



Staff Report for Council Public Meeting

Date of Meeting: December 7, 2022

Report Number: SRPI.22.118

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.118 – Request for Comments – Zoning By-law Amendment Application – Kayvan Tirdad – City File D02-22016 (Related City Files D06-22048 and D06-22049)

Owner:

Kayvan Tirdad
418 Pine Cove Road
Burlington, ON
L7N 1W5

Agent:

Arezo Tirdad
418 Pine Cove Road
Burlington, ON
L7N 1W5

Location:

Legal Description: Lot 28, Plan 7032
Municipal Address: 82 Church Street South

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to permit the creation of one additional building lot for single detached residential purposes on the subject lands.

Recommendation:

- a) That Staff Report SRPI.22.118 with respect to the Zoning By-law Amendment application submitted by Kayvan Tirdad for lands known as Lot 28, Plan 7032 (Municipal Address: 82 Church Street South), City File D02-22016, be received for information purposes only and that all comments be referred back to staff.

Page 2

Contact Person:

Julie Mallany, Planner I – Site Plans, phone number 905-771-2459 and/or
Denis Beaulieu, Manager of Development - Subdivisions, phone number 905-771-2540

Report Approval:

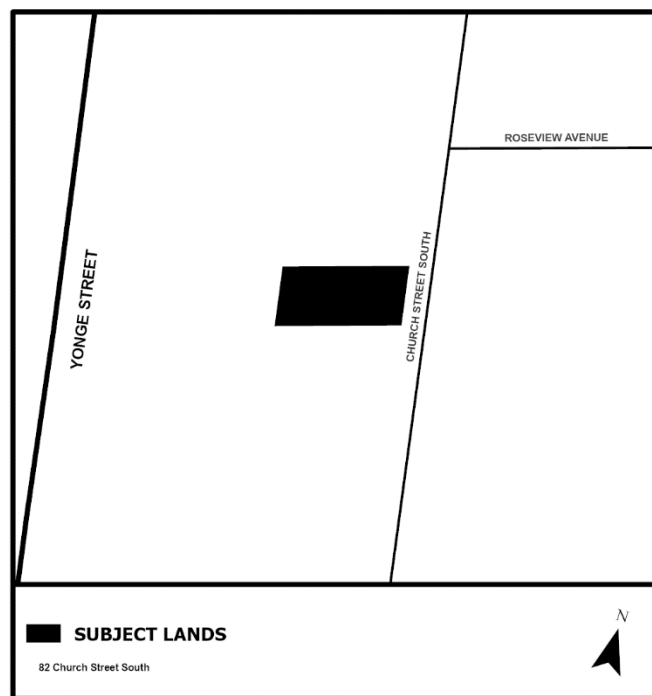
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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.



Page 3

Background Information:

The subject Zoning By-law Amendment application was received and deemed complete by the City on August 18, 2022. The application 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 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 located on the west side of Church Street South, north of Major Mackenzie Drive East and south of Lorne Avenue (refer to Map 1). The lands have a lot frontage of approximately 19.20 metres (62.99 feet) and a total site area of 0.077 hectares (0.19 acres). The lands presently support an existing one storey single detached dwelling and single car garage that are proposed to be demolished to facilitate the proposed development. The lands abut townhouses to the north, a single detached dwelling to the south, Church Street South to the east and a range of commercial uses to the west fronting onto Yonge Street (refer to Map 2).

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit an additional building lot on its land holdings. The severed and retained lots are each proposed to contain a single detached dwelling with frontage on Church Street South (refer to Maps 5 to 7). The following is a summary of the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.077 hectares (0.19 acres)
- **Total Lot Frontage:** 19.20 metres (62.99 feet)
- **Total Number of Units:** 2
- **Proposed Lot A (North):**
 - **Proposed Lot Area:** 385.53 square metres (4,149.81 square feet)
 - **Proposed Lot Frontage:** 9.60 metres (31.5 feet)
- **Proposed Lot B (South):**
 - **Proposed Lot Area:** 385.53 square metres (4,149.81 square feet)
 - **Proposed Lot Frontage:** 9.60 metres (31.5 feet)

In accordance with the City's development approval requirements, the applicant has submitted two Site Plan applications (City Files D06-22048 and D06-22049) in conjunction with the subject Zoning By-law Amendment application in order to facilitate its development proposal. The Site Plan applications are currently under review by City staff and external agencies.

Page 4

Supporting Documentation/Reports

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

- Draft Reference Plan;
- Draft Zoning By-law;
- Planning Justification Report;
- Site Plan;
- Floor Plans;
- Elevation Plans;
- Topographic Survey;
- Landscape Plan;
- Tree Protection and Replanting Plan; and,
- Arborist Report.

Zoning By-law Amendment Application

The applicant's land holdings are currently zoned **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended, and permitted uses include single detached dwellings among other uses (refer to Map 4). The proposed development does not comply with a number of the development standards of the **R2 Zone** category applicable to the lands. As such, the applicant is seeking Council's approval to implement site specific development standards for its development proposal. Outlined below is a comparison of the development standards in the existing **R2 Zone** relative to the site specific exceptions of the applicant's development proposal:

Development Standard	R2 Zone Standards, By-law 66-71, as amended	Proposed Development
Minimum Lot Frontage	15.24 metres (50.0 ft)	9.60 m (31.5 ft)
Minimum Lot Area	464.52 sq. m (5,000.0 sq. ft)	385.53 sq. m (4,149.81 sq. ft)
Maximum Lot Coverage	30%	36%
Minimum Front Yard	Greater of 16.15 m (53 ft) from street centerline or 6.10 m (20.0 ft)	Complies
Minimum Side Yard	1.22 m (4.0 ft) for a 1-storey dwelling plus 0.61 m (2.0 ft) for each storey or part thereof	0.91 m (2.99 ft)
Minimum Rear Yard	7.62 m (25.0 ft)	Complies
Maximum Height	10.67 m (35.0 ft)	Complies

Page 5

It should be noted that the appropriateness of the proposed zone category and zoning provisions, as well as the need for additional standards will continue to be evaluated through the review of the subject applications with regard to policy conformity, compatibility, design and function.

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Downtown Local Centre** in accordance with Schedule A2 - Land Use of the City's Official Plan (the "Plan") and form part of the **Village District** of said designation (refer to Map 3). The policies of the **Downtown Local Centre** designation guide the protection and enhancement of the Village character by protecting "**cultural heritage resources, significant views and mature trees**". Mixed-use, transit-oriented intensification is permitted within this designation in order to facilitate "**appropriately transitioned development to the adjacent neighbourhoods**". Uses permitted within the **Village District** and on lands without frontage on Yonge Street include low and medium density residential uses, in addition to small scale office, commercial and retail uses in certain identified locations. The applicant is proposing two (2) single detached dwellings which are permitted within the **Village District** of the **Downtown Local Centre** designation.

The Richmond Hill Downtown Design and Land Use Strategy Recommendations Report

The Downtown Design and Land Use Strategy Recommendations Report (the "DDLUS") was adopted by Council in May 2009 and formed the basis of the **Downtown Local Centre** designation policies in the Plan. Further, the Plan directs that the DDLUS be used to review and evaluate a development proposal in conjunction with the Plan in advance of the adoption of a Secondary Plan for the area. In this regard, staff provides the following preliminary comments with respect to the DDLUS:

- the subject lands are located within the **Village District** and the vision of the district is to maintain the low-rise built form character of the area with a focus on infill development with residential, retail and office uses. It is contemplated that the existing rear lanes and parking offer the opportunity to create a system of courtyards that would distinguish the Village;
- the DDLUS directs that new buildings should "**avoid mimicry, over embellishment or historic pastiche – new construction should be of its time**". Further, new development should be planned to be subordinate to heritage character through the provision of greater setbacks and different material palette and be compatible with the rhythm of the facades of the heritage buildings;
- the DDLUS also recommends that angular planes and setbacks should be used to balance the scale of development with the historic streetscape;
- the subject lands are identified as being within the **Village Neighbourhood** land use category. This land use category is located on side streets and anticipates that

Page 6

lands within this category will “***remain as integrated components of the adjacent residential neighbourhood***” and identifies that “***there is moderate potential for residential intensification that is compatible with adjacent residential land uses***”; and,

- the **Village Neighbourhood** land use category consists primarily of low and medium density residential infill uses with variable front yard setbacks that “***should be compatible with***” the setbacks on abutting properties.

Village Core Neighbourhood Design Guidelines

In addition to the preceding policy documents, staff notes that the lands are subject to the Village Core Neighbourhood Design Guidelines. The Guidelines were established to provide a framework to evaluate proposed development on lands located within the Study Area with respect to architecture, building/lot relationship and landscape. The following lists some of the guidelines under each of the three categories and does not represent an exhaustive list of the guidelines applicable to the proposed development:

- the side of the building facing the street should feature a porch, prominent entrance or other architectural gesture that provides a public face (at least 50% of the main front wall of the dwelling);
- where an attached garage is provided, the garage door should not protrude beyond the main front wall of the house and should be integrated into the massing of the house. For narrower lots between 12 and 18 metres, there shall be no more than one car garage within or near the front plan of the house;
- lot sizes and frontages should vary. The minimum lot width should be 12 metres and the maximum should be 21 metres;
- accommodate a diversity of front yard and side yard setbacks within a range complementary to the immediate neighbours; and,
- protect mature trees and encourage planting new trees.

The applicant has submitted a completed Village Core Neighbourhood Design Guidelines Checklist noting which guidelines the proposal would meet and an explanation of how the proposal meets said guidelines. This checklist and the other plans and supporting documentation are currently being reviewed by Urban Design staff.

A more detailed review and evaluation of the submitted application will be completed following the receipt of comments from Council, the public and 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 of this report.

Page 7

Building Services Division – Zoning Section

The City's Zoning Section has advised that the proposed lot frontages have been calculated incorrectly and that the development proposal and the draft by-law submitted in support of the proposed development will need to be updated to address these matters (refer to Appendix "A").

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 the proposed development. 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 and residential lots are permitted within the **Village District** of the **Downtown Local Centre** designation of the Plan. The subject application will continue to be reviewed in relation to conformity with the **Downtown Local Centre (Village District)** policies;
- the subject application will continue to be evaluated in accordance with the **Village Core Neighbourhood Design Guidelines** as they relate to architecture, building/lot relationship and landscape;
- the policies of the Plan direct that building heights may range from two to five storeys. The three-storey building heights for the proposed single detached dwellings would conform with the height provisions of the Plan;
- the proposed lot areas and lot frontages are not in keeping with the requirements of the **Village Core Neighbourhood Design Guidelines** or the **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended; however, the west side of Church Street includes a variety of existing lot areas and frontages in terms of context;
- the applicant shall demonstrate that the proposed development complies with the remaining standards of the existing zone category applicable to the lands;
- a future Consent application will be required to facilitate the creation of the proposed additional single detached residential lot;
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment required to facilitate the proposed development, including the appropriateness of implementing a **Residential Third Density (R3) Zone** category rather than the proposed **Residential Second Density (R2) Zone**;
- the proposed development is subject to Site Plan Control and therefore will be assessed on the basis of the Village Core Neighbourhood Design Guidelines; and,
- the applicant must satisfactorily address issues and requirements identified by the City departments and external agencies that have been requested to review the applicant's development proposal.

Page 8

Further to the above, a comprehensive review 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.

Other City Department and External Agency Comments

Comments have been received from the City's Financial Services Division, Park and Natural Heritage Planning Section, Urban Design and Heritage Section, Waste Management Section and Zoning Section, in addition to the Regional Municipality of York, the Toronto and Region Conservation Authority, Alectra Utilities, Bell Canada and Enbridge Gas Distribution. 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. All of the comments have been forwarded to the applicant for consideration but have not been appended to this report.

The development proposal is still under review by the City's Development Engineering Division and Fire and Emergency Services Division, in addition to Canada Post and Rogers Communication.

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 applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the creation of an additional building lot for single detached residential purposes 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 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.

Page 9

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Draft Site Plan
- Map 6, Elevation Plan – Part A
- Map 7, Elevation Plan – Part B
- Appendix “A”, Memo from the Building Services Division – Zoning Section dated October 3, 2022

Report Approval Details

Document Title:	SRPI.22.118 - Request For Comments - D02-22016.docx
Attachments:	<ul style="list-style-type: none">- SRPI.22.118 Appendix A.pdf- SRPI.22.118 - Map 1 - Aerial Photograph.docx- SRPI.22.118 - Map 2 - Neighbourhood Context.docx- SRPI.22.118 - Map 3 - Official Plan Designation.docx- SRPI.22.118 - Map 4 - Existing Zoning.docx- SRPI.22.118 - Map 5 - Draft Site Plan.docx- SRPI.22.118 - Map 6 - Elevation A.docx- SRPI.22.118 - Map 7 - Elevation B.docx
Final Approval Date:	Nov 11, 2022

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

Gus Galanis - Nov 11, 2022 - 10:44 AM

Kelvin Kwan - Nov 11, 2022 - 2:43 PM

Sherry Adams on behalf of Darlene Joslin - Nov 11, 2022 - 4:23 PM