



Staff Report for Council Meeting

Date of Meeting: October 27, 2021

Report Number: SRPI.21.100

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.21.100 – Request for Approval – Zoning By-law Amendment Application – Shahla Siavash Pour – City File D02-18035 (Related Files D06-18069 and D06-18070)

Owner:

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

Agent:

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

Location:

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

Purpose:

A request for approval of a revised 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 revised Zoning By-law Amendment application submitted by Shahla Siavash Pour for lands known as Part of Lot 25, Plan 2300 (Municipal Address: 112 Hunt Avenue), City File D02-18035, be approved, subject to the following:
 - (i) that the subject lands be rezoned from Residential Second Density (R2) Zone to Residential Third Density (R3) Zone under By-law 66-71,

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as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.21.100; and,

- (ii) **that the amending Zoning By-law be brought forward to a future Council meeting for consideration and enactment.**

Contact Person:

Sarah Mowder, Acting Planner II – Site Plans, phone number 905-771-5475 and/or Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

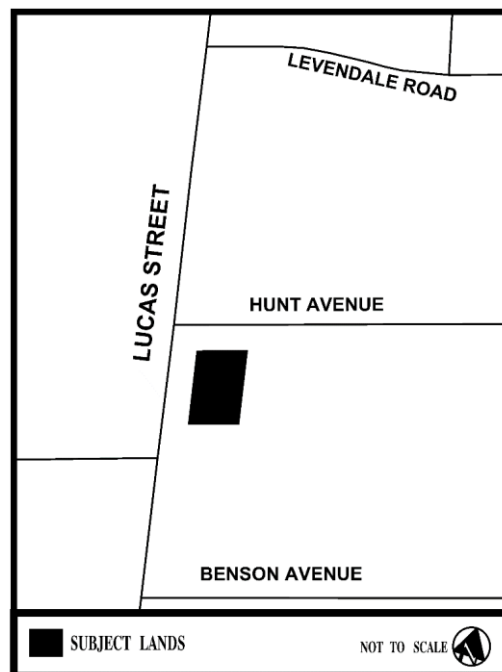
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Mary-Anne Dempster, 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:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on May 8, 2019 wherein Council received Staff Report SRPRS.19.076 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No concerns were raised at the Council Public Meeting from either members of Council or the public.

All comments from internal departments and external agencies pertaining to the subject proposal have been satisfactorily addressed by the applicant. In this regard, the purpose of this report is to seek Council’s approval of the applicant’s revised Zoning By-law Amendment application.

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 proposed 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 low-density development consisting of single detached dwellings and semi-detached dwellings. Abutting lands include a single detached dwelling to the south and a street townhouse development currently under construction to the east.

Revised Development Proposal

The applicant is seeking Council’s approval of its revised Zoning By-law Amendment application to facilitate a future severance and the construction of two single detached dwellings on its land holdings (refer to Maps 6 to 8). Below is a summary of the pertinent statistics of the applicant’s revised development proposal based on 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:** 10.67 metres (35.0 feet)
- **Number of Storeys:** 3
- **Proposed Corner Lot:**
 - **Lot Area:** 311.47 square metres (3,352.64 square feet)
 - **Lot Frontage:** 10.8 metres (35.43 feet)
- **Proposed Interior Lot:**
 - **Lot Area:** 285.73 square metres (3,075.57 square feet)
 - **Lot Frontage:** 9.67 metres (31.73 feet)

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The revised proposal does not result in a change to the proposed number of dwelling units but does incorporate the following revisions:

- reduced dwelling heights from a maximum of 11.6 metres (38.06 feet) to 10.67 metres (35.0 feet), as permitted in the Zoning By-law;
- re-design of the exterior façade along Lucas Street to resemble a two storey dwelling; and,
- revised By-law category from **Residential Multiple Second Density (RM2) Zone** as originally proposed, to a **Residential Third Density (R3) Zone** which permits a single detached dwelling.

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”), and permitted uses include single detached dwellings at a maximum building height of 3 storeys (refer to Map 3). Furthermore, 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. As the subject lands are located within the boundaries of the Benson/Hunt Tertiary Plan, development shall also be evaluated on the basis of the criteria set out in the Tertiary Plan approved by Council for the area. In this regard, below is an analysis of how the applicant’s development proposal conforms with the Official Plan and is generally consistent with the direction in the Benson/Hunt Tertiary Plan.

Benson/Hunt Tertiary Plan

The subject lands are located within a “Transition Area” of the Benson/Hunt Tertiary Plan (“Tertiary Plan”), which permits townhouse dwellings, semi-detached dwellings and single detached dwellings subject to various criteria (refer to Map 5). The “Transition Area” serves to provide a transition of building heights between the existing/planned medium density residential forms of development on the east side of Lucas Street and existing/planned low density residential forms of development on the west side of Lucas Street. Within the “Transition Area”, the maximum building height is 2 storeys adjacent to the “Low-Density Area” and 3 storeys adjacent to the “Medium-Density Area” (**Section 4.1.3**), subject to the criteria outlined in the Urban Design Guidelines (**Section 5.3.1**).

The applicant is proposing to construct two single detached dwellings as contemplated by the Official Plan and the Tertiary Plan from a land use perspective, however, the development proposal deviates from the guidance in the Tertiary Plan with respect to the maximum number of storeys, maximum lot coverage, maximum garage width and minimum side yard setbacks. Staff has completed a comprehensive assessment of the

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applicant's development proposal and is of the opinion that the proposal is appropriate for and compatible with the character of the surrounding area for the following reasons.

With respect to building height, the proposed single detached dwelling at the corner of Lucas Street and Hunt Avenue is 3 storeys by definition, whereas the Tertiary Plan directs that dwellings adjacent to the "Low-Density Area" be a maximum of 2 storeys in height. In terms of context, the subject lands face an existing townhouse development on the north side of Hunt Avenue which includes building heights of 3 storeys and approximately 10.7 metres (35.10 feet). Secondly, the subject lands abut an approved townhouse development currently under construction to the east which includes building heights of 2 storeys and approximately 10.95 metres (35.93 feet) to the top of roof. Thirdly, the subject lands are adjacent to both a "Low-Density Area" to the west and a "Medium-Density Area" to the east, meaning that despite having the same locational attributes, the proposed easterly dwelling is permitted to be 3 storeys while the westerly dwelling is restricted to a maximum of 2 storeys. As part of the revised submission, the applicant has reduced the height of the proposed dwellings from 11.6 metres (38.06 feet) to 10.67 metres (35.0 feet) in order to comply with the Zoning By-law and to minimize any impacts arising from a 3-storey built form. Although the dwellings are considered 3 storeys, the proposed dwelling located at the corner of Lucas Street and Hunt Avenue is designed to resemble a 2-storey dwelling along Lucas Street, which serves as providing transition to the range of dwelling types and sizes along Lucas Street. Notwithstanding that the Tertiary Plan stipulates single detached dwellings be a maximum of 2 storeys in height, staff is of the opinion that the proposed building height is appropriate given the context of the surrounding built form and as-of-right permissions in the Zoning By-law.

With respect to side yard setbacks, the Tertiary Plan stipulates that the setbacks shall reflect that of adjacent dwellings or be the average distance of those dwellings on either side of the development to a minimum of 1.5 metres. The applicant is proposing an easterly side yard setback of 1.2 metres, a separation distance of 1.2 metres between dwellings (paired 0.6-metre setbacks), and an exterior side yard setback of 2.5 metres. In terms of context, Hunt Avenue is characterized by a blend of older single detached dwellings and newer townhouse developments with a range of side yard setbacks. In this regard, approvals for side yard setbacks of 1.2 metres (3.94 metres) have been granted for the adjacent developments and are generally consistent with approvals for more recent developments within the neighbourhood. Furthermore, the proposed **Residential Third Density (R3) Zone** under By-law 66-71, as amended, permits reduced side yard setbacks to 0.0 metres, with a required sum total of 1.2 metres between the main buildings. As a result, staff is of the opinion that the proposed side yard setbacks are compatible with adjacent dwellings and are appropriate for the proposed development.

With respect to maximum lot coverage, the Tertiary Plan stipulates that the recommended maximum lot coverage be 40% of the area of the lot. The proposed corner lot will comply with the recommended maximum lot coverage, whereas the

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applicant is proposing an increased maximum lot coverage of 43% for the proposed interior lot. In this regard, the proposed lot coverage is generally aligned with the recommendation of the Tertiary Plan and the requirements of the Zoning By-law, and the proposed massing and footprint of the dwellings is considered appropriate for the lot.

Lastly, with respect to the maximum garage width, the Tertiary Plan stipulates that the garage width shall not exceed 45% of the total front façade, whereas the applicant is proposing garage widths of approximately 59%. In this regard, the proposed dwellings are designed with projected front porches and large front windows which assist in reducing the presence of the proposed garages. Further, although the proposed garages are wider, the proposed lots still provide for the minimum required front yard landscaping of 45%. Overall, notwithstanding that the application deviates from the prescribed recommendations of the Tertiary Plan, the proposed development does address other design elements highlighted in the Plan, as the corner dwelling has been designed to address both street frontages and tree plantings and landscaping are proposed.

Given all of the above, staff is of the opinion that the proposed development conforms with the applicable policies of the Official Plan and implements the Tertiary Plan principles, and is considered appropriate and compatible with existing and planned development along Hunt Avenue.

Revised 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). The applicant's initial proposal sought to rezone the lands to **Residential Multiple Second Density (RM2) Zone** of By-law 66-71, as amended, which does not permit single detached dwellings. Upon further review and consideration of the proposed development, the **Residential Third Density (R3) Zone** category of By-law 66-71, as amended, is now being requested as the proposed use and lot sizes are generally more in line with the **R3 Zone** standards. Accordingly, the applicant is seeking Council's approval to rezone the subject lands to **Residential Third Density (R3) Zone** with site-specific development standards to permit the creation of two single detached dwelling lots fronting onto Hunt Avenue.

The following table provides an outline of the proposed development standards intended to facilitate the applicant's development proposal, including site specific provisions highlighted in bold:

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Development Standard	R3 Zone Standards, By-law 66-71, as amended		Proposed Corner Lot	Proposed Interior Lot
	Corner	Interior		
Minimum Lot Area	330.0 sq.m (3,552.09 sq.ft)	270.0 sq.m (2,906.26 sq.ft)	311.0 sq.m (3,347.58 sq.ft)	Complies
Minimum Lot Frontage	11.0 m (36.09 ft)	9.0 m (29.53 ft)	10.8 m	Complies
Maximum Lot Coverage	33 1-3%	40%	39%	43%
Minimum Front Yard Setback	6.09 m (20.0 ft)		5.8 m (19.03 ft)	
Minimum Side Yard Setback	3.0 m (exterior) 1.2 m (interior)	0.0 m subject to minimum 1.2 m between main buildings	2.5 m (exterior) 0.6 m (interior)	Complies
Minimum Rear Yard Setback	7.62 m (25.0 ft)		Complies	
Height	10.67 m (35.0 ft)		Complies	

The proposed development for the interior lot is in general compliance with the standard By-law requirements apart from the proposed increase in lot coverage and reduced front yard setback. The proposed site specific provisions for the interior lot are considered appropriate for the proposed development. The proposed development for the corner lot requires further relief from the By-law to facilitate the proposed development. The proposed lot fabric is appropriate as the property is oriented along Hunt Avenue which generally consists of narrow lot frontages for the existing and developing townhouse developments. The proposed lot coverage is consistent with the general pattern of the area. In addition to the standards noted within the above table, the applicant is seeking approval to amend the general provisions of By-law 66-71, as amended, pertaining to encroachments and driveway setback from an intersection, to facilitate its specific development proposal. Additional details with respect to the requested site specific provisions can be found in the draft Zoning By-law attached to this report (refer to Appendix "B").

Department and External Agency Comments:

All circulated City departments and external agencies have indicated no objections with respect to the proposed Zoning By-law Amendment application, and the subsequent re-submissions of the related Site Plan applications (City Files D06-18069 and D06-18070) have satisfactorily addressed staff's comments. Approval of the related Site Plan applications is pending the approval of the revised Zoning By-law Amendment application and the subsequent lot creation through the Committee of Adjustment.

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Financial/Staffing/Other Implications:

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

Relationship to Council's Strategic Priorities 2020-2022:

The recommendations of this report are aligned with **Balancing Growth and Green** as the proposed development is located within a Tertiary Plan Area which contemplates infill development. The proposal also aligns with a **Strong Sense of Belonging** by providing new housing in an established area of the City.

Climate Change Considerations:

The proposed development considers climate change by utilizing existing residential properties and incorporating a more efficient use of land within an existing urban area.

Conclusion:

The applicant is seeking Council's approval of its revised Zoning By-law Amendment application to permit a residential development to be comprised of two single detached dwelling units on its land holdings. Staff has undertaken a comprehensive review and evaluation of the applicant's revised development proposal and is of the opinion that the submitted application conforms with the applicable policies of the City's Official Plan, represents good planning and is considered to be appropriate for the development of the area in which the lands are located. On the basis of the preceding, staff recommends that Council approve the subject application in accordance with the direction outlined in this report.

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Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix “A” – Extract from Council Public Meeting #21-19 held on May 8, 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 – Benson/Hunt Tertiary Plan
- 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:	SRPI.21.100 - Request for Approval - D02-18035 - 112 Hunt Avenue.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - CPM Extract - C21-19.pdf- Appendix B - Draft By-law.docx- Appendix B - Draft Schedule A.pdf- SRPI.21.100 - Map 1 - Aerial Photograph.docx- SRPI.21.100 - Map 2 - Neighbourhood Context.docx- SRPI.21.100 - Map 3 - Official Plan Designation.docx- SRPI.21.100 - Map 4 - Existing Zoning.docx- SRPI.21.100 - Map 5 - Benson Hunt Tertiary Plan.docx- SRPI.21.100 - Map 6 - Proposed Site Plan.docx- SRPI.21.100 - Map 7 - Proposed Elevation Plans (Corner Lot).docx- SRPI.21.100 - Map 8 - Proposed Elevation Plans (Interior Lot).docx
Final Approval Date:	Oct 7, 2021

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

Shelly Cham on behalf of Gus Galanis - Oct 7, 2021 - 9:27 AM

Kelvin Kwan - Oct 7, 2021 - 9:53 AM

MaryAnne Dempster - Oct 7, 2021 - 11:37 AM