



Staff Report for Council Public Meeting

Date of Meeting: June 1, 2022

Report Number: SRPI.22.063

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.063 – Request for Comments – Zoning
By-law Amendment Application – Ghasem
Hashemi, Hussein Al-Shabboot and Hasan
Naash – City File D02-22002

Owners:

Ghasem Hashemi
272 Sunset Beach Road
Richmond Hill, ON L4E 3H2

Hussein Al-Shabboot
1269 Fawndale Road
Pickering, ON L1V 5S2

Hasan Naash
1271 Fawndale Road
Pickering, ON L1V 5S2

Agent:

Evans Planning Inc.
9212 Yonge Street, Unit 1
Richmond Hill, ON L4C 7A2

Location:

Legal Description: Lots 35 and 36, Plan 355 and Block 230, Plan 65M-3802

Municipal Addresses: 4 and 8 Bayview Ridge Court

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to facilitate the creation of seven building lots for single detached residential purposes on the subject lands.

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Recommendation:

- a) That Staff Report SRPI.22.063 with respect to the Zoning By-law Amendment application submitted by Ghasem Hashemi, Hussein Al-Shabboot and Hasan Naash for lands known as Lots 35 and 36, Plan 355 and Block 230, Plan 65M-3802 (Municipal Addresses: 4 and 8 Bayview Ridge Court), City File D02-22002, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Shareefah René, Planner I – Development Zoning, phone number 905-747-6354 and/or Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

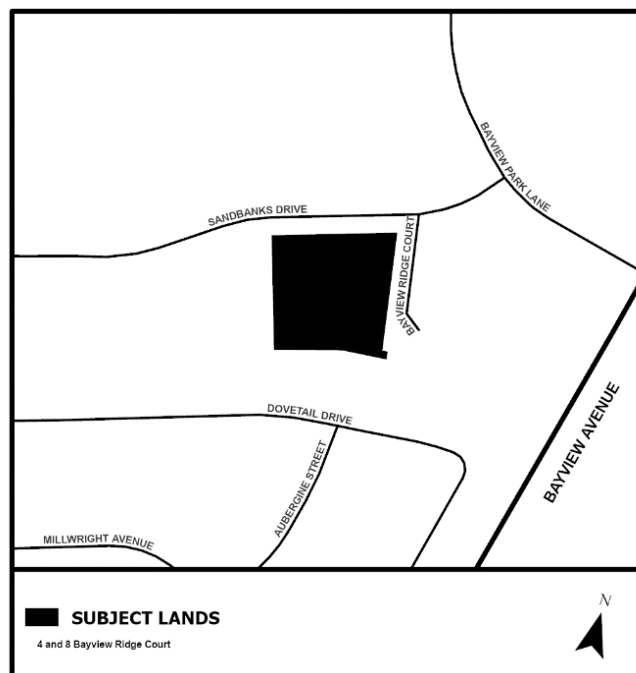
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 the “Contact Person” above.



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Background Information:

The subject Zoning By-law Amendment application was received by the City and deemed complete on February 10, 2022. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. Accordingly, the purpose of this report is to seek comments from Council and the public with respect to the subject development proposal 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 at the southwest corner of Sandbanks Drive and Bayview Ridge Court, being west of Bayview Avenue and south of Lake Wilcox in the community of Oak Ridges (refer to Map 1). The lands have an area of approximately 0.45 hectares (1.11 acres) with a lot frontage of approximately 71.60 metres (234.91 feet) along Sandbanks Drive and 71.63 metres (235.01 feet) along Bayview Ridge Court. The subject lands are comprised of two existing building lots, each of which support a single detached dwelling and accessory structures that are proposed to be demolished to facilitate the proposed development.

The lands are surrounded by low density residential uses consisting of single detached dwelling lots of varying sizes to the north, south and west, and natural heritage lands owned by the City to the northwest and to the east of the subject lands (refer to Map 2).

Development Proposal

The applicants are seeking Council's approval of its Zoning By-law Amendment application to facilitate the creation of seven residential building lots on the subject lands, with three (3) lots fronting along Sandbanks Drive and four (4) lots fronting along Bayview Ridge Court (refer to Map 5). The following is a summary of the relevant statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.45 hectares (1.11 acres)
- **Total Lot Frontage (Sandbanks Drive):** 71.60 metres (234.91 feet)
- **Total Lot Frontage (Bayview Ridge Court):** 71.63 metres (235.01 feet)
- **Total Number of Units:** 7
- **Proposed Lot 1:**
 - **Proposed Lot Area:** 400.16 square metres (4,307.28 square feet)
 - **Proposed Lot Frontage:** 13.25 metres (43.47 feet)
- **Proposed Lots 2 and 3:**
 - **Proposed Lot Area:** 400.07 square metres (4,306.31 square feet)
 - **Proposed Lot Frontage:** 13.25 metres (43.47 feet)

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- **Proposed Lot 4:**
 - **Proposed Lot Area:** 471.63 square metres (5,076.58 square feet)
 - **Proposed Lot Frontage:** 15.36 metres (50.39 feet)
- **Proposed Lot 5:**
 - **Proposed Lot Area:** 421.81 square metres (4,540.21 square feet)
 - **Proposed Lot Frontage:** 14.80 metres (48.55 feet)
- **Proposed Lot 6:**
 - **Proposed Lot Area:** 1,174.64 square metres (12,643.71 square feet)
 - **Proposed Lot Frontage:** 17.98 metres (58.95 feet)
- **Proposed Lot 7:**
 - **Proposed Lot Area:** 1,191.86 square metres (12,829.07 square feet)
 - **Proposed Lot Frontage:** 21.96 metres (72.04 feet)

Supporting Documentation/Reports

The applicants have submitted the following documents/information to the City in support of the proposed development:

- Planning Justification Report;
- Site Plan;
- Elevation Plans;
- Arborist Report;
- Tree Inventory and Preservation Plan;
- Natural Heritage Evaluation;
- Phase 1 Environmental Site Assessment;
- Functional Servicing and Stormwater Management Report; and,
- Draft Zoning By-law Amendment.

Zoning By-law Amendment Application

The majority of the subject lands are zoned **Residential Second Density (R2) Zone** under By-law 1703, as amended, while the southeastern portion of the lands are zoned **Semi-Detached One (RD1) Zone** under By-law 85-02, as amended (refer to Map 4). Permitted residential uses in the **R2 Zone** include single detached dwellings and permitted residential uses in the **RD1 Zone** include single detached, duplex and semi-detached dwellings. The applicants are seeking Council's approval to rezone the entirety of the subject lands to **Single Detached Four (R4) Zone** under By-law 313-96, as amended, with site specific development standards in order to facilitate their development proposal.

The following table provides a summary of the pertinent development standards of the current **R2 Zone** under By-law 1703, as amended, and the **R4 Zone** under By-law 313-96, as amended, applicable to the proposed development, with requested and required site specific exceptions highlighted in bold:

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Development Standard	R2 Zone Standards, By-law 1703, as amended	R4 Zone Standards, By-law 313-96, as amended	Proposed Development
Minimum Lot Frontage (Interior)	30.48 metres (100.0 feet)	12.0 metres (39.37 feet)	Complies
Minimum Lot Frontage (Corner)	n/a	14.0 metres (45.93 feet)	Complies
Minimum Lot Area (Interior)	1,393.55 square metres (15,000.0 square feet)	400.0 square metres (4,305.56 square feet)	Complies
Minimum Lot Area (Corner)	n/a	465.0 square metres (5,005.22 square feet)	Complies
Maximum Lot Coverage	20%	40%	Complies
Minimum Required Front Yard (to dwelling)	17.68 metres (58.0 feet) from centreline of street	4.5 metres (14.76 feet)	Complies
Minimum Required Front Yard (to garage)	n/a	5.8 metres (19.03 feet) to garage	4.5 metres (14.76 feet) to garage
Minimum Required Side Yard (Interior)	1.52 metres (5.0 feet) plus 0.61 metres (2.0 feet) for each additional increase in height of (3.05 metres (10.0 feet) or part thereof above 3.66 metres (12.0 feet).	1.5 metres (4.92 feet) or 1.2 metres (3.94 feet) without side door	Complies
Minimum Required Side Yard (Corner/Flankage)	minimum of 14.63 metres (48 feet) from centerline of the flanking street.	3.0 metres (9.84 feet)	Complies
Minimum Required Rear Yard	4.57 metres (15.0 feet) or distance equal to the height of building whichever is greater	7.5 metres (24.61 feet)	Complies
Maximum Height	10.67 metres (35.0 feet)	11.0 metres (36.09 feet)	To be confirmed
Maximum Porch/Deck Encroachment (flankage yard)	-	1.0 metres (3.28 feet)	0.45 metres (1.48 feet)
Minimum Driveway distance to intersection	-	9.0 metres (29.53 feet)	7.0 metres (22.97 feet)
Minimum Landscaping		45%	To be confirmed

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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”) (refer to Map 3). 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 outlined in Chapter 4 of the Plan.

In accordance with **Section 4.9.2** of the Plan, development shall be compatible with the character of adjacent and surrounding areas with respect to predominant building forms and types, massing, general patterns of streets, blocks and lots, landscaped areas and treatments and general pattern of yard setbacks. It is noted that the **Neighbourhood** designation allows for small-scale infill development that enhances and strengthens the character of the existing area and promotes connectivity and high-quality design.

The lands are also located within the **Settlement Area** of the Oak Ridges Moraine, in accordance with the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). **Section 3.2.1.1 (18)** of the Plan states that all uses, including the creation of new lots which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area** and permitted uses shall be subject to the requirements of Section 19(3) and 31(4) of the ORMCP. The lands are also located within an ORM Landform Conservation Area Category 2 in accordance with the ORMCP.

With respect to lands within the **Settlement Area**, the landform conservation policies of the Plan serve to ensure that development and site alteration minimize disturbances to landform character (**Section 3.2.1.1. 35(b)**). In this regard, the approval authority shall consider the importance of adopting planning, design and construction practices that will keep disturbance to landform character to a minimum including maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form, so as to satisfy the requirements of Sections 30(5) to (11) of the ORMCP. A landform conservation area assessment included as part of the submitted Natural Heritage Evaluation and Oak Ridges Moraine Conformity Statement is currently under review.

In addition, areas containing *Significant Woodlands* and *Wetlands* have been identified to the north and east of the subject lands, separated by Sandbanks Drive and Bayview Ridge Court. **Section 3.2.1.1 Table 3 (1 and 7) Minimum Areas of Influence and Minimum Vegetation Protection Zones for Key Natural Heritage Features and Key Hydrological Features** states that the minimum area of influence is all land within 120 metres of any part of feature. In accordance with **Section 3.2.1.1 (27)** of the Plan, an application for development respecting lands within the minimum area of influence defined by Table 3 but outside of the key natural heritage feature itself and the related minimum vegetation protection zone, shall be accompanied by a Natural Heritage

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Evaluation pursuant to **Section 23** of the *Oak Ridges Moraine Conservation Plan* (ORMCP) and **Section 5.24** of this Plan, which will be used to assess whether the proposed development poses any impact to these features. The applicant has submitted an NHE that is currently under review by the Toronto and Region Conservation Authority and the City's Park and Natural Heritage Planning Section.

A more detailed review and evaluation of the submitted application will be completed following the receipt of comments from Council, the public, City departments and external agencies.

City Department and External Agency Comments:

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

Building Services Division – Zoning Section

The City's Zoning Section has advised that the proposed front yard setbacks to the attached garages for a number of the proposed dwellings do not comply with the Zoning By-law requirement of 5.8 metres (19.03 feet). Furthermore, additional information and clarification is required to confirm compliance with respect to matters including side yard access/doors, basement walkouts, building heights and minimum front yard landscaping.

Development Engineering Division

The City's Development Engineering Division has requested revisions to the submitted Functional Servicing and Stormwater Management Report to address matters including servicing and drainage, and has confirmed that a daylighting triangle will need to be conveyed to the City at the Consent application stage and that an easement will be required in relation to the proposed rear lot catchbasins.

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 same. In consideration of the policies of the Plan which are relevant to the review and assessment of the proposed development, staff provides the following preliminary comments:

- the proposed single detached dwellings are permitted within the **Settlement Area** and within the **Neighbourhood** designations of the Plan;
- the proposed lot areas and lot frontages are in keeping with the requirements of the **Single Detached Four (R4) Zone** under By-law 313-96, as amended, and are consistent with existing lot areas and lot frontages of properties further west along Sandbanks Drive and directly north of subject lands;

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- the lands are designated **Settlement Area** under the Plan and the *Oak Ridges Moraine Conservation Plan* (ORMCP) and are subject to the policies of **Section 3.2.1.1** of the Plan. Notwithstanding, the applicant must demonstrate how the proposed development meets the landform conservation policies of the Official Plan and the ORMCP, specifically with respect to defining the landform characteristics on the site, clarifying the amount of proposed site disturbance and impervious surface, and identifying the types of planning, design and construction practices that will keep these aspects of the development proposal to a minimum. The applicant will need to provide additional justification (with regard to the ORM Technical Papers) in the event that the proposal exceeds the thresholds for site disturbance and impervious surfaces;
- the applicant has requested relief from the minimum corner lot area requirements of the Zoning By-law; however, it appears that the proposed development complies with the requirement of the proposed **R4 Zone**. In this regard, the applicant shall confirm that calculation and revise its draft Zoning By-law accordingly;
- the applicant shall demonstrate that the proposed development complies with the minimum front yard landscaping requirement of 45%, the maximum building height of 11 metres (36.09 feet) and the minimum front yard setback of 5.8 metres (19.03 feet) to attached garages;
- the applicant shall ensure that the proposed interior dimensions of the attached garages comply with the minimum parking stall requirements of the Zoning By-law as staff does not support any necessary relief in order to ensure the functionality of garages;
- given the size of the proposed corner lot, a revision to reduce the proposed porch and step encroachment in the flankage yard of Lot 4 is required;
- additional analysis and review of the submitted Natural Heritage Evaluation is required to determine the impact, if any, of the proposed development on the identified Key Natural Heritage Features within the surrounding area;
- future Consent applications will be required to facilitate the creation of the proposed building lots and the conveyance of any road widenings to the City, including a daylighting triangle;
- the applicant must satisfactorily address comments and requirements identified by the City departments and external agencies that have been requested to review the proposed development; and,
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment submitted in support of the proposed development.

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 Council meeting.

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Other City Department and External Agency Comments

Comments have been received from the City's Community Services Department – Waste Section and Financial Services Division, in addition to the Regional Municipality of York. These City departments and external agencies have advised of no objections to the application and/or have provided comments to be considered by the applicant during a more detailed implementation stage of the development process. As of the time of writing this report, the subject application remains under review by the City's Urban Design Section and Park and Natural Heritage Planning Section, in addition to the Toronto and Region Conservation Authority, Alectra Utilities, 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. 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 applicants are seeking Council's approval of a Zoning By-law Amendment application submitted in support of their proposal to permit the creation of seven residential building lots on their 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 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.

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, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Proposed Site Plan

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Report Approval Details

Document Title:	SRPI.22.063 - Request for Comments - Zoning By-law Amendment - 4 and 8 Bayview Ridge Court.docx
Attachments:	<ul style="list-style-type: none">- Map 1 - Aerial Photograph.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Official Plan Designation.docx- Map 4 - Existing Zoning.docx- Map 5 - Proposed Site Plan.docx
Final Approval Date:	May 17, 2022

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

Gus Galanis - May 16, 2022 - 4:51 PM

Kelvin Kwan - May 17, 2022 - 12:25 PM

Darlene Joslin - May 17, 2022 - 3:10 PM