



## Staff Report for Council Public Meeting

Date of Meeting: February 16, 2022

Report Number: SRPI.22.005

Department: Planning and Infrastructure

Division: Development Planning

**Subject: SRPI.22.005 – Request for Comments – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Mercedeh Andalibi – City Files D02-21017 and SUB-21-0004 (D03-21004)**

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### Owner:

Mercedeh Andalibi  
62 Foreht Crescent  
Aurora, ON  
L4G 3E8

### Agent:

JKO Planning Services Inc.  
27 Fieldflower Crescent  
Richmond Hill, ON  
L4E 5E9

### Location:

Legal Description: Part of Lot 16, Plan 2113  
Municipal Address: 271 Old 16<sup>th</sup> Avenue

### Purpose:

A request for comments concerning proposed Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development to be comprised of four single detached dwelling lots on the subject lands.

### Recommendation:

- a) That Staff Report SRPI.22.005 with respect to the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Mercedeh Andalibi for the lands known as Part of Lot 16, Plan 2113

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**(Municipal Address: 271 Old 16th Avenue), City Files D02-21017 and SUB-21-0004 (D03-21004), be received for information purposes only and that all comments be referred back to staff.**

### 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:

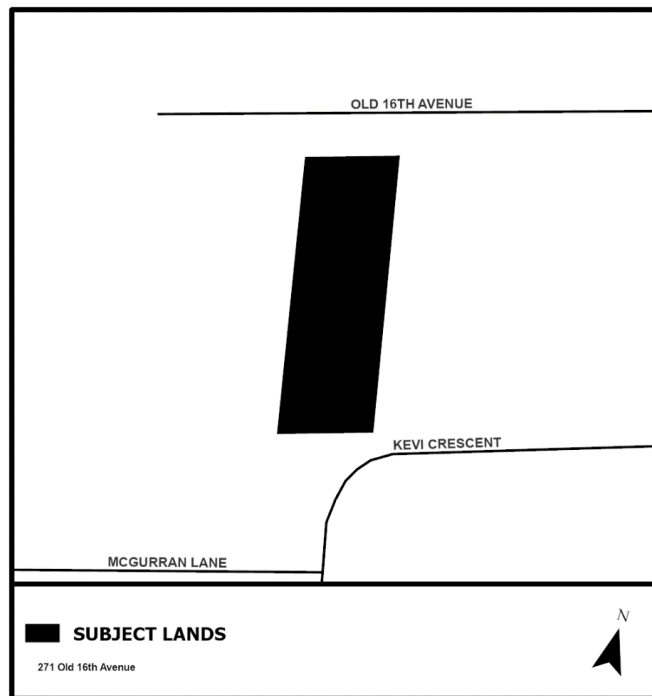
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Infrastructure

**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 and draft Plan of Subdivision applications were received by the City on October 6, 2021 and deemed complete on October 20, 2021. The applications and supporting materials 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 applications, 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 a through lot located on the south side of Old 16<sup>th</sup> Avenue, east of Bayview Avenue (refer to Map 1). The lands have a frontage of approximately 22.86 metres (75 feet) along Old 16<sup>th</sup> Avenue and approximately 23.1 metres (75.79 feet) along Kevi Crescent, and a total area of 0.15 hectares (0.37 acres). The lands presently support a one-storey single detached dwelling and detached garage that are to be demolished to facilitate the proposed development.

The lands abut one and two storey single detached dwellings to the east and west, three storey semi-detached dwellings to the south, and vacant lands to the north which are subject to development applications (City Files D02-15032, D03-15009 and D06-15066) to facilitate a mixed-use development comprised of six single detached dwellings fronting onto Old 16<sup>th</sup> Avenue and a commercial building fronting onto 16<sup>th</sup> Avenue (refer to Map 2).

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the construction of four single detached dwelling units and the creation of one block for the purposes of widening Kevi Crescent on its land holdings (refer to Maps 5 and 6). 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 the applications:

- |                                     |  |
|-------------------------------------|--|
| • <b>Total Lot Area:</b>            | <b>0.15 hectares (0.37 acres)</b>  |
| ○ <b>Residential Lots:</b>          | <b>1,425.96 sq. metres (15,348.9 sq. feet)</b>   |
| ○ <b>Road Block:</b>                | <b>106.07 sq. metres (1,141.73 sq. feet)</b>   |
| • <b>Proposed Dwelling Units:</b>   | <b>4</b>   |
| • <b>Proposed Density:</b>          | <b>26.67 uph (10.53 upa)</b>   |
| • <b>Proposed Lot Frontages:</b>    | <b>11.35 metres (37.24 feet) to<br/>11.55 metres (37.89 feet)</b>                      |
| • <b>Proposed Lot Areas:</b>        | <b>334 sq. metres (3,595.15 sq. feet) to<br/>381.41 sq. metres (4,105.46 sq. feet)</b> |
| • <b>Proposed Building Heights:</b> | <b>2 storeys or 10 metres (32.81 feet)</b>   |

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### Supporting Documentation/Reports

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

- Planning Justification Report;
- Survey;
- Draft Zoning By-law;
- Draft Plan of Subdivision;
- Conceptual Site Plan;
- Architectural Plans (Floor Plans and Elevation Plans);
- Grading Plan;
- Servicing Plan;
- Landscape Plans and Details;
- Phase One Environmental Site Assessment;
- Functional Servicing Report;
- Arborist Report, Tree Inventory and Tree Preservation Plan; and,
- IGMS Analysis and Sustainability Metrics.

### Zoning By-law Amendment Application

The subject lands are currently zoned **Residential Single Family Five (R5) Zone** under Zoning By-law 107-86, as amended (refer to Map 4). The applicant is proposing to rezone the lands to **Residential Single Family Three (R3) Zone** with site specific exceptions and development standards to implement its development proposal. Permitted uses in both the existing **R5 Zone** and proposed **R3 Zone** include single detached dwellings, home occupations, private home day cares and group homes. The following is a summary table outlining the relevant statistics of the applicant's development proposal. The applicant's proposed site specific provisions are highlighted in bold:

| Development Standard                          | Existing R5 Zone Standards, By-law 107-86 | Typical R3 Zone Standards, By-law 107-86 | Proposed Development Standards     |
|---|---|--|------------------------------------|
| <b>Minimum Lot Frontage (Interior Lot)</b>    | 13.5 m (44.29 ft)                         | 10.5 m (34.45 ft)                        | Complies                           |
| <b>Minimum Lot Area (Interior Lot)</b>        | 452 sq. m (4,865.29 sq. ft)               | 351 sq. m (3,778.13 sq. ft)              | <b>330 sq. m (3,552.09 sq. ft)</b> |
| <b>Maximum Lot Coverage</b>                   | 40%                                       | 40%                                      | <b>41%</b>                         |
| <b>Minimum Front Yard</b>                     | 4.5 m (14.76 ft)                          | 4.5 m (14.76 ft)                         | Complies                           |
| <b>Minimum Front Yard to a Private Garage</b> | 6.0 m (19.69 ft)                          | 6.0 m (19.69 ft)                         | <b>5.8 m (19.03 ft)</b>            |
| <b>Minimum Side Yard</b>                      | 1.5 m (4.92 ft)                           | 1.5 m (4.92 ft)                          | <b>1.22 m (4.0 ft)</b>             |
| <b>Minimum Rear Yard</b>                      | 7.5 m (24.61 ft)                          | 7.5 m (24.61 ft)                         | <b>7.0 m (22.97 ft)</b>            |
| <b>Maximum Height</b>                         | 11.0 m (36.09 ft)                         | 11.0 m (36.09 ft)                        | Complies                           |

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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 applications through the detailed review process.

### Draft Plan of Subdivision Application

The applicant has submitted a draft Plan of Subdivision application to facilitate the creation of four single detached dwelling lots and one block for the purposes of widening Kevi Crescent. Of the four lots, two are proposed to front onto Old 16<sup>th</sup> Avenue with lot frontages of 11.43 metres (37.5 feet) and lot areas of 356 square metres (3,831.95 square feet) each, and two are proposed to front onto Kevi Crescent with lot frontages of 11.35 metres (37.24 feet) and 11.55 metres (37.89 feet) and lot areas of 381.41 square metres (4,105.46 square feet) and 334 square metres (3,595.15 square feet). In order to facilitate access for the two lots to front onto Kevi Crescent, the applicant is proposing to widen and complete Kevi Crescent through the conveyance of a block to the City.

### 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 3). 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 on local streets.

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

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

The subject Zoning By-law Amendment and draft Plan of Subdivision applications 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.

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

The City's Park and Natural Heritage Planning Section has commented that the draft Zoning By-law submitted by the applicant does not provide adequate space for landscaping or for trees to mature. Further, staff has requested revisions to the Tree Inventory and Preservation Plan submitted in support of the applications to ensure that all trees identified in the corresponding Report are identified and protected, that adequate Tree Protection Fencing and Tree Protection Zones are provided without any encroachments, and that as many existing trees as possible are retained.

Staff has also recommended that the applicant review the location of the proposed driveways to avoid tree injury. Lastly, staff has requested revisions to the Landscape Plan submitted in support of the applications to ensure clear identification of the location and types of plantings proposed, including street tree plantings, and that the Landscape Plan is coordinated with all other plans and site services and utilities.

As currently proposed, staff has identified that the development will result in a loss of 14 native and non-native trees that will require replacement planting and/or cash-in-lieu to be secured through a future Subdivision Agreement. With respect to parkland dedication, staff recommends the acceptance of cash-in-lieu at the time of building permit issuance, as the parkland area generated for this development would not create a viable park that could be programmed or contribute to the overall park system.

#### **Urban Design Section**

The City's Urban Design Section has expressed concerns with the proposed lot frontages and has requested that the applicant increase the proposed lot frontages from approximately 11.4 metres (37.40 feet) to 13 metres (42.65 feet) to be consistent with the development approved to the immediate north (Files D02-15032, D03-15009 and D06-15066) and to be more in keeping with the larger lot frontages found in the existing neighbourhood of approximately 14.3 metres (46.92 feet).

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

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- the proposed low-density residential use is generally permitted within the **Neighbourhood** designation, in accordance with **Policies 4.9.1.1** and **4.9.1.2** of the Plan;
- the development proposal 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;
- 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 appropriateness of the size and configuration of the lots proposed through the draft Plan of Subdivision, including the impact of the proposed development on similar infill development opportunities for the adjacent lands to the west located at 267 and 253 Old 16<sup>th</sup> Avenue; and,
- staff will continue to review the form, content and appropriateness of the proposed draft Zoning By-law Amendment, including the request to rezone the lands to the **R3 Zone** category with minimum required lot frontages of 10.5 metres (34.45 feet) in consideration of the recent Council approval to rezone adjacent lands to the north to an **R4 Zone** category with minimum required lot frontages of 13 metres (42.65 feet) (City Files D02-15032, D03-15009 and D06-15066), as well as the site specific standards requested by the applicant with respect to the form, content and appropriateness of the amendments.

A comprehensive review and evaluation of the subject Zoning By-law Amendment and draft Plan of Subdivision applications 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, Fire and Emergency Services Division, and Building Services Division – Zoning Section, as well as Rogers, Enbridge Gas, Canada Post, Hydro One, Alectra Utilities, Bell Canada, and the York Region District School Board. These City departments and external agencies have no objections to the applications 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 applications remain under review by the City's Development Engineering Division, the Regional Municipality of York, the Toronto and Region Conservation Authority, and the York Catholic District School Board.

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### Interim Growth Management Strategy

Council has approved and implemented a comprehensive strategy comprised of eight growth management eligibility criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The criteria are as follows:

1. *Providing community benefits and completion of required key infrastructure.*
2. *Developments that have a mix of uses to provide for live-work relationships.*
3. *Developments that enhance the vitality of the Downtown Core.*
4. *Higher-order transit supportive development.*
5. *Developments that represent sustainable and innovative community and building design.*
6. *Completion of communities.*
7. *Small scale infill development.*
8. *Opportunities to provide affordable housing.*

As part of the review of the above noted IGMS Criteria Number 5, Sustainable and Innovative Community and Building Design, a Sustainability Performance Metrics Tool has been submitted in support of this proposed draft Plan of Subdivision application. Staff will review and confirm that the proposed development meets the minimum threshold scores and that the proposed sustainability measures are achievable prior to bringing forward a recommendation report.

### 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. An overview of how the subject applications are 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 and draft Plan of Subdivision applications to permit a residential development to be comprised of four single detached dwelling lots and one block for the purposes of widening Kevi Crescent on its land holdings. 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 these planning applications. 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. 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, Existing Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Proposed Draft Plan of Subdivision
- Map 6, Proposed Conceptual Site Plan

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### Report Approval Details

|                      |   |
|----------------------|---|
| Document Title:      | Request for Comments - Zoning By-law Amendment and Draft Plan of Subdivision Applications - 271 Old 16th Avenue.docx  |
| Attachments:         | <ul style="list-style-type: none"><li>- SRPI.22.005 Map 1 Aerial Photograph.docx</li><li>- SRPI.22.005 Map 2 Neighbourhood Context.docx</li><li>- SRPI.22.005 Map 3 Existing Official Plan Designation.docx</li><li>- SRPI.22.005 Map 4 Existing Zoning.docx</li><li>- SRPI.22.005 Map 5 Proposed Draft Plan of Subdivision.docx</li><li>- SRPI.22.005 Map 6 Proposed Conceptual Site Plan.docx</li></ul> |
| Final Approval Date: | Jan 27, 2022  |

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

**Gus Galanis - Jan 27, 2022 - 9:38 AM**

**Kelvin Kwan - Jan 27, 2022 - 9:58 AM**

**MaryAnne Dempster - Jan 27, 2022 - 11:45 AM**