



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

**Date of Meeting:** November 17, 2021

**Report Number:** SRPI.21.111

**Department:** Planning and Infrastructure

**Division:** Development Planning

**Subject:** SRPI.21.111 – Request for Comments – Zoning  
By-law Amendment Application – Minoo Mahroo  
– City File D02-21010

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### **Owner:**

Minoo Mahroo  
83 Yongehurst Road  
Richmond Hill, ON  
L4C 3T3

### **Agent:**

Alexander Planning Inc.  
63 Gunning Crescent  
Tottenham, ON  
L0G 1W0

### **Location:**

**Legal Description:** Part of Lots 23 and 24, Plan 3806  
**Municipal Addresses:** 551 and 561 16<sup>th</sup> Avenue

### **Purpose:**

A request for comments concerning a proposed Zoning By-law Amendment application to permit a residential development on the subject lands.

### **Recommendation:**

- a) That Staff Report SRPI.21.111 with respect to the Zoning By-law Amendment application submitted by Minoo Mahroo for lands known as Part of Lots 23 and 24, Plan 3806 (Municipal Addresses: 551 and 561 16th Avenue), City File D02-21010, be received for information purposes only and that all comments be referred back to staff.

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### Contact Person:

Kaitlyn Graham, Senior Planner – Site Plans, phone number 905-771-5563 and/or  
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

### Report Approval:

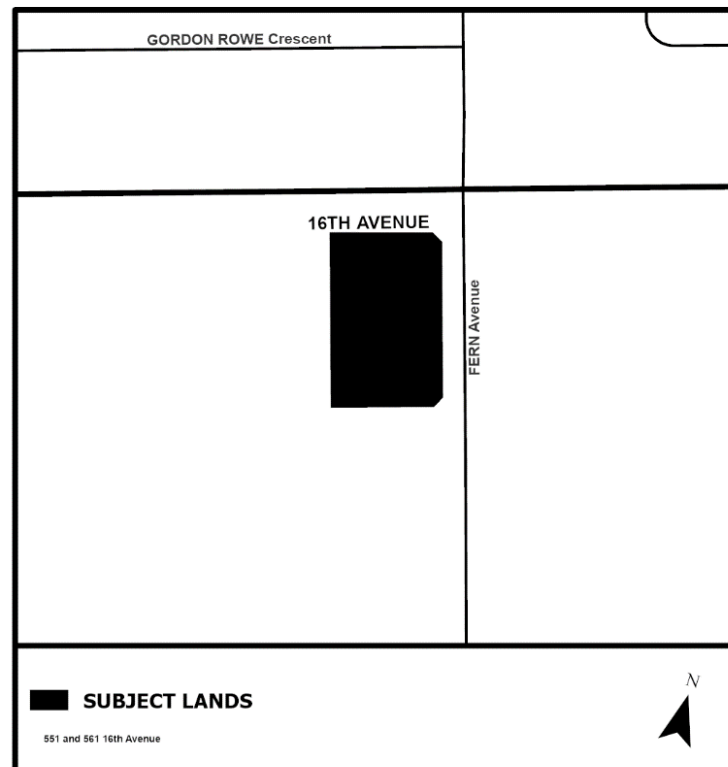
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Infrastructure

**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 Information:

The subject Zoning By-law Amendment application was received and deemed complete by the City on July 30, 2021. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. A Neighbourhood Residents Information Meeting was hosted by the Ward Councillor on September 27, 2021 regarding the applicant's development proposal, and the main comments provided from members of the public pertained to the impacts of York Region's planned widening of 16<sup>th</sup> Avenue and exploring opportunities to preserve existing mature trees as part of the proposed development.

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 comprised of two adjacent properties located on the south side of 16<sup>th</sup> Avenue, west of Fern Avenue (refer to Map 1). The properties have a combined frontage of approximately 49.36 metres (161.94 feet) along 16<sup>th</sup> Avenue and 74.56 metres (244.62 feet) along Fern Avenue, with a total lot area of approximately 0.44 hectares (1.09 acres). The lands presently support two single detached dwellings that are to be demolished to facilitate the proposed development.

The lands abut a physiotherapy clinic to the west, as well as existing and proposed residential uses to the north, east, and south, including development applications (City Files D02-20031 and SUB-20-0005) to facilitate the construction of 10 single detached dwellings on a new backlot infill public street extending westward from Fern Avenue, between 16<sup>th</sup> Avenue to the north and Duncan Road to the south (refer to Maps 2 and 3).

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to facilitate the construction of 14 semi-detached and two single detached dwelling units on its land holdings (refer to Maps 6 and 7). The two single detached dwellings are proposed to front onto a new backlot public street proposed as part of the adjacent development applications (City Files D02-20031 and SUB-20-0005) to the south of the lands.

The following is a summary table outlining the relevant statistics of the applicant's development proposal based on the plans and drawings submitted in support of its development proposal:

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- **Total Lot Area:** 0.44 hectares (1.09 acres)
- **Lot Frontage (16<sup>th</sup> Avenue):** 49.36 metres (161.94 feet)
- **Lot Frontage (Fern Avenue):** 74.56 metres (244.62 feet)
- **Number of Dwelling Units:** 16
  - **Semi-Detached Units:** 14
  - **Single Detached Units:** 2
- **Proposed Density:** 36.36 units per hectare (14.81 units per acre)
- **Proposed Building Height:** 3 storeys or 11 metres (36.09 feet)
- **Proposed Lot Frontages:**
  - **Semi-Detached Units:** 6.1 metres (20.01 feet) to 12.8 metres (41.99 feet)
  - **Single Detached Units:** 12.1 metres (39.70 feet) to 12.2 metres (40.03 feet)
- **Proposed Lot Areas:**
  - **Semi-Detached Units:** 223.87 sq. metres (2,409.72 sq. feet) to 1,282.20 sq. metres (13,801.49 sq. feet)
  - **Single Detached Units:** 508.27 sq. metres (5,470.97 sq. feet) to 509.22 sq. metres (5,481.20 sq. feet)

## Supporting Documentation/Reports

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

- Planning Justification Report;
- Draft Zoning By-law;
- Survey;
- Block Concept Plan;
- Site Plan;
- Architectural Plans (Floor Plans and Elevation Plans);
- Grading Plan;
- Servicing Plan;
- Landscape Plans and Details;
- Waste Management Plan;
- Transportation Demand Management Plan;
- Noise Feasibility Study;
- Phase One Environmental Assessment;
- Functional Servicing Report;
- Arborist Report, Tree Inventory and Tree Preservation Plan; and,
- Urban Design Brief.

## Zoning By-law Amendment Application

The subject lands are currently zoned **Special Residential One (SR-1) Zone** and **Low Density Residential Six (R6) Zone** under Zoning By-law 255-96, as amended (refer to Map 5). The **SR-1 Zone** permits both semi-detached dwellings and single detached dwellings, in addition to home occupations, small-scale business and professional offices, and a variety of community uses. The **R6 Zone** permits only single detached

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dwellings, home occupations, and group homes. The applicant is proposing to rezone the entirety of the subject lands to a **Low Density Residential Six (R6) Zone** with site specific exceptions to permit semi-detached dwellings and to implement development standards to facilitate its development proposal comprised of both semi-detached and single detached dwellings.

The following is a summary table outlining the relevant statistics of the applicant's development proposal relative to the typical **SR-1** and **R6 Zone** requirements for single and semi-detached dwellings. The applicant's proposed site specific provisions are highlighted in bold:

Development Standard	Existing SR-1 Zone Standard (By-law 255-96)	Existing R6 Zone Standard (By-law 255-96)	Proposed Semi-Detached	Proposed Single Detached
Minimum Lot Frontage (Interior Lot)	16.5 metres (54.13 feet)*	15.0 metres (49.21 feet)	<b>6.1 metres (20.01 feet)</b>	<b>12.1 metres (39.70 feet)</b>
Minimum Lot Frontage (Corner Lot)	18.5 metres (60.70 feet)*	17.0 metres (55.77 feet)	<b>9.37 metres (30.74 feet)</b>	N/A
Minimum Lot Area (Interior Lot)	814.6 sq. metres (8,768.28 sq. feet)*	502.0 sq. metres (5,403.48 sq. feet)	<b>445.0 sq. metres (4,789.94 sq. feet)</b>	To Comply
Minimum Lot Area (Corner Lot)	913.34 sq. metres (9,831.11 sq. feet)*	569.0 sq. metres (6,124.67 sq. feet)	<b>485.0 sq. metres (5,220.50 sq. feet)</b>	N/A
Maximum Lot Coverage	40%	40%	<b>48%</b>	Complies
Minimum Front Yard	6.0 metres (19.69 feet)	4.5 metres (14.76 feet)	Complies	To Comply
Minimum Front Yard (16 <sup>th</sup> )	15.0 metres (49.21 feet)	15.0 metres (49.21 feet)	<b>6.36 metres (20.87 feet)</b>	N/A
Minimum Setback to Garage	6.0 metres (19.69 feet)	6.0 metres (19.69 feet)	<b>5.8 metres (19.03 feet)</b>	<b>5.8 metres (19.03 feet)</b>
Minimum Side Yard	1.5 metres (4.92 feet)	1.5 metres (4.92 feet)	<b>1.2 metres (3.94 feet)</b>	<b>1.2 metres (3.94 feet)</b>
Minimum Flankage Yard	3.0 metres (9.84 feet)	3.0 metres (9.84 feet)	Complies	N/A
Minimum Flankage Yard (16 <sup>th</sup> )	15.0 metres (49.21 feet)	6.2 metres (20.34 feet)	<b>6.36 metres (20.87 feet)</b>	N/A
Minimum Rear Yard	7.5 metres (24.61 feet)	7.5 metres (24.61 feet)	<b>7.0 metres (22.97 feet)</b>	To Comply
Maximum Height	9.0 metres (29.53 feet)	11.0 metres (36.09 feet)	Complies	Complies

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- \* The Lot Frontage and Lot Area provisions for semi-detached dwellings under Zoning By-law 255-96, as amended, apply to a whole Lot or Block on a registered Plan of Subdivision prior to division or separation into individual lots, whereas the standards proposed by the applicant are intended to apply to the individual lots.

The applicant's draft Zoning By-law is currently under review. The site specific provisions and exceptions sought through the amendment shall be considered and refined in conjunction with revisions made to the subject application through the detailed review process.

## Planning Analysis:

### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 (Land Use Plan) of the City's Official Plan ("Plan") (refer to Map 4). In accordance with **Section 4.9.1**, lands designated **Neighbourhood** are generally characterized by low density residential areas, including single detached and semi-detached dwellings, as well as areas that provide for a range of service uses and facilities. Opportunities for small-scale infill development are contemplated within the **Neighbourhood** designation where it can be demonstrated that the development is compatible with the character of the adjacent and surrounding area in accordance with **Policy 4.9.1.3** and **Policy 4.9.2.4** of the Plan with respect to predominant building forms and types; massing; the general patterns of streets, blocks, lots and lanes; landscaped areas and treatments; and, the general pattern of yard setbacks. Further, development in the **Neighbourhood** designation is restricted to a maximum height of three storeys, except where located on an arterial street where a maximum height of four storeys is permitted.

Pursuant to **Policy 4.9.1.1.1 f)** of the Plan, the subject lands are additionally located within an area identified as a Priority Infill Area for low-density residential development, which includes the area bounded by 16<sup>th</sup> Avenue, Little Don River, and the lots south of Duncan Road and Bayview Avenue. Although there is no current Council-approved Infill Plan or Tertiary Plan for the area in which the lands are located, the subject lands were previously part of the 16<sup>th</sup> Avenue/Duncan Road Area Secondary Plan (OPA 156) which was repealed upon approval of the City's current Official Plan. OPA 156 previously provided detailed policy direction for infill development and backlot plans of subdivision within the 16<sup>th</sup> Avenue/Duncan Road neighbourhood (including new infill streets) and, as such, the City has acquired several parcels of land for future road allowance purposes as part of other development approvals over the years.

Further, development proposals within a Priority Infill Area are required to submit a Concept Plan to demonstrate how the proposed development achieves the land use and design policies of the Plan. In support of the subject development proposal, the applicant has submitted a Concept Plan that proposes two single detached dwellings that would backlot onto a new municipal right of way extending westward from Fern Avenue, between 16<sup>th</sup> Avenue to the north and Duncan Road to the south as proposed

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through the adjacent development applications (Files D02-20031 and SUB-20-0005) (refer to Maps 3, 6, and 7).

Based on a preliminary review of the proposed development relative to the **Neighbourhood** designation policies of the Plan, the proposal generally conforms with the applicable land use, height, and density policies. A more detailed review of the subject application and the supporting studies and documents will be undertaken to ensure the proposed development is in keeping with the policies of the Plan and represents good planning.

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

The subject Zoning By-law Amendment application and the associated background studies and reports submitted in support of the 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.

#### **Urban Design Section**

The City's Urban Design Section has requested revisions to the proposed lot configurations for the semi-detached dwellings fronting onto 16<sup>th</sup> Avenue. In this regard, staff has requested that the applicant increase the depth of the lots proposed along 16<sup>th</sup> Avenue to better align with the lot fabric proposed through the adjacent development applications to the south (Files D02-20031 and SUB-20-0005), as well as to provide for increased front yard setbacks to 16<sup>th</sup> Avenue. Additionally, staff has requested that additional and updated information be provided with respect to the design of all of the proposed phases of the development, including elevations, roof styles, materials and colours, as well as landscape treatments and details for the proposed semi-detached and single detached dwellings.

#### **Park and Natural Heritage Planning Section**

The City's Park and Natural Heritage Planning Section has not identified any concerns with respect to the proposed Zoning By-law Amendment; however, staff have identified that the applicant intends to remove over 100 native and non-native trees that are in fair to good health. As a result, staff will require the applicant to provide compensation for the loss of the urban tree canopy at a later stage of the development process. Additionally, staff note that the applicant will require the consent of neighbouring landowners where property boundary trees are proposed to be injured or removed. Lastly, staff has advised that the City will be taking a per lot street tree levy to undertake street tree planting on the new municipal right-of-way and along Fern Avenue, which will apply at the time of construction of the proposed development.

#### **Development Planning Division**

Planning staff has completed 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 that are relevant to the

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evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed low-density residential development comprised of semi-detached dwellings and single detached dwellings is generally permitted within the **Neighbourhood** designation, and is encouraged within Priority Infill Area F, in accordance with **Policies 4.9.1.1, 4.9.1.2 and 4.9.1.1.1.f)** of the Plan;
- the subject lands are located within an identified Priority Infill Area for low-density residential development and will be evaluated based on the compatibility and design policies of the Plan, including **Policy 4.9.2.4** as it relates to compatibility with the existing character of adjacent and surrounding areas including predominant building forms and types; massing; the general patterns of streets, blocks, lots and lanes; landscaped areas and treatments; and, the general pattern of yard setbacks, including the significantly reduced setbacks proposed along 16<sup>th</sup> Avenue, to ensure compatibility and appropriate transition;
- although formal comments have yet to be received from York Region on the subject application, staff notes that comments provided by the Region at the pre-submission stage identified concerns relating to the direct driveway accesses proposed onto 16<sup>th</sup> Avenue for four (4) of the proposed semi-detached dwellings. The applicant will be required to satisfactorily address this comment, and all other comments and requirements identified by City departments and external agencies that have been requested to review the development proposal;
- the subject lands are not located within a Site Plan Control Area; however, the proposed development will be assessed for compatibility with the existing character of the surrounding area in accordance with **Section 4.9.2** of the Plan and for consistency with the City's Urban Design Guidelines;
- staff will continue to review the form, content and appropriateness of the proposed draft Zoning By-law Amendment, including the request to rezone the entirety of the lands to the **R6 Zone** which does not permit semi-detached dwellings, as well as the site specific standards requested by the applicant with respect to the form, content and appropriateness of the amendments; and,
- in the absence of submission of a draft Plan of Subdivision application, future applications for Consent will be required to facilitate the proposed development and the creation of individual lots.

A comprehensive review and evaluation of the subject Zoning By-law Amendment 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 Council meeting.

### Other City Department and External Agency Comments

Comments have been received from the City's Financial Services Division, Community Services Department – Waste Management Section and Building Services Division – Zoning Section, as well as Alectra Utilities, Rogers, Enbridge Gas, the Toronto and



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Region Conservation Authority, and the York Catholic District School Board. 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.

As of the time of writing of this report, the subject application remains under review by the City's Development Engineering Division and Fire and Emergency Services Division, in addition to the Regional Municipality of York, the York Region District School Board, Bell Canada and Canada Post.

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

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

### **Relationship to Council's Strategic Priorities 2020-2022:**

The recommendation of this report does not have any direct implications with respect to Council's Strategic Priorities 2020-2022. An overview of how the subject application is aligned with the Strategic Priorities 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 Zoning By-law Amendment application to permit a residential development comprised of 14 semi-detached dwellings and two 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 the 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. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Proposed Draft Plan of Subdivision (File SUB-20-0005)
- Map 4, Existing Official Plan Designation
- Map 5, Existing Zoning
- Map 6, Proposed Concept Plan
- Map 7, Proposed Conceptual Site Plan

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### Report Approval Details

Document Title:	Request for Comments - Zoning By-law Amendment Application - Minoo Mahroo - D02-21010.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPI.21.111 Map 1 Aerial Photograph.docx</li><li>- SRPI.21.111 Map 2 Neighbourhood Context.docx</li><li>- SRPI.21.111 Map 3 Proposed Draft Plan of Subdivision.docx</li><li>- SRPI.21.111 Map 4 Existing Official Plan Designation.docx</li><li>- SRPI.21.111 Map 5 Existing Zoning.docx</li><li>- SRPI.21.111 Map 6 Proposed Concept Plan.docx</li><li>- SRPI.21.111 Map 7 Proposed Conceptual Site Plan.docx</li></ul>
Final Approval Date:	Nov 2, 2021

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

**Gus Galanis - Oct 29, 2021 - 5:05 PM**

**Kelvin Kwan - Oct 29, 2021 - 5:59 PM**

**MaryAnne Dempster - Nov 2, 2021 - 11:08 AM**