



Staff Report for Committee of the Whole Meeting

Date of Meeting: March 22, 2023

Report Number: SRPI.23.030

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.23.030 – Request for Approval – Zoning By-law Amendment Application – Farhad Fani-Molky and Parivash Kalantari – City File D02-17020**

Owner:

Farhad Fani-Molky and Parivash Kalantari
53 Sunset Beach Road
Richmond Hill, Ontario
L4E 3G7

Agent:

EZed Architects
220 Duncan Mill Road, Unit 406
Toronto, Ontario
M3B 3J5

Location:

Legal Description: Lot 16, Registered Plan 203

Municipal Address: 53 Sunset Beach Road

Purpose:

A request for approval concerning a Zoning By-law Amendment application to facilitate the construction of a two-storey single detached dwelling on the subject lands.

Recommendation(s):

- a) **That the Zoning By-law Amendment application submitted by Farhad Fani-Molky and Parivash Kalantari for lands known as Lot 16, Registered Plan 203 (Municipal Address: 53 Sunset Beach Road), City File D02-17020, be approved, subject to the following:**

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- (i) that the subject lands be rezoned to **Single Detached Six (R6) Zone under Zoning By-law No. 313-96, as amended, as set out in Appendix “B” to Staff Report SRPI.23.030; and,**
- (ii) that the amending Zoning By-law be brought forward to a future Council meeting for consideration and enactment.

Contact Person:

Julie Mallany, Planner I, Site Plans, phone number 905-771-2459 and/or
Deborah Giannetta, Manager of Development, Subdivisions, phone number 905-771-5542

Report Approval:

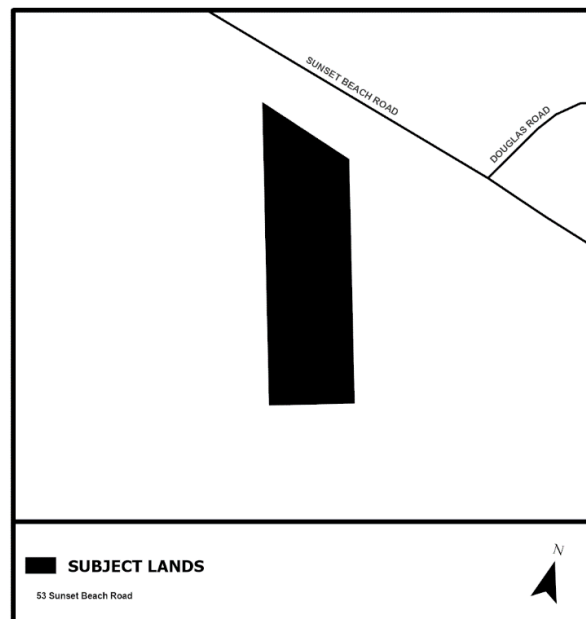
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, 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 the person listed under “Contact Person” above.



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Background:

A statutory Council Public Meeting (CPM) was held regarding the subject application on November 15, 2017, wherein Council received Staff Report SRPRS.17.176 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). It should be noted that no concerns were raised by members of Council or the public at the public meeting.

The subject application was placed on hold at the request of the applicant in October 2019 while the City undertook a comprehensive review of Additional Residential Units (ARU’s) as the applicant was contemplating the establishment of an accessory unit within the proposed dwelling as part of the original proposal. The applicant subsequently reactivated its Zoning By-law Amendment application in February 2022 after the approval of Official Plan Amendment 23 (OPA 23) and Zoning By-law 13-21 which permitted one additional residential unit within all single detached, semi-detached and townhouse dwellings in the City, as well as one additional residential unit within an accessory structure, for a total of 3 residential units on the same lot.

The reactivated application included a redesign of the proposed single detached dwelling and, as a result, a related Site Plan Application (City File D06-17055) was submitted to the City to facilitate the construction of a 494.96 square metre two-storey detached dwelling on the subject lands. The revised applications were circulated to City departments and external agencies for review and comment on March 7, 2022.

All comments from City departments and external agencies related to both applications have now been satisfied and the Site Plan application has proceeded to a stage where approval is imminent. It is noted that notwithstanding Bill 23, wherein Site Plan approval is no longer required for single detached dwellings, the applicant wishes to complete the Site Plan approval process rather than submit a Site Alteration Permit given that the Site Plan approval process is complete.

The purpose of this report is to seek Council’s approval of the Zoning By-law Amendment application in order to facilitate the construction of the proposed dwelling on the subject lands.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Sunset Beach Road, north of Lake Avenue, east of Yonge Street, and have a total lot area of 0.07 hectares (0.18 acres). The lands currently support a one-storey single detached dwelling that is proposed to be demolished to facilitate the proposed development. The lands abut existing residential uses to the east, west and south, and Sunset Beach Road to the north (refer to Maps 1 and 2).

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Development Proposal

The applicant is seeking Council's approval to rezone the subject lands from **Residential Third Density (R3) Zone** under Zoning By-law 1703, as amended to **Single Detached Six (R6) Zone** under Zoning By-law 313-96, as amended to facilitate the construction of a two-storey single detached dwelling on its land holdings (refer to Maps 5 and 6). The following is a summary outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Lot Area:** 0.07 hectares (0.18 acres)
- **Lot Frontage:** 18.50 metres (60.70 feet)
- **Building Height:** 9.15 metres (30.02 feet) or two storeys
- **Lot Coverage:** 33.58%
- **Gross Floor Area:** 494.96 square metres (5,327.71 square feet)

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 4). The **Neighbourhood** designation permits low density residential uses among other uses that include single detached dwellings as proposed by the applicant. Development within the **Neighbourhood** designation shall have a maximum building height of three (3) storeys and shall be compatible with the character of the adjacent and surrounding areas with respect to the predominant building forms and types, massing, general patterns of streets, blocks, and lots, landscaped areas and treatments, and the general pattern of yard setbacks.

The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* ("ORMCP") as defined in accordance with the ORMCP. In accordance with **Section 3.2.1.1 (18)** of the Plan, all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**.

Given all of the above, Planning staff is of the opinion that the proposed development is in conformity with the **Neighbourhood** policies of the Plan and the **Settlement Area** policies of the ORMCP.

Zoning By-law Amendment

The subject lands are currently zoned **Residential Third Density (R3) Zone** under Zoning By-law 1703, as amended (refer to Map 3). The **R3 Zone** permits residential uses as proposed by the subject application among other uses. However, the subject property is a legal non-conforming lot and currently does not meet the majority of the **R3** zone standards. Accordingly, the applicant is seeking Council's approval to rezone the lands to **Single Detached Six (R6) Zone** under Zoning By-law 313-96, as amended, to

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facilitate the future construction of a two-storey, 494.96 square metre (5,327.71 square feet) single detached dwelling on its land holdings. No site specific exceptions are required to facilitate the subject proposal.

The following table provides a summary of the applicable zone standards of the existing and proposed zone categories as they apply to the proposed development:

Development Standard	R3 Zone By-law 1703, as amended	R6 Zone By-law 313-96, as amended	Proposed Development
Minimum Lot Area (Interior Lot)	929.0 sq. m (10,000 sq. ft.)	500.0 sq. m (5382.0 sq. ft)	743.8 sq. m (8006.8 sq. ft) Complies
Min. Lot Frontage	22.9 metres (75.0 feet)	15.0 metres (49.2 feet)	18.5 metres (60.7 feet) Complies
Minimum Side Yard Setback	3.4 metres (11.0 feet)	1.5 metres (4.9 feet)	1.5 metres (4.9 feet) Complies
Minimum Front Yard Setback	17.6 metres (58 feet) from street centreline	4.5 metres (14.8 feet)	5.96 metres (19.6 feet) Complies
Minimum Rear Yard Setback	Greater of 4.6 metres (15.0 feet) or distance equal to building height	7.5 metres (24.6 feet)	17.0 metres (55.8 feet) Complies
Maximum Height	10.7 metres (35 feet)	11.0 metres (36.1 feet)	9.2 metres (30.0 feet) Complies
Maximum Lot Coverage	20%	40%	33.6% Complies

Planning staff has undertaken a comprehensive review of the applicant's Zoning By-law Amendment application and is of the opinion that the proposal to rezone the subject lands from **R3 Zone** under Zoning By-law 1703, as amended to **R6 Zone** under By-law 313-96, as amended, is appropriate. The proposed zoning of the subject lands is in keeping with the zoning for new residential development in the surrounding area and will facilitate the construction of a dwelling that is compatible and in keeping with the character of the neighbourhood. Further, the proposal conforms to the applicable policies of the Plan and is therefore considered to represent good planning. As such, staff recommends that the subject Zoning By-law Amendment application be approved as outlined in the draft Zoning By-law Amendment attached as Appendix "B" to this report.

City Department and External Agency Comments:

All circulated City departments and external agencies comments have been satisfied.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications.

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Relationship to Council’s Strategic Priorities 2020-2022:

The recommendations of this report are aligned with a **Strong Sense of Belonging** in combining a desire for everyone to feel welcome in Richmond Hill and a commitment to community building.

Climate Change Considerations:

The recommendations of this report are aligned with Council’s climate change considerations as the development proposal contemplates infill development within an existing urban area which represents an efficient use of land within this area of the City.

Conclusion:

The applicant is seeking Council’s approval of its Zoning By-Law Amendment application to facilitate the construction of a two-storey single detached dwelling on its land holdings. The applicant’s development proposal conforms with the applicable policies of the Official Plan and is considered to represent good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application as outlined and described in this report.

Attachments:

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.

- Appendix A, Extract from Council Meeting C#40-17 held on November 15, 2017
- Appendix B, Draft Zoning By-law
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Site Plan
- Map 6, Elevations

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Report Approval Details

Document Title:	SRPI.23.030 - Request for Approval - ZBLA - 53 Sunset Beach Road.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Council Extract.docx- Appendix B - Draft By-law D02-17020 53 Sunset Beach.docx- SRPI.23.030 - Map 1 - Aerial Photograph.docx- SRPI.23.030 - Map 2 - Neighbourhood Context.docx- SRPI.23.030 - Map 3 - Existing Zoning.docx- SRPI.23.030 - Map 4 - Official Plan Designation.docx- SRPI.23.030 - Map 5 - Site Plan.docx- SRPI.23.030 - Map 6 - Elevations.docx- SRPI.23.030 By-law 34-23 Schedule A.docx- SRPI.23.030 Location Map.docx
Final Approval Date:	Mar 2, 2023

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

Gus Galanis - Mar 1, 2023 - 2:39 PM

Kelvin Kwan - Mar 1, 2023 - 3:18 PM

Darlene Joslin - Mar 2, 2023 - 11:07 AM