



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

**Date of Meeting:** April 17, 2019

**Report Number:** SRPRS.19.066

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.19.066 - Request for Comments - Zoning By-law Amendment Application - Ali Givvehchian and Arman Givvehchian - City File D02-18030**

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### **Owners:**

Ali Givvehchian  
99 Douglas Road  
Richmond Hill, Ontario  
L4E 3H1

Arman Givvehchian  
105 Douglas Road  
Richmond Hill, Ontario  
L4E 3H1

### **Agent:**

Evans Planning Inc.  
8481 Keele Street, Unit 12  
Vaughan, Ontario  
L4K 1Z7

### **Location:**

Legal Description: Lot 6, Plan 558 and Part of Lot 3, Plan 163  
Municipal Addresses: 99 and 105 Douglas Road

### **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.19.066 with respect to the Zoning By-law Amendment application submitted by Ali Givvehchian and Arman**

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**Givehchian for the lands known as Lot 6, Plan 558 and Part of Lot 3, Plan 163 (Municipal Addresses: 99 and 105 Douglas Road), City File D02-18030, be received for information purposes only and that all comments be referred back to staff.**

### Contact Person:

Joseph M. Liberatore, Planning Technician, phone number 905-747-6354 and/or  
Denis Beaulieu, Manager of Development - Subdivisions, phone number 905-771-2540

### Report Approval:

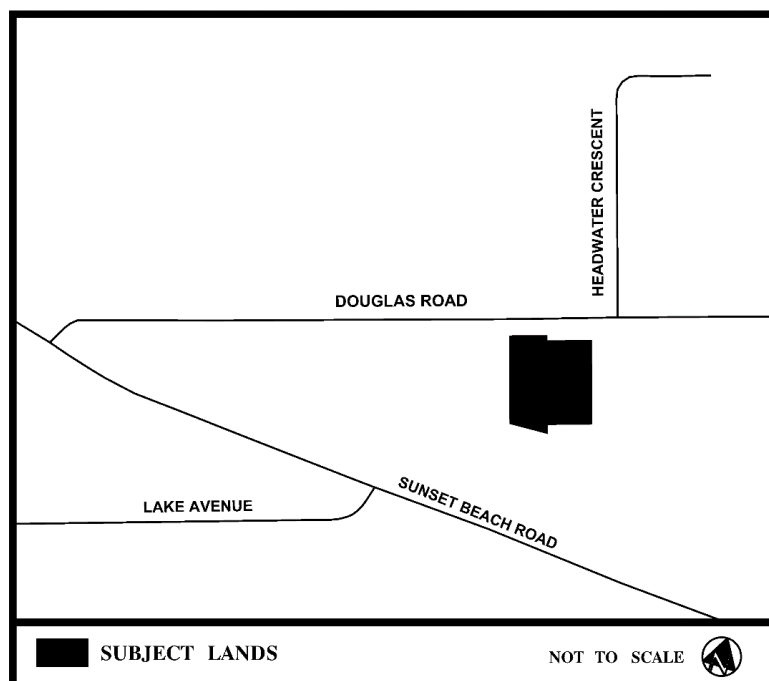
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**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 was received and deemed complete by the City on December 14, 2018, after Bill 139 received Royal Assent on December 12, 2017. The application was 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 Zoning By-law Amendment 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 south side of Douglas Road between Headwater Crescent and Sunset Beach Road (refer to Map 1). The lands have a total lot area of approximately 0.2602 hectares (0.643 acres) and have a combined lot frontage of 49.27 metres (161.65 feet) along Douglas Road. The lands currently support two one-storey single detached dwellings that are proposed to be demolished to facilitate the applicant's development proposal.

The lands are located within a mature residential neighbourhood which is undergoing infill development, and abut Douglas Road to the north and existing low-rise residential uses to the south, east and west (refer to Map 2).

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the creation of one additional building lot on its land holdings (refer to Maps 6 and 7). The subject application proposes to rezone the subject lands from **Residential Third Density (R3) Zone** under By-law 1703, as amended, to **Single Detached Six (R6) Zone** under By-law 313-96, as amended, with site specific exceptions to facilitate the proposed development.

The following is a summary of the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

<b>Total Lot Area:</b>	<b>0.2602 hectares (0.643 acres)</b>
<b>Total Lot Frontage:</b>	<b>49.27 metres (161.65 feet)</b>
<b>Proposed Lot 1 (West):</b>	
○ Lot Area:	<b>900 square metres (9,687.52 square feet)</b>
○ Lot Frontage:	<b>16.4 metres (53.81 feet)</b>
<b>Proposed Lot 2 (Middle):</b>	
○ Lot Area:	<b>874 square metres (9,407.66 square feet)</b>
○ Lot Frontage:	<b>16.4 metres (53.81 feet)</b>
<b>Proposed Lot 3 (East):</b>	
○ Lot Area:	<b>828 square metres (8,912.52 square feet)</b>
○ Lot Frontage:	<b>16.47 metres (54.03 feet)</b>

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### Supporting Documentation/Reports

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

- Adjacent Property Plan;
- Arborist Report;
- Draft Zoning By-law Amendment;
- Elevations;
- Oak Ridges Moraine Conformity Statement;
- Planning Justification Statement; and,
- Site Plan.

### Zoning By-law Amendment Application

The subject lands are zoned **Residential Third Density (R3) Zone** under By-law 1703, as amended (refer to Map 3). The current zoning permits single detached dwellings on lots with a minimum lot area of 1,393.55 square metres (15,000 square feet) and a minimum lot frontage of 22.86 metres (75 feet).

The applicant proposes to rezone the subject lands to **Single Detached Six (R6) Zone** under By-law 313-96, as amended, with site specific exceptions to facilitate the creation of one additional building lot and three new single detached dwellings. It should be noted that By-laws 1703 and 313-96 both pre-date the adoption and approval of the City of Richmond Hill's Official Plan (the "Plan"). The proposed zoning would allow for the creation of building lots with reduced lot frontage, lot area and side yard setbacks than that permitted under the current zoning.

The following table provides a summary of development standards applicable to the proposed **Single Detached Six (R6) Zone** category under Zoning By-law 313-96, as amended. The proposed site-specific exceptions are bolded in the table below.

Development Standards	R6 Zone under By-law 313-96, as amended	Proposed Development
Minimum Lot Area (Interior)	565.0 square metres (6,081.61 square feet)	Complies
Minimum Lot Frontage (Interior)	15.0 metres (49.21 feet)	Complies
Minimum Required Front Yard Setback	4.5 metres (14.76 feet)	Complies
Minimum Required Side Yard Setback	1.5 metres (4.92 feet)	<b>1.2 metres (3.94 feet)</b>
Minimum Required Rear Yard Setback	7.5 metres (24.61 feet)	Complies
Maximum Height	11.0 metres (36.09 feet)	Complies
Maximum Lot Coverage	40%	Complies

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It should be noted that the subject lands are located in a Site Plan Control Area. However, at the time of the preparation of this report, related Site Plan applications had not been submitted to the City in conjunction with the subject Zoning By-law Amendment application.

## Planning Analysis:

### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2-Land Use of the Plan (refer to Map 4). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”) and are located within the **Douglas Road Neighbourhood Infill Study** area, as outlined in Section 4.9.1.1.1(n) of the Plan. Uses permitted within the Neighbourhood designation include primarily low-density residential uses, in addition to 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 Plan. Based on the aforementioned, single detached dwellings as proposed by the subject application are permitted within the **Neighbourhood** designation.

Section 4.9.2 of the Plan also requires development to 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. As noted previously, the lands are within the Douglas Road Infill Study area and are subject to those guidelines which are discussed in greater detail below (refer to Map 5).

The subject lands are located within the **Settlement Area** of the Oak Ridges Moraine as defined in accordance with the ORMCP. In accordance with Section 3.2.1.1(18) of the Plan, all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**. Therefore, the proposed development is considered to comply with the ORMCP.

### Douglas Road Neighbourhood Infill Study

The subject lands are located within the Douglas Road Neighbourhood Infill Study (the “Study”), approved by Council on July 6, 1998. The Study provides design objectives to guide future infill development along new and existing residential streets. The Study primarily focuses on larger infill developments contemplated within the Study area and provides general guidelines for redevelopment on existing streets. The general intent of the Study is to ensure that new development fits contextually within the existing neighbourhood. The guidelines for infill development along existing streets direct the preservation of existing vegetation and recommend the establishment of minimum lot frontages of 15 metres (49.2 feet). Recommended zoning standards for lots along

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existing streets includes minimum side yard setbacks of 1.2 metres (3.94 feet), minimum front yard setbacks of 6 metres (19.69 feet) and maximum building heights of 11.5 metres (37.73 feet).

### Department and External Agency Comments:

The subject Zoning By-law Amendment application and the associated background studies and reports that have been 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.

#### Development Engineering Division

Development Engineering staff has undertaken a preliminary review of the applicant's proposal and have noted that a road widening along the Douglas Road frontage may be required as part of future Consent applications in order to accommodate a 20-metre local road allowance width.

#### 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. Staff provides the following preliminary comments:

- the proposed single detached dwellings are permitted within the **Neighbourhood** designation of the Plan and within the Douglas Road Neighbourhood Infill Study area approved by Council;
- the applicant's request to rezone the subject lands does not propose alterations to the existing and permitted uses associated with the subject lands;
- the purpose of the proposed rezoning application is to provide for appropriate development standards, including site-specific provisions, to allow for future severances and development of the subject lands;
- future Consent applications will be required for the creation of the three single detached building lots; and,
- a related Deeming By-law application may be required prior to the finalization of any Consent approvals in order to facilitate the merging of the subject lands.

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 City's Urban Design Section, the City's Park and Natural Heritage Planning Section, Enbridge Gas Distribution, Alectra Utilities, the Regional Municipality of York, and the Toronto and

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Region Conservation Authority. These City departments and external agencies have no objections to the application and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. These comments have not been appended to this report.

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

As of the writing of this report, comments remain outstanding from the City's Building Services Division, Canada Post, Bell Canada, Rogers Cable Communications Inc., the York Region District School Board, the York Catholic District School Board and le Conseil Scolaire Catholique MonAvenir.

### **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.

### **Conclusion:**

The applicant is seeking Council's approval of its proposed Zoning By-law Amendment application 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 applicant's 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.

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### 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 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Douglas Road Neighbourhood Infill Study
- Map 6 Proposed Development Plan
- Map 7 Proposed Douglas Road Elevation Plans

### Report Approval Details

Document Title:	SRPRS.19.066 - Request for Comments - Zoning By-law Amendment Application - Ali and Arman Givehchian - D02-18030.docx
Attachments:	<ul style="list-style-type: none"><li>- MAP_1_AERIAL_PHOTOGRAPH.pdf</li><li>- MAP_2_NEIGHBOURHOOD_CONTEXT_S218030.pdf</li><li>- MAP_3_EXISTING_ZONING_S218030.pdf</li><li>- MAP_4_OFFICIAL_PLAN_SESIGNATION.pdf</li><li>-</li><li>MAP_5_DOUGLAS_ROAD_NEIGHBOURHOOD_INFILL_STUDY.pdf</li><li>- MAP_6_PROPOSED_DEVELOPMENT_PLAN.pdf</li><li>- MAP_7_PROPOSED_DOUGLAS_ROAD_ELEVATION_PLANS.pdf</li></ul>
Final Approval Date:	Apr 3, 2019

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

**Gus Galanis - Apr 3, 2019 - 10:56 AM**

**Kelvin Kwan - Apr 3, 2019 - 3:29 PM**

**Neil Garbe - Apr 3, 2019 - 3:42 PM**