



Staff Report for Council Public Meeting

Date of Meeting: June 5, 2019
Report Number: SRPRS.19.105

Department: Planning and Regulatory Services
Division: Development Planning

Subject: **SRPRS.19.105 – Request for Comments –
Zoning By-law Amendment Application – Farzad
Eslami and Iman Esfahani-Alasl – City File D02-
19001 (Related File D06-19014)**

Owner:

Farzad Eslami and Iman Esfahani-Alasl
142 Snively Street
Richmond Hill, Ontario
L4E 3E8

Agent:

Humphries Planning Group Inc.
216 Chrislea Road
Vaughan, Ontario
L4L 8S5

Location:

Legal Description: Part of Lot 6, Plan 200
Municipal Address: 142 Snively Street

Purpose:

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

Recommendation:

- a) **That Staff Report SRPRS.19.105 with respect to the Zoning By-law Amendment application submitted by Farzad Eslami and Iman Esfahani-Alasl for the lands known as Part of Lot 6, Plan 200 (Municipal Address: 142 Snively Street), City File D02-19001, 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:

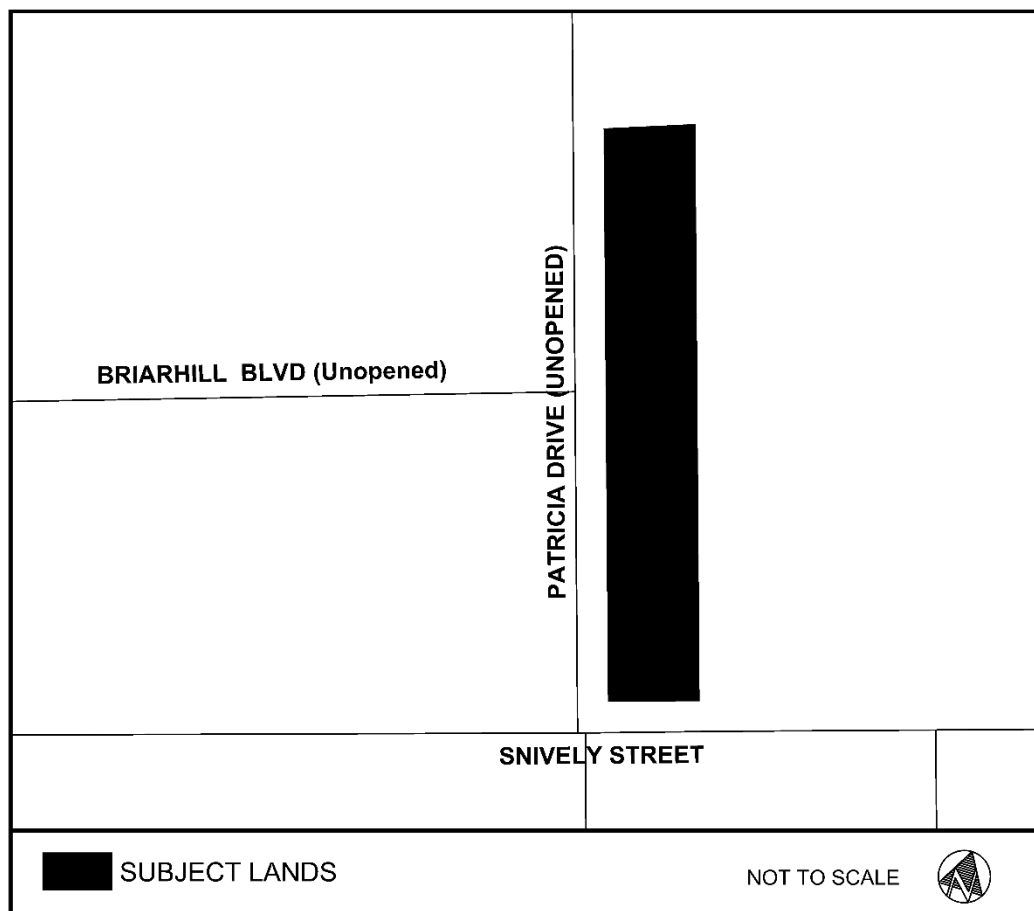
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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
formal call person listed under “Contact Person” above.



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Background Information:

The subject Zoning By-law Amendment application and related Site Plan application (City File D06-19014) were received by the City on March 8, 2019 and were deemed complete on March 18, 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 application, 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 on the north side of Snively Street, east of Worthington Avenue and west of Bayview Avenue (refer to Maps 1 and 2). The lands have a total lot frontage of 30.11 metres (98.79 feet) along Snively Street and a total lot area of 0.575 hectares (1.42 acres). The lands presently contain one single detached dwelling, which is to remain on the westerly portion of the subject lands. The lands abut the unopened Patricia Drive road allowance to the west, single detached dwellings to the east and south, and a Provincially Significant Wetland ("PSW") to the north.

Development Proposal

The applicant is seeking Council's approval to rezone the subject lands to permit one additional building lot on its land holdings (refer to Maps 5, 6 and 7). The applicants propose to retain the existing dwelling on the westerly portion of the subject lands and to construct a new single detached dwelling on the easterly portion of the property, and to dedicate the associated environmental lands to a public authority. Below is a summary of the pertinent development statistics with regard to the plans and drawings submitted to the City:

- **Total Lot Area:** 0.575 hectares (1.42 acres)
- **Total Lot Frontage:** 30.11 metres (98.79 feet)
- **Number of Dwellings:** 2 (1 additional dwelling)
- **Proposed EPA2 Area:** 0.425 hectares (1.05 acres)
- **Proposed Lot 1 (West)**
 - **Lot Area:** 902.0 square metres (9,709.05 square feet)
 - **Lot Frontage:** 17.44 metres (57.22 feet)
- **Proposed Lot 2 (East)**
 - **Lot Area:** 601.0 square metres (6,469.11 square feet)
 - **Lot Frontage:** 12.67 metres (41.57 feet)

Supporting Documentation/Reports

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

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- Planning Justification Statement;
- Site Plan;
- Site Servicing and Grading Plan;
- Elevation Plans;
- Floor Plans;
- Landscape Plan;
- Natural Heritage Evaluation;
- Phase One Environmental Site Assessment; and,
- Tree Inventory and Preservation Plan.

Zoning By-law Amendment Application

The subject lands are zoned **Agricultural (A) Zone** under By-law 1703, as amended, and permitted uses include agriculture and a dwelling accessory thereto, among other uses (refer to Map 4). The applicant is seeking Council's approval to rezone the subject lands to **Single Detached Four (R4) Zone** and **Environmental Protection Area Two (EPA2) Zone** under By-law 313-96, as amended, to facilitate a future severance and the construction of one additional single detached dwelling. It should be noted that Zoning By-laws 1703 and 313-96, as amended, pre-date the adoption and approval of the City's Official Plan.

Permitted uses within the **R4 Zone** include a single detached dwelling, home occupation, private home daycare, group foster home and group home, while the **EPA2 Zone** permits conservation and public park uses. The proposed **R4 Zone** encompasses the developable portions of the subject lands along Snively Street and the proposed **EPA2 Zone** contains a PSW and an associated buffer. The applicant has not requested any site specific development standards with respect to the proposed **R4 Zone** and the **EPA2 Zone** is absent of zone provisions.

The following table provides a summary of development standards applicable to the proposed **R4 Zone** category under By-law 313-96, as amended:

Development Standard	Permitted Standards (R4 Zone) By-law 313-96, as amended
Minimum Lot Frontage	12.0 metres (39.4 feet)
Minimum Lot Area	400.0 square metres (4,305.6 square feet)
Maximum Lot Coverage	40%
Minimum Front Yard Setback	4.5 metres (14.8 feet)
Minimum Side Yard Setback	1.5 metres (4.9 feet) <i>can be reduced to 1.2 metres (3.9 feet) if there are no doors in any wall adjacent to the side lot line</i>
Minimum Rear Yard Setback	7.5 metres (24.6 feet)
Maximum Height	11.0 metres (36.1 feet)

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Site Plan Application

The subject lands are situated within a Site Plan Control area in accordance with By-law 137-09. Site Plan approval was granted for the construction of the existing dwelling on the subject lands (City File D06-09066). The applicants have submitted a Site Plan application (City File D06-19014) for the proposed building lot, which is currently under review. In this regard, the Site Plan submission addresses matters including architectural design, building siting and setbacks, tree protection, landscaping, tree planting, landform conservation, site servicing, grading and drainage.

Planning Analysis:

Oak Ridges Moraine Conservation Plan

The lands are located on the Oak Ridges Moraine (ORM) within the **Settlement Area** land use designation of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). The lands include portions of a Provincially Significant Wetland (“PSW”) feature associated with the Wilcox-St. George Wetland Complex of the Humber River Watershed. The PSW is considered a Key Natural Heritage Feature (KNHF) and/or Hydrologically Sensitive Feature (HSF) and a 30 metre Minimum Vegetation Protection Zone (MVPZ) would apply. With respect to lands within the **Settlement Area**, the policies of the ORMCP allow for the appropriate minimum protection zone to be determined through the submission of an applicable Environmental Study (OPA 129 MESP).

Additionally, the lands are within a **Landform Conservation Area (Category 2)** in accordance with Section 30 of the ORMCP. Development within the Category 2 area shall identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including:

- (a) maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
- (b) limiting the portion of the net developable area of the site that is disturbed to not more than 50 per cent of the total area of the site; and,
- (c) limiting the portion of the net developable area of the site that has impervious surfaces to not more than 20 per cent of the total area of the site.

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** and **Natural Core** in accordance with Schedule A2- Land Use of the City’s Official Plan (the “Plan”) (refer to Map 3). 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. Permitted uses in the **Natural Core** designation include fish, wildlife and forest management, conservation projects and flood and erosion control projects other than stormwater management works, essential transportation, infrastructure, and utilities

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subject to specific policy criteria as outlined in Chapter 4 of the Plan, low-intensity recreational uses, unserviced parks and accessory uses.

As previously stated, the lands are located within the **Settlement Area** of the Oak Ridges Moraine, in accordance with the ORMCP. Section 3.2.1.1 (18) of the Plan states that all uses, including the creation of new lots which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area** and permitted uses shall be subject to the requirements of Section 19(3) and 31(4) of the ORMCP. As well, the lands are located within a **Landform Conservation Area (Category 2)**. In this regard, applications for development that are located within a **Landform Conservation Area (Category 1 and 2)** that are within **Settlement Areas** shall be evaluated on the basis of planning, design and construction practices that will minimize the disturbance to the landform character.

In accordance with Section 3.2.1(8) of the Plan, the City shall seek dedication of key natural heritage features and key hydrological features and their associated minimum vegetation protection zone(s), through the development approval process to an appropriate public agency at no public expense. A more detailed review and evaluation of the submitted application 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, related Site Plan 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 this report.

Park and Natural Heritage Planning Section

Park and Natural Heritage Planning staff has advised that there is an opportunity to increase the width of the proposed buffer located at the west side of the subject lands for further protection and enhancement of the PSW. Additionally, the applicant shall demonstrate how the proposed development complies with the **Landform Conservation Area (Category 2)** policies and the City's 45 per cent front yard landscaping requirement. Comments have also been provided with respect to the technical matters related to the Site Plan application including appropriate landscaping, fencing, and tree protection and plantings (refer to Appendix "A").

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the submitted Natural Heritage Evaluation (NHE) and associated plans, and do not have objections to the development proposal, the proposed buffers and dedication of lands into public ownership (refer to Appendix "B").

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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 dwelling and residential lots are permitted within the **Neighbourhood** designation of the Plan and within the **Settlement Area** of the ORMCP;
- the proposed **EPA2 Zone** encompasses that portion of the lands located within the **Natural Core** designation of the Plan which includes the PSW and the associated buffer. However, the area of the proposed **EPA2 Zone** is subject to further review in relation to the configuration and dimensions of the associated required buffer;
- in accordance with Section 3.2.1.8 of the Plan, staff will request the conveyance of the lands proposed to be rezoned to **EPA2** to a public authority through the review and approval of the subsequent Consent application; and,
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment.

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 Development Engineering Division, Financial Services Division – Development Section, Urban Design Section and Building Services Division – Zoning Section, in addition to Alectra Utilities, Enbridge Gas and the York Region District School Board. 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 writing this report, comments remain outstanding from the City's Building Section and Fire and Emergency Services Division, the York Catholic District School Board, le Conseil Scolaire Catholique MonAvenir, Canada Post and Bell Canada.

Financial/Staffing/Other Implications:

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

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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 aligns 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.

Conclusion:

The applicant is seeking Council's approval of the Zoning By-law Amendment application submitted in support of its proposal to permit one additional building lot 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 Proposed Development Plan
- Map 6 Proposed Site Plan
- Map 7 Proposed Front Elevation
- Appendix A – Memorandum from the Park and Natural Heritage Planning Section, dated May 9, 2019
- Appendix B – Letter from the TRCA, dated April 30, 2019

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Report Approval Details

Document Title:	SRPRS.19.105 - Request for Comments - Zoning By-law Amendment - 142 Snively Street.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.19.105 - MAP 1 - AERIAL PHOTOGRAPH.pdf- SRPRS.19.105 - MAP 2 - NEIGHBOURHOOD CONTEXT.pdf- SRPRS.19.105 - MAP 3 - OFFICIAL PLAN DESIGNATION.pdf- SRPRS.19.105 - MAP 4 - EXISTING ZONING.pdf- SRPRS.19.105 - MAP 5 - PROPOSED DEVELOPMENT PLAN.pdf- SRPRS.19.105 - MAP 6 - PROPOSED SITE PLAN.pdf- SRPRS.19.105 - MAP 7 - PROPOSED FRONT ELEVATION.pdf- SRPRS.19.105 - APPENDIX A - Memorandum from the Park and Natural Heritage Planning Section.pdf- SRPRS.19.105 - APPENDIX B - Letter from the TRCA.pdf
Final Approval Date:	May 22, 2019

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

Gus Galanis - May 21, 2019 - 8:20 PM

Kelvin Kwan - May 22, 2019 - 11:52 AM

Neil Garbe - May 22, 2019 - 3:29 PM