



## **Staff Report for Council Public Meeting**

**Date of Meeting:** May 8, 2019

**Report Number:** SRPRS.19.076

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** SRPRS.19.076 – Request for Comments –  
Zoning By-law Amendment Application – Shahla  
Siavash Pour – City File D02-18035 (Related  
Files D06-18069 and D06-18070)

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### **Owner:**

Shahla Siavash Pour  
112 Hunt Avenue  
Richmond Hill, Ontario  
L4C 4G9

### **Agent:**

Ahmad Mostafian  
112 Hunt Avenue  
Richmond Hill, Ontario  
L4C 4G9

### **Location:**

Legal Description: Part of Lot 25, Plan 2300  
Municipal Address: 112 Hunt Avenue

### **Purpose:**

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

### **Recommendation:**

- a) That Staff Report SRPRS.19.076 with respect to the Zoning By-law Amendment application submitted by Shahla Siavash Pour for the lands known as Part of Lot 25, Plan 2300 (Municipal Address: 112 Hunt Avenue), City File D02-18035, be received for information purposes only and that all comments be referred back to staff.

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### Contact Person:

Sarah Mowder, Planner I - Subdivisions, phone number 905-771-5475 and/or  
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

### Report Approval:

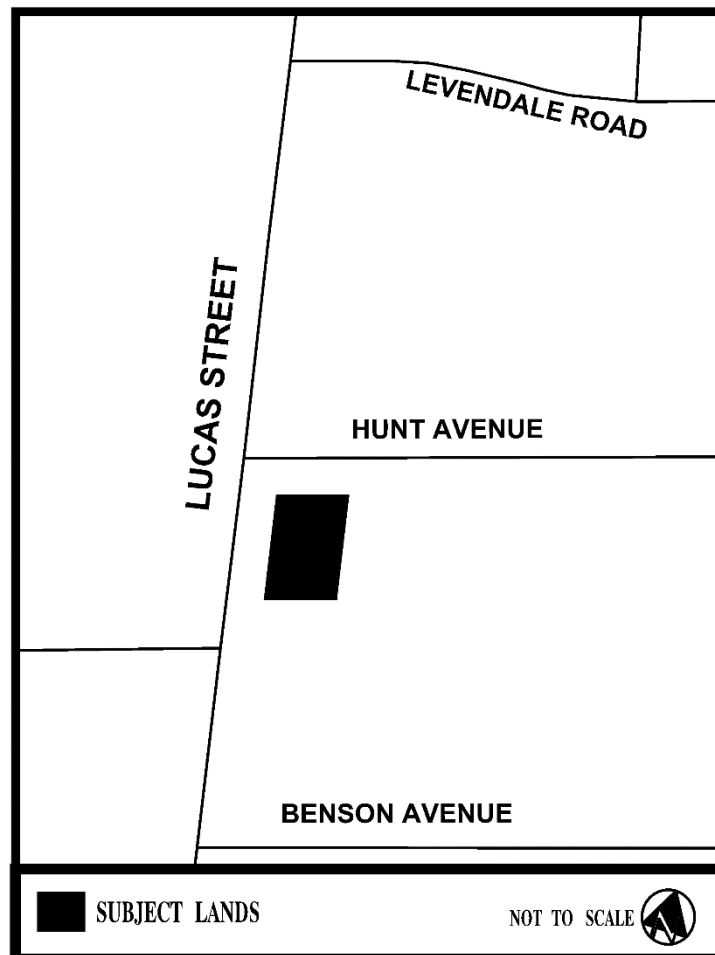
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Neil Garbe, City Manager

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:

Below is a map displaying the property location. Should you require an alternative format call person listed under the “Contact Person” above.



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### Background Information:

The subject Zoning By-law Amendment application and related Site Plan applications (City Files D06-18069 and D06-18070) were received by the City on December 21, 2018 and deemed complete on February 11, 2019, after Bill 139 received Royal Assent on December 12, 2017. The applications were subsequently 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 applications, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

### Summary Analysis:

#### Site Location and Adjacent Uses

The subject lands are located at the southeast corner of Hunt Avenue and Lucas Street (refer to Maps 1 and 2). The lands have a frontage of 20.55 metres (67.42 feet) along Hunt Avenue and a frontage of 29.77 metres (97.67 feet) along Lucas Street, and a total lot area of 0.06 hectares (0.15 acres). The lands presently contain one single detached dwelling, which is to be demolished. Existing uses along Hunt Avenue consist of townhouses and single detached dwellings to the north and south, while Lucas Street contains primarily by low-density development consisting of single detached dwellings and semi-detached dwellings. Abutting lands include a single detached dwelling to the south and an approved townhouse development to the east.

#### Development Proposal

The applicant is seeking Council approval to rezone the subject lands from **Residential Second Density (R2) Zone** to **Residential Multiple Second Density (RM2) Zone** under By-law 66-71, as amended, with site specific exceptions to facilitate a future severance and the construction of two single detached dwellings on its land holdings (refer to Maps 6, 7 and 8). Below is a summary of the pertinent development statistics with regard to the plans and drawings submitted to the City:

- **Total Lot Area:** 0.06 hectares (0.15 acres)
- **Total Lot Frontage (Hunt Avenue):** 20.55 metres (67.42 feet)
- **Number of Dwelling Units:** 2
- **Building Height:** 11.60 metres (38.06 feet)
- **Number of Storeys:** 3
- **Proposed Lot 1 (West):**
  - **Lot Area:** 321.57 square metres (3,461.35 square feet)
  - **Lot Frontage:** 10.88 metres (35.70 feet)
- **Proposed Lot 2 (East):**
  - **Lot Area:** 285.73 square metres (3,075.57 square feet)
  - **Lot Frontage:** 9.67 metres (31.73 feet)

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### Supporting Documentation/Reports

The applicant has submitted the following documents/information to the City in support of the proposed development:

- Planning Justification Statement;
- Site Plan;
- Site Servicing and Grading Plan;
- Elevation Plans;
- Floor Plans;
- Landscape Plan; and,
- Tree Inventory and Preservation Plan Report.

### Zoning By-law Amendment Application

The subject lands are zoned **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended. Permitted uses generally include residential, institutional, recreational and home occupation uses (refer to Map 4). It should be noted that Zoning By-law 66-71, as amended, pre-dates the adoption and approval of the City's Official Plan. Accordingly, the applicant is seeking Council's approval to rezone the subject lands to **Residential Multiple Second Density (RM2) Zone** with site-specific development standards to permit the creation of two single detached dwelling lots fronting onto Hunt Avenue.

The **Residential Multiple Second Density (RM2) Zone** of By-law 66-71, as amended, does not permit single detached dwellings and, as such, there are no zoning provisions for single detached dwelling lots under this zone category. In this regard, the following table provides an outline of the proposed development standards intended to facilitate the applicant's development proposal:

Development Standard	Proposed Development	
Use	Single Detached Dwelling	
	Lot 1 (West)	Lot 2 (East)
<b>Lot Area</b>	321.57 square metres (3,461.35 square feet)	285.73 square metres (3,075.57 square feet)
<b>Lot Frontage</b>	10.88 metres (67.42 feet)	9.67 m (31.73 feet)
<b>Lot Coverage</b>	37.3%	42.5%
<b>Front Yard Setback</b>	5.8 metres (19.03 feet)	
<b>Interior Side Yard Setback</b>	0.6 metres (2.00 feet) <i>between the proposed dwellings</i>	0.6 metres (2.00 feet) <i>between the proposed dwellings</i>  1.2 metres (3.94 feet) <i>from east property line</i>
<b>Exterior Side Yard Setback</b>	2.50 metres (8.2 feet)	n/a
<b>Rear Yard Setback</b>	7.62 metres (25 feet)	
<b>Height</b>	11.60 metres (38.06 feet)	

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### Planning Analysis:

#### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the City’s Official Plan (the “Plan”) (refer to Map 4). Uses permitted within the **Neighbourhood** designation include primarily low-density residential uses, medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the City’s Official Plan. In addition, the subject lands are situated within the boundaries of the Benson Hunt Tertiary Plan approved by Council for this part of the City.

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, and the general pattern of yard setbacks. Where development is subject to an Infill Plan or Tertiary Plan, development shall be evaluated on the basis of the criteria as set out in the applicable Infill Plan or Tertiary Plan approved by Council for the area.

#### Benson/Hunt Tertiary Plan

The subject lands are located within the study area boundaries of the Benson Hunt Tertiary Plan (“Tertiary Plan”) (refer to Map 5). The Benson Hunt neighbourhood is currently undergoing considerable development pressures and is generally characterized by mature trees, unique landscaping features, and a blend of older and newer dwellings with a trend towards larger dwellings and higher density residential development. The objective of the Tertiary Plan is to guide intensification of the neighbourhood and to address the appropriate transition from low to medium density built form within the context of the existing development patterns. In addition to providing direction on the appropriate location and design guidelines for medium density residential development, the Tertiary Plan identifies areas of low density development that are to be protected. In accordance with Official Plan Policy 4.9.2(4), development shall conform with the criteria described in the Tertiary Plan approved by Council for the area.

In accordance with Section 4.0 of the Tertiary Plan, the subject lands are located within the “Transition Area”, which permits townhouse dwellings, semi-detached dwellings and single detached dwellings subject to the criteria set out in Section 5.0 of the Tertiary Plan. The “Transition Area” allows for a maximum building height of 2 storeys for lots abutting existing low density dwellings and 3 storeys for lots abutting existing medium density dwellings. In accordance with Section 5.4, the maximum building height permitted for a single detached dwelling is 2 storeys. New dwellings shall be designed in consideration of Section 5.3.1 which provides design criteria for the Lucas Street Transition area.

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A more detailed review and evaluation of the submitted applications will be completed following the receipt of comments from Council, the public and City departments and external agencies.

### Department and External Agency Comments:

The subject Zoning By-law Amendment application and the 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. The following is a summary of the comments received as of the time of writing of this report.

#### Park and Natural Heritage Planning Section

Park Planning staff has identified conflicts between the proposed grading/swales and tree protection zones along the east and south property lines of the subject lands. Additionally, in accordance with Section 5.2 of the Tertiary Plan, the applicant is to provide street tree plantings along Hunt Avenue and Lucas Street. Other comments have been provided regarding tree protection fencing which will be addressed during the Site Plan approval process.

#### Urban Design Section

Urban Design staff has provided preliminary comments regarding the proposed design of the dwellings. Specifically, staff has advised that the proposed elevations as depicted on the plans are not functional as there are inconsistencies between the floor levels on the elevations and floor plans, which depict windows and door openings that are not physically possible. Recommendations have also been provided regarding the design of the dwellings. Staff suggest simplifying the exterior elevation along Lucas Street to fit the existing context and create a more appropriate streetscape.

#### Development Planning Division

Development Planning staff has undertaken a preliminary review of the applicant's development proposal, including plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan, which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed single detached dwellings are permitted within the **Neighbourhood** designation of the Official Plan and within the **Transition Area** of the Tertiary Plan approved by Council;
- the design, massing, setbacks and footprint of the proposed single detached dwellings will be assessed on the basis of the guidelines contained within the Tertiary Plan and shall maintain general compatibility with adjacent and surrounding development;
- the proposed development deviates from the approved Tertiary Plan recommendations with regards to the maximum number of storeys, minimum side

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- yard setbacks and maximum lot coverage, and design components such as the scaling of the garage. The applicant must revise the submitted plans accordingly;
- the applicant is advised that the proposed **RM2 Zone** category does not permit single detached dwellings. In this regard, the applicant must review the applicable Zoning By-law and propose a zone category which supports the proposed form of development;
  - the applicant must submit revised plans that are to scale and provide for a dwelling design that is functional as the elevation and floor plans are currently inconsistent and propose window and door openings that do not work; and,
  - staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment. The appropriateness of the zoning category and site specific provisions proposed by the applicant will continue to be reviewed with respect to compatibility, design and conformity with applicable planning policy.

A comprehensive review of the subject application will be conducted following the receipt of comments and feedback from 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 Committee of the Whole meeting.

### **Other City Department and External Agency Comments**

Comments have also been received from the City's Zoning Section, the Financial Services Division, the Community Services Department and the Fire and Emergency Services Division, in addition to the Toronto and Region Conservation Authority, the Regional Municipality of York, and Alectra Utilities. These City departments and external agencies have no objections to the proposed Zoning By-law Amendment application and/or have provided comments or conditions to be addressed by the applicant during the more detailed implementation stage of the approval process.

### **Outstanding City Department and External Agency Comments**

As of the writing of this report, comments remain outstanding from the City's Development Engineering Division and Building Section, Canada Post, le Conseil Scolaire catholique MonAvenir, Enbridge Gas Distribution Inc., Bell Canada, the York Catholic District School Board and the York Region District School Board.

### **Financial/Staffing/Other Implications:**

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

### **Relationship to the Strategic Plan:**

The recommendation of this report does not have any direct implications with respect to the City'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 applicant's development proposal.

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### **Conclusion:**

The applicant is seeking Council's approval of its proposed Zoning By-law Amendment application to permit a future severance and the construction of two (2) single detached dwellings on the subject lands. The purpose of this report is to provide Council and the public with an overview of the development proposal and to discuss the regulatory regime governing the evaluation of this planning application. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration.

### **Appendix Contents and Maps:**

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format, please call contact person listed in this document.

- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Official Plan Designation
- Map 4 Existing Zoning
- Map 5 Tertiary Plan Boundary
- Map 6 Proposed Site Plan
- Map 7 Proposed Elevation Plans – Corner Lot
- Map 8 Proposed Elevation Plans – Interior Lot



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### Report Approval Details

Document Title:	SRPRS.19.076 - Request for Comments - 112 Hunt Avenue - File Number D02-18035.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPRS.19.076 - MAP 1 - AERIAL PHOTOGRAPH.pdf</li><li>- SRPRS.19.076 - MAP 2 - NEIGHBOURHOOD CONTEXT.pdf</li><li>- SRPRS.19.076 - MAP 3 - OFFICIAL PLAN DESINATION.pdf</li><li>- SRPRS.19.076 - MAP 4 - EXISTING ZONING.pdf</li><li>- SRPRS.19.076 - MAP 5 - TERTIARY PLAN BOUNDARY.pdf</li><li>- SRPRS.19.076 - MAP 6 - PROPOSED SITE PLAN.pdf</li><li>- SRPRS.19.076 - MAP 7 - PROPOSED ELEVATION PLANS (CORNER LOT).pdf</li><li>- SRPRS.19.076 - MAP 8 - PROPOSED ELEVATION PLANS (INTERIOR LOT).pdf</li></ul>
Final Approval Date:	Apr 25, 2019

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

**Gus Galanis - Apr 24, 2019 - 4:39 PM**

**Kelvin Kwan - Apr 25, 2019 - 8:21 AM**

**Neil Garbe - Apr 25, 2019 - 9:16 AM**