



Staff Report for Committee of the Whole Meeting

Date of Meeting: November 6, 2019

Report Number: SRPRS.19.168

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.19.168 – Request for Approval – Zoning By-law Amendment Application – Farzad Eslami and Iman Esfahani-Alasl – City File D02-19001 (Related File D06-19014)**

Owners:

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

Agent:

Humphries Planning Group Inc.
190 Pippin Road, Suite A
Vaughan, Ontario
L4K 4X9

Location:

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

Purpose:

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

Recommendations:

- a) **That 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 approved, subject to the following:**

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- (i) that the subject lands be rezoned from Agricultural (A) Zone under By-law 1703, as amended, to Single Detached Four (R4) Zone and Environmental Protection Area One (EPA1) Zone under By-law 313-96, as amended; and,
- (ii) that the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.

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:

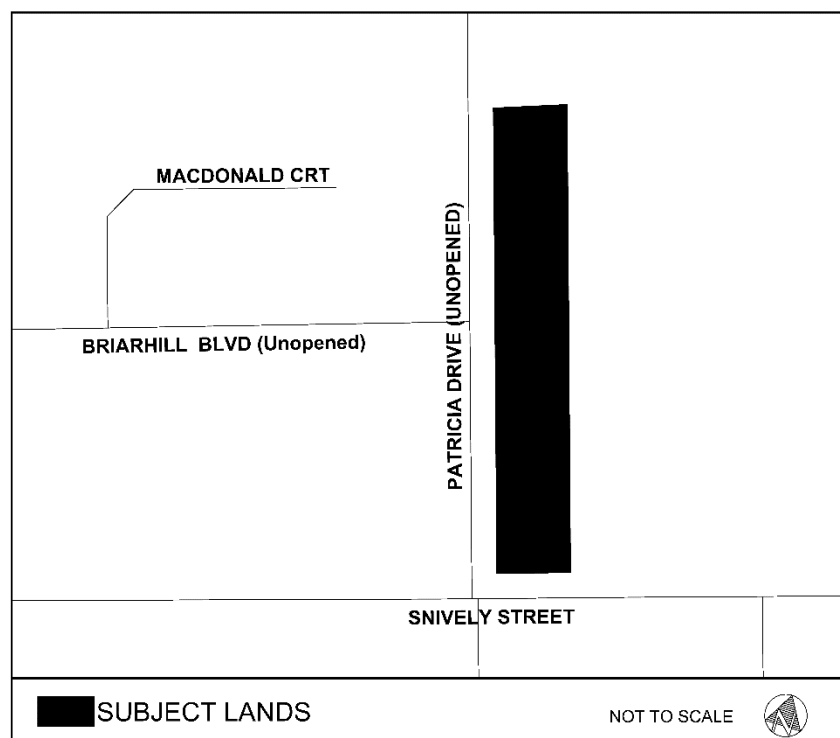
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on June 5, 2019, wherein Council received Staff Report SRPRS.19.105 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No members of the public spoke to the application and no concerns were raised at the Council Public Meeting.

All comments from internal departments and external agencies have now been satisfactorily addressed by the applicant. As a result, the purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment application.

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.

Revised 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 revised 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 EPA1 Area:** **0.4265 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:** **583.0 square metres (6,275.36 square feet)**
 - **Lot Frontage:** **12.67 metres (41.57 feet)**

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The revised development proposal includes an increase in lot area for the proposed **Environmental Protection Area One (EPA1) Zone** and a reduced lot area for the proposed Lot 2 (East) (refer to Maps 5 and 6).

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 in accordance with an applicable Environmental Study (OPA 129 MESP) and the submission of a Natural Heritage Evaluation (NHE). The applicant has worked with staff to provide a larger buffer than what was originally proposed, which is in line with the OPA 129 Master Environmental Servicing Plan (MESP) applicable to the subject lands and is supported by the Toronto and Region Conservation Authority (TRCA) and the City’s Park and Natural Heritage Planning Section.

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. With respect to the Landform Conservation Area (Category 2) policies, the revised NHE demonstrates that the proposed lots for residential single detached purposes do not contain significant landform features and represent nearly 26% of the total lot area, which meets the policies for limiting the net developable area of the total site. The landform conservation preservation will be formalized through the Site Plan approval process.

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

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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.

The subject Zoning By-law Amendment application proposes to create one additional single detached dwelling lot on the portion of the lands designated as **Neighbourhood** and within the **Settlement Area**.

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 portion of the lands designated **Natural Core** are encompassed within the lands to be protected through this application. In support of Section 2.3.1(8) of the Plan, the environmental lands and their respective buffer will be dedicated to the City through this development proposal.

On the basis of the preceding, staff is of the opinion that the subject Zoning By-law Amendment is in conformity with the applicable policies of the ORMCP and the City's Plan.

Revised Zoning By-law Amendment Application

The subject lands are zoned **Agricultural (A) Zone** under By-law 1703, as amended (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 One (EPA1) Zone** under By-law 313-96, as amended, to permit a future severance and the construction of one additional single detached dwelling. Permitted uses within the **R4 Zone** include a single detached dwelling, among other uses, while the **EPA1 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 **EPA1 Zone** contains a PSW and an associated buffer (refer to Appendix "B").

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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The proposed lot frontage for the westerly property is 17.44 metres (57.21 feet) while the proposed lot frontage for the easterly property is 12.67 metres (41.57 feet) (refer to Map 5). The greater lot frontage for the westerly property is to accommodate the existing single detached dwelling and required side yard setbacks. The proposed lot fabric is consistent with redevelopment within the neighbourhood.

The initial application proposed to rezone the environmental lands and respective buffer to the **Environmental Protection Area Two (EPA2) Zone**; however, after further review, it was determined that the **Environmental Protection Area One (EPA1) Zone** is more appropriate. There are no zone provisions for the **EPA1 Zone**; however, it is noted that through the development proposal, the City will be obtaining a total of 0.4265 hectares (1.05 acres) of environmental lands, which includes a PSW, as well as the respective buffer of approximately 0.077 hectares (0.19 acres) (refer to Map 5).

Given the above, staff is of the opinion that the applicant's revised Zoning By-law Amendment application is considered appropriate for the lands and constitutes good planning.

Site Plan Application

The submitted Site Plan application (City File D06-19014) for the proposed building lot is currently under review. 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.

City Department and External Agency Comments

Comments received through the circulation of the applicant's development proposal from City departments and external agencies have been satisfactorily addressed. City departments and external agencies have no further comments or objections with respect to the proposed Zoning By-law Amendment application. Technical comments will be addressed through the subsequent Consent and Site Plan application processes.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications.

Relationship to the Strategic Plan:

The applicant's development proposal aligns with **Goal One – Stronger Connections in Richmond Hill** by improving environmental connections, in addition to **Goal Four – Wise Management of Recourses** in Richmond Hill by using land responsibly.

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Conclusion:

The applicant is seeking Council's approval of its proposed Zoning By-law Amendment application to permit one additional building lot for single detached residential purposes on the subject lands. Staff is of the opinion that the submitted Zoning By-law Amendment application conforms with the Oak Ridges Moraine Conservation Plan and the Official Plan, and that the development proposal is appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application as outlined and described in this report.

Attachments:

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.

- Appendix A – Extract of Council Public Meeting #25-19 held June 5, 2019
- Appendix B – Draft Zoning By-law
- 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

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Report Approval Details

Document Title:	SRPRS.19.168 - Request for Approval - D02-19001 - 142 Snively Street.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.19.168 - APPENDIX A - Extract of Council Public Meeting.pdf- SRPRS.19.168 - APPENDIX B - Draft Zoning By-law.pdf- SRPRS.19.168 - MAP 1 - AERIAL PHOTOGRAPH.pdf- SRPRS.19.168 - MAP 2 - NEIGHBOURHOOD CONTEXT.pdf- SRPRS.19.168 - MAP 3 - OFFICIAL PLAN DESIGNATION.pdf- SRPRS.19.168 - MAP 4 - EXISTING ZONING.pdf- SRPRS.19.168 - MAP 5 - PROPOSED DEVELOPMENT PLAN.pdf- SRPRS.19.168 - MAP 6 - PROPOSED SITE PLAN.pdf- SRPRS.19.168 - MAP 7 - PROPOSED FRONT ELEVATION.pdf
Final Approval Date:	Oct 21, 2019

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

Gus Galanis - Oct 21, 2019 - 11:45 AM

Kelvin Kwan - Oct 21, 2019 - 11:49 AM

Neil Garbe - Oct 21, 2019 - 2:26 PM