritage building at its current location on the corner of Main Street and Tenth Line, while adding an addition to the west side of the building. The building is to be converted for use as a six (6) unit apartment.

Access to the site is to remain from the existing entrance off of Tenth Line. This driveway will lead to a parking area consisting of eight (8) parking spaces in the interior side yard, positioned to the south of the building.

3.9 Heritage Status

The subject property is currently listed on the Town's Built Heritage Inventory (BHI) for its architectural, historical, and contextual value, and is not a heritage designated building.

The applicant has consulted with Staff and brought their proposal forward to the Town's Heritage Advisory Committee (HAC) on May 11, 2020 regarding the proposed addition to the existing structure. At this meeting, the Committee noted that they were generally in support of the application and made some suggestions for the applicant consider. Staff note that these suggestions have been incorporated in the most recent submission.

3.10 Basis for Recommendation

The Development Planning Division has no objection to the proposed Zoning By-law Amendment Application as discussed in the sections above for the following reasons.

- i. The proposed development would offer an attractive building at the eastern entrance to the Main Street Special Policy Area, revitalizing the Main Street.
- ii. The proposed development will preserve the façade of the existing structure.

- iii. The proposed redevelopment entails reuse of the existing building stock and is considered as modest intensification. The proposed development will restore, protect, enhance, and celebrate a unique Heritage property in Town.
- iv. The proposed development will contribute to the Town's goal of creating a range of housing types for future and existing residents of the Town.
- v. The proposed development contributes to the overall intensification targets of the Town, projected for the 2051 planning horizon.

4. Options:

Further to the analysis undertaken in Section 3 of this Report, Town Staff are satisfied that:

- i. The proposed development is generally consistent with the Provincial Policy Statement;
- ii. The proposed development generally conforms to the Growth Plan;
- iii. The proposed development generally conforms to the Oak Ridges Moraine Conservation Plan;
- iv. The proposed development generally conforms to the York Region Official Plan; and,
- v. The proposed development generally conforms to the Town's Official Plan.

Town Staff are satisfied that the proposed ZBA represents appropriate planning for the utilization of the lands. Additionally, the subject Application has fulfilled the requirements for Statutory Public Notice of Complete Application and Public Meeting in accordance with the Planning Act, R.S.O. 1990, c. P. 13.

4.1 Option A (Recommended)

That Council pass the site-specific Zoning By-law Amendment for the subject property. This option is recommended as the proposed Application represents good planning and is supportable under Provincial Policy, Regional and the Town's policy framework.

4.2 Option B

That Council does not pass the site-specific Zoning By-law Amendment for the subject properties. This option is not recommended as the proposed Application represents good planning and is supportable under Provincial Policy Regional and the Town's policy framework.

5. Financial Implications:

None.

6. Alignment with Strategic Plan:

1. A Town that Grows
A Town that grows in support of complete communities

7. Attachments:

Attachment No. 1 – Location Map

Attachment No. 2 – Proposed Site Plan, dated July 9, 2024

Attachment No. 3 – Proposed Elevation Rendering – South Facing

Attachment No. 4 – Proposed Elevation Rendering – North Facing

8. Related Reports:

[Report DS-065-22 dated September 28, 2022 – Application for Zoning By-law Amendment – ZBA20.010 at 6745 Main Street – Public Meeting Report](#)

Author: Kate Trombino, Planner I
Hena Kabir, Manager of Development Planning

For further information on this report, please contact the Department Head: Dwayne Tapp, Commissioner of Development Services at 905-640-1910 or 1-855-642-8697 ext. 2431 or via email at dwayne.tapp@townofws.ca