



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

**Date of Meeting:** December 7, 2022

**Report Number:** SRPI.22.108

**Department:** Planning and Infrastructure

**Division:** Development Planning

**Subject:** **SRPI.22.108 – Request for Comments – Draft Plan of Subdivision Application – Minoo Mahroo – City File SUB-22-0008 (Related 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 draft Plan of Subdivision application to facilitate the construction of a residential development to be comprised of ten semi-detached dwelling units, two single detached dwelling units and two future development blocks to accommodate two additional single detached dwelling units on the subject lands.

### **Recommendation:**

- a) That Staff Report SRPI.22.108 with respect to the draft Plan of Subdivision application submitted by Minoo Mahroo for lands known as Part of Lots 23 and 24, Plan 3806 (Municipal Addresses: 551 and 561 16<sup>th</sup> Avenue), City File SUB-22-0008, 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:

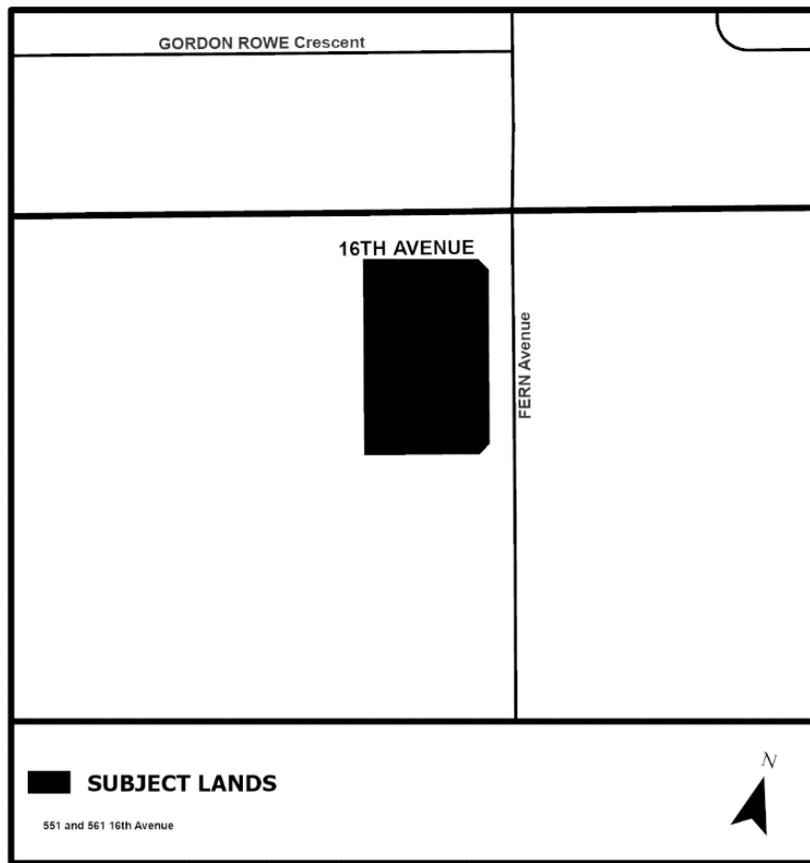
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Infrastructure

**Approved by:** 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 draft Plan of Subdivision application was received by the City on August 19, 2022 and deemed complete on August 22, 2022. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

By way of background, a related Zoning By-law Amendment application (File D02-21010) was originally submitted to the City on July 30, 2021 and considered at a Council Public Meeting held on November 17, 2021 (refer to Appendix “A”). The original development proposal was comprised of 14 semi-detached and two single detached dwelling units on the subject lands.

Subsequent to receiving all comments from circulated departments and agencies, the applicant submitted revised materials in relation to the Zoning By-law Amendment application, as well as a new draft Plan of Subdivision application, in order to permit a residential development to be comprised of 10 semi-detached dwelling units, two single detached dwelling units and two future development blocks to accommodate two additional single detached dwelling units on the subject lands. Given the submission of the draft Plan of Subdivision application, an additional Council Public Meeting is required.

Accordingly, the purpose of this report is to seek comments from Council and the public with respect to the subject draft Plan of Subdivision 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 recently approved 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).

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### Development Proposal

The applicant is seeking Council's approval of its draft Plan of Subdivision application and related revised Zoning By-law Amendment application to facilitate a proposed development to be comprised of 10 semi-detached dwelling units, two single detached dwelling units and two future development blocks intended to accommodate an additional two single detached dwelling units on its land holdings (refer to Maps 8 to 10). The two future single detached dwelling units are proposed to front onto a new backlot public street recently approved as part of the adjacent development to the south of the subject lands (City Files D02-20031 and SUB-20-0005).

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

- **Total Lot Area:** **0.44 hectares (1.09 acres)**
  - **Semi-Detached Lots:** **0.238 hectares (0.588 acres)**
  - **Single Detached Lots:** **0.116 hectares (0.287 acres)**
  - **Future Development Blocks:** **0.088 hectares (0.217 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:** **12 (plus 2 future singles)**
  - **Semi-Detached Units:** **10**
  - **Single Detached Units:** **2 (plus 2 future singles)**
- **Proposed Density:** **31.82 units per hectare (12.84 units per acre)**
- **Proposed Building Height:** **3 storeys or 11.7 metres (38.39 feet)**
- **Proposed Lot Frontages:**
  - **Semi-Detached Units:** **7.65 metres (25.09 feet) to 12.8 metres (41.99 feet)**
  - **Single Detached Units:** **12.16 metres (39.90 feet) to 12.2 metres (40.03 feet)**
- **Proposed Lot Areas:**
  - **Semi-Detached Units:** **223.87 sq. metres (2,409.72 sq. feet) to 324.24 sq. metres (3,490.09 sq. feet)**
  - **Single Detached Units:** **438.53 sq. metres (4,720.30 sq. feet) to 578.46 sq. metres (6,226.49 sq. feet)**

### Supporting Documentation/Reports

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

- Survey;
- Draft Plan of Subdivision;
- Architectural Plans (Site Plan, Floor Plans and Elevation Plans);
- Phasing Plan;
- Grading Plan;

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- Servicing Plan;
- Landscape Plans and Details;
- Waste Management Plan;
- Transportation Demand Management Plan;
- Noise Feasibility Study;
- Phase One Environmental Assessment;
- Functional Servicing Report;
- Geotechnical Report;
- Hydrogeological Investigation;
- Arborist Report, Tree Inventory and Tree Preservation Plan;
- Urban Design Brief; and,
- Sustainability Metrics.

### Draft Plan of Subdivision Application

The applicant has submitted a draft Plan of Subdivision application to facilitate the creation of seven lots and two blocks on its land holdings (refer to Map 8). Five lots are proposed to front onto Fern Avenue and are to be further subdivided through a future Part Lot Control Exemption application to accommodate 10 semi-detached dwelling units, while the remaining two lots fronting 16<sup>th</sup> Avenue are proposed to accommodate two single detached dwelling units. The two blocks proposed are intended to accommodate the future development of two single detached dwellings fronting onto the new backlot public street recently approved as part of the adjacent development applications to the south of the subject lands (City Files D02-20031 and SUB-20-0005).

### Revised 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 7). The **SR-1 Zone** permits both semi-detached dwellings and single detached dwellings, home occupations, small-scale business and professional offices, and a variety of community uses.

The **R6 Zone** permits only single detached dwellings, home occupations and group homes. The applicant is proposing to rezone the entirety of the subject lands to a site specific exception under the existing **SR-1** and **R6 Zones** to permit semi-detached dwellings in the **R6 Zone** and to implement development standards to facilitate its development proposal which is to be comprised of both semi-detached and single detached dwellings in both the **SR-1** and **R6 Zones**.

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

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<b>Development Standard</b>	<b>Existing SR-1 Zone Standard (By-law 255-96)</b>	<b>Existing R6 Zone Standard (By-law 255-96)</b>	<b>Proposed Semi-Detached</b>	<b>Proposed Single Detached</b>
<b>Minimum Lot Frontage (Interior Lot)</b>	16.5 metres (54.13 feet)*	15.0 metres (49.21 feet)	To Comply	<b>12.0 metres (39.37 feet)</b>
<b>Minimum Lot Frontage (Corner Lot)</b>	18.5 metres (60.70 feet)*	17.0 metres (55.77 feet)	To Comply	N/A
<b>Minimum Lot Area (Interior Lot)</b>	814.6 sq. metres (8,768.28 sq. feet)*	502.0 sq. metres (5,403.48 sq. feet)	<b>440 sq. metres (4,736.12 sq. feet)</b>	<b>430 sq. metres (4,628.48 sq. feet)</b>
<b>Minimum Lot Area (Corner Lot)</b>	913.34 sq. metres (9,831.11 sq. feet)*	569.0 sq. metres (6,124.67 sq. feet)	<b>480.0 sq. metres (5,166.68 sq. feet)</b>	N/A
<b>Maximum Lot Coverage</b>	40%	40%	<b>48%</b>	<b>43%</b>
<b>Minimum Front Yard</b>	6.0 metres (19.69 feet)	4.5 metres (14.76 feet)	<b>5.0 metres (16.40 feet)</b>	To Comply
<b>Minimum Front Yard (16<sup>th</sup>)</b>	15.0 metres (49.21 feet)	15.0 metres (49.21 feet)	N/A	<b>11.5 metres (37.73 feet)</b>
<b>Minimum Setback to Garage</b>	6.0 metres (19.69 feet)	6.0 metres (19.69 feet)	<b>5.8 metres (19.03 feet)</b>	To Comply
<b>Minimum Side Yard</b>	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>
<b>Minimum Flankage Yard</b>	3.0 metres (9.84 feet)	3.0 metres (9.84 feet)	To Comply	N/A
<b>Minimum Flankage Yard (16<sup>th</sup>)</b>	6.2 metres (20.34 feet)	6.2 metres (20.34 feet)	To Comply	N/A
<b>Minimum Rear Yard</b>	7.5 metres (24.61 feet)	7.5 metres (24.61 feet)	<b>7.0 metres (22.97 feet)</b>	To Comply
<b>Maximum Height</b>	9.0 metres (29.53 feet)	11.0 metres (36.09 feet)	To Comply	<b>11.7 metres (38.39 feet)</b>

\* *The Minimum 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.*

The applicant has submitted a draft Zoning By-law in support of its development proposal which 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.

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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 Plan) of the City's Official Plan ("Plan") (refer to Map 5). In accordance with **Section 4.9.1**, lands designated **Neighbourhood** are generally characterized by low density residential areas and a range of service uses and facilities. Opportunities for small-scale infill development are encouraged within the **Neighbourhood** designation where it can be demonstrated that the development will be 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 patterns of streets, blocks and lanes; parks and public building sites; size and configuration of lots; massing, including height, scale, density and dwelling types of nearby properties; location, design and elevations relative to the grade of driveways and garages; setbacks of buildings from the street; patterns of setbacks and landscaped open space areas; preservation of mature trees and of landscape or greenspace features; and, the conservation of heritage buildings, structures and landscapes. 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** of the Plan, the subject lands are 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 (refer to Map 6). 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.

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 Block Plan that demonstrates how the subject proposal would align with the 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 approved through the adjacent development applications (Files D02-20031 and SUB-20-0005) (refer to Maps 3, 4, 8 and 9).

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 policies. A more detailed review of the subject application and

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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 draft Plan of Subdivision 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 expressed some concerns with the design of the proposed semi-detached dwelling units and has requested that the applicant provide additional information with respect to the proposed building heights relative to grade for each dwelling type. Further, staff has identified that Architectural Design Control Guidelines are required to be submitted upon resolution of all outstanding comments to be included in the draft Plan of Subdivision approval conditions (refer to Appendix "B" and Map 10).

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

The City's Park and Natural Heritage Planning Section has identified that the proposed development will result in a loss of over 100 trees, 76 of which are native and non-native trees located on private property that meet the City's By-law requirements for protection. As a result, staff will require the applicant to provide replacement and/or compensation for the loss of the urban tree canopy to be secured through a future Subdivision Agreement, and note that the applicant will require the consent of neighbouring landowners where property boundary trees are proposed to be injured or removed.

Parks Staff have further requested updates to plans and reports submitted in support of the application to ensure sufficient protection of trees to be retained on site as well as confirmation that a minimum of 45% of the area of the front yards of the proposed lots are to be landscaped and that Low Impact Development measures are integrated into the development. Lastly, staff recommend that Council accept cash-in-lieu of parkland dedication for the subject development at the time of Building Permit issuance and have 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 (refer to Appendix "C").

#### **Development Engineering Division**

The City's Development Engineering Division has provided a number of technical comments related to grading, functional servicing and stormwater management, the inclusion of Low Impact Development features, noise, and daylighting triangle and road widening dedication requirements, in addition to comments on the sustainability metrics submitted, which are required to be addressed prior to approval. As comments have

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largely been provided in the form of redlined plans and reports, due to the size of these documents, they have not been included in this report. Further, Development Engineering staff has advised that the Hydrogeological Investigation and Geotechnical Report submitted in support of the development proposal remain under review at this time.

### York Region

The Regional Municipality of York has advised that it has no objections to the development proposal subject to the provision of additional information to address technical comments related to transportation matters and functional servicing. Further, Regional staff has requested that a lapsing provision be applied to the draft Plan of Subdivision and has provided a schedule of conditions to be satisfied prior to final approval, as well as a schedule of clauses and conditions that are to form part of a future Subdivision Agreement (refer to Appendix “D”).

### 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:

- the proposed low-density residential development which is to be comprised of semi-detached and single detached dwellings is generally permitted within the **Neighbourhood** designation, and is encouraged within Priority Infill Areas identified in Appendix 9 to the Plan, in accordance with **Policies 4.9.1.1, 4.9.1.2 and 4.9.1.1.1** 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 respecting the character and distinguishing features of neighbourhoods and compatibility with adjacent and surrounding areas, 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 and blocks proposed through the draft Plan of Subdivision and the need to impose Section 118 restrictions to ensure the orderly development of the proposed future development blocks which are proposed to front onto a future public street; and,
- in order to create the future semi-detached dwelling unit lots, future applications for Part Lot Control will be required.

A comprehensive review and evaluation of the draft Plan of Subdivision 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

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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 Alectra Utilities, Bell Canada, Hydro One, Rogers, Enbridge Gas, the Toronto and Region Conservation Authority, the York Region District School Board 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 Development Engineering staff 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 draft Plan of Subdivision application to permit a residential development to be comprised of 10 semi-detached dwelling lots and two single detached dwelling lots as well as blocks to facilitate two additional future single detached dwelling units 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 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

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- Map 2, Neighbourhood Context
- Map 3, Draft Approved Plan of Subdivision (File SUB-20-0005)
- Map 4, Concept Block Plan
- Map 5, Existing Official Plan Designation
- Map 6, Existing Official Plan - Infill Priority Areas
- Map 7, Existing Zoning
- Map 8, Proposed Draft Plan of Subdivision
- Map 9, Proposed Site Plan
- Map 10, Example of Proposed Semi-Detached Unit Elevations
- Appendix “A”, Extract of Council Public Meeting #47-21 held on November 17, 2021
- Appendix “B”, Memo from the Urban Design Section dated September 20, 2022
- Appendix “C”, Memo from the Park and Natural Heritage Planning Section dated September 27, 2022
- Appendix “D”, Letter from the Regional Municipality of York dated October 4, 2022

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### Report Approval Details

Document Title:	Request for Comments - Draft Plan of Subdivision Application - 551 and 561 16th Avenue.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPI.22.108 Map 1 Aerial Photograph.docx</li><li>- SRPI.22.108 Map 2 Neighbourhood Context.docx</li><li>- SRPI.22.108 Map 3 Draft Approved Plan of Subdivision (File SUB-20-0005).docx</li><li>- SRPI.22.108 Map 4 Concept Block Plan.docx</li><li>- SRPI.22.108 Map 5 Existing Official Plan Designation.docx</li><li>- SRPI.22.108 Map 6 Existing Official Plan - Infill Priority Areas.docx</li><li>- SRPI.22.108 Map 7 Existing Zoning.docx</li><li>- SRPI.22.108 Map 8 Proposed Draft Plan of Subdivision.docx</li><li>- SRPI.22.108 Map 9 Proposed Site Plan.docx</li><li>- SRPI.22.108 Map 10 Example of Proposed Semi-Detached Unit Elevations.docx</li><li>- SRPI.22.108 - Appendix A - Council Public Meeting Extract 47-21.docx</li><li>- SRPI.22.108 - Appendix B - Urban Design Comments AODA.pdf</li><li>- SRPI.22.108 - Appendix C - Parks Comments AODA.pdf</li><li>- SRPI.22.108 - Appendix D - York Region Comments AODA.pdf</li></ul>
Final Approval Date:	Nov 11, 2022

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

**Gus Galanis - Nov 10, 2022 - 4:50 PM**

**Kelvin Kwan - Nov 11, 2022 - 8:30 AM**

**Sherry Adams on behalf of Darlene Joslin - Nov 11, 2022 - 11:12 AM**