



Staff Report for Council Meeting

Date of Meeting: February 23, 2022

Report Number: SRPI.22.011

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.011 – Request for Approval – Repeal of
Deeming By-law Application – Jebraeil
Vossoughi – City File DEEM-21-0001

Owner:

Jebraeil Vossoughi
36 Portage Avenue
Richmond Hill, Ontario
L4E 2Z4

Agent:

Weston Consulting
201 Millway Avenue, Suite 19
Vaughan, Ontario
L4K 5K8

Location:

Legal Description: Lots 492 and 493, Plan 133
Municipal Address: 36 Portage Avenue

Purpose:

A request for approval concerning a Repeal of Deeming By-law application to repeal By-law 951 in order to facilitate the creation of individual parcels for an existing semi-detached dwelling located on the subject lands.

Recommendations:

- a) That the Repeal of Deeming By-law Application submitted by Jebraeil Vossoughi for lands known as Lots 492 and 493, Plan 133 (Municipal Address: 36 Portage Avenue), City File DEEM-21-0001, be approved; and,
- b) That the Repeal of Deeming By-law be brought forward to the February 23, 2022 Council meeting for consideration and enactment.

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Contact Person:

Andrea Patsalides, Planning Technician, phone number 905-771-2470 and/or
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

Report Approval:

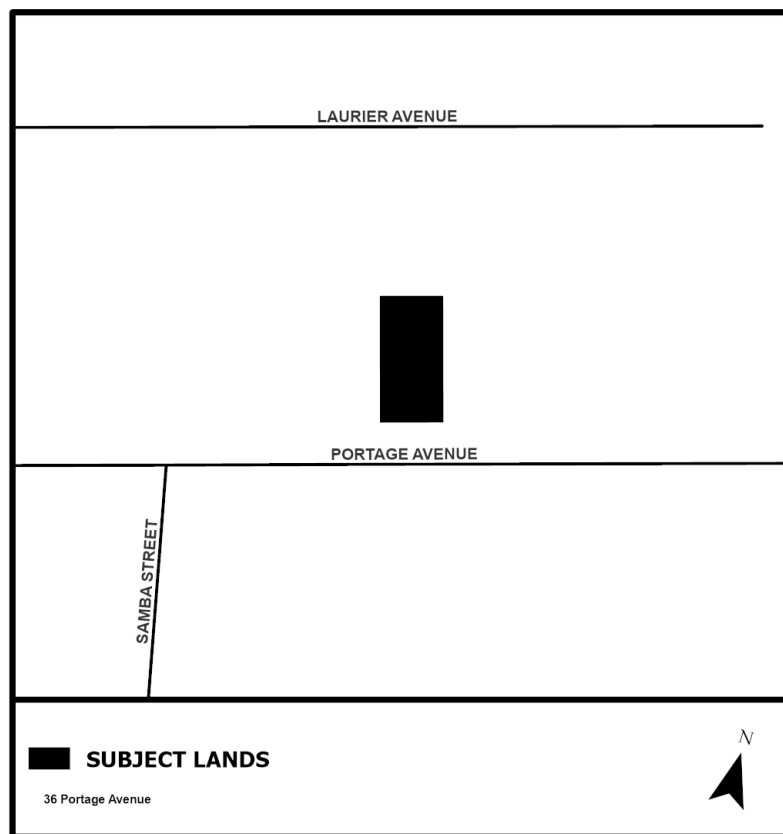
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, Interim 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 “Contact” above.



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Background Information:

The subject Repeal of Deeming By-law application was received by the City on November 18, 2021 and deemed complete on November 26, 2021. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

By way of background, By-law 951 was enacted by the former Township of King in 1951 and had the effect of deeming the subject lands as no longer being part of a registered Plan of Subdivision pursuant to Section 50(4) of the *Planning Act*. In this regard, the subject lands, being two original lots on Plan 133, merged in title under common ownership. In 2016, the applicant submitted a Zoning By-law Amendment application (City File D02-16015) to permit the construction of semi-detached dwellings on its land holdings. The application was approved by Council and Zoning By-law 4-18 was enacted on March 15, 2018. In 2019, Building Permits were issued (BP-2019-46644 and BP-2019-46645) by the City to facilitate the construction of the semi-detached dwellings on the lands. Construction of the semi-detached dwelling is now complete and occupancy of the units is scheduled to occur in the near future.

The purpose of this report is to seek Council's approval with respect to the applicant's request to repeal By-law 951 in order to re-establish the Subdivision Control provisions of the *Planning Act* on its land holdings and to facilitate the conveyance or ownership transfer of the semi-detached dwelling units.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the north side of Portage Avenue, between Bathurst Street and Merton Street, and have a total lot area of 0.046 hectares (0.114 acres). The lands currently contain semi-detached dwellings in the final stages of construction, and are surrounded by existing low density residential uses (refer to Maps 1 and 2).

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 of the City's Official Plan, and the existing semi-detached dwelling is a permitted use under the Neighbourhood designation (refer to Map 3). In this regard, the applicant's proposal conforms to the **Neighbourhood** policies of the Official Plan.

Existing Zoning By-law

The subject lands are zoned **Semi-Detached One (RD1) Zone** under By-law 313-96, as amended, and permitted residential uses include a single detached dwelling, a duplex dwelling and a semi-detached dwelling (Map 4). In this regard, the applicant's

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proposal complies with the land use permissions and development standards of the Zoning By-law.

Department and External Agency Comments:

The subject Repeal of Deeming By-law application has been circulated to various City departments and external agencies for review and comment. These City departments and external agencies have no objections to the application.

Development Planning Division

The proposed request, if approved, will repeal By-law 951 pertaining to the subject lands and have the effect of re-establishing Subdivision Control on the applicant's land holdings in order to facilitate the creation and conveyance of the individual lots to contain the semi-detached dwelling units.

Planning staff has carefully reviewed the applicant's Repeal of Deeming By-law application and has no objections on the basis that the semi-detached dwellings on the property are in keeping with the **RD1 Zone** provisions and will facilitate the creation of the individual parcels to allow conveyance and occupancy of the development in a timely manner. On the basis of the preceding, staff recommends that Council enact a by-law to repeal By-law 951 on the subject lands. By-law 15-22 has been attached as Appendix "A" to this report for Council's review and consideration.

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 do not have any direct implications with respect to Council's Strategic Priorities.

Climate Change Considerations:

The recommendations of this report do not have any direct climate change considerations.

Conclusion:

The applicant is seeking Council's approval of its Repeal of Deeming By-law application in order to re-establish Subdivision Control on its landholding pursuant to Section 50(3) of the *Planning Act*. The proposal will facilitate the re-creation and conveyance of the individual lots and semi-detached dwelling units on the subject lands. Staff supports the applicant's request on the basis that the existing semi-detached dwellings on the subject lands are in keeping with the applicable zoning provisions and will facilitate the transfer and occupancy of the development in a timely manner.

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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 contact the person listed in this document.

- Appendix “A”, Draft By-law 15-22
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Plan 65R-18531
- Map 6, Plan 133

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Report Approval Details

Document Title:	SRPRS.22.011 - Request for Approval - Deeming By-law - DEEM-21-0001.docx
Attachments:	<ul style="list-style-type: none">- Appendix A (By-law 15-22).docx- Map 1 - Aerial Photograph.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Official Plan Designation.docx- Map 4 - Existing Zoning.docx- Map 5 - Plan 65R-18531.docx- Map 6 - Plan 133.docx
Final Approval Date:	Feb 3, 2022

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

Gus Galanis - Feb 2, 2022 - 2:02 PM

Kelvin Kwan - Feb 2, 2022 - 4:54 PM

Darlene Joslin - Feb 3, 2022 - 9:55 AM