



Staff Report for Committee of the Whole Meeting

Date of Meeting: March 22, 2023

Report Number: SRPI.23.034

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.23.034 – Request for Comments – Site Plan Application – Mahin Emadi Khiav – City File D06-19030)**

Owner:

Mahin Emadi Khiav
40 Harding Boulevard West, Unit 904
Richmond Hill, Ontario
L4C 9S5

Applicant:

Albert Yerushalmi
Eden Engineering & Design Inc.
34 Pheasant Valley Court
Thornhill, ON
L3T 2H1

Location:

Legal Description: Part of Lot 17, Plan 3806
Municipal Address: 429 16th Avenue

Purpose:

A request for comments with respect to a Site Plan application to facilitate the construction of a day nursery on the subject lands.

Recommendation:

- a) **That the Site Plan application submitted by Mahin Emadi Khiav for the lands known as Part of Lot 17, Plan 3806 (Municipal Address: 429 16th Avenue), City File D06-19030), be received for information purposes only and that all comments be referred back to staff.**

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Contact Person:

Umar Javed, Planner I – Site Plans, phone number 905-747-6470
Sandra DeMaria, Manager of Development – Site Plans, phone number 905-747-6312

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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.



Background:

The subject Site Plan application was submitted in April 2019 in conjunction with a related Zoning By-law-Amendment application (City File D06-19005) to permit a stand

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alone day nursery on the front portion of subject lands. Zoning By-law 65-20, which amends Zoning By-law 255-96, as amended, was approved by Council on June 24, 2020. In April 2021, the applicant filed a complete revised Site Plan application to construct a new 372.00 square metre (4004.17 square feet) day nursery to accommodate up to 80 children with an outdoor playground and expanded parking area on its land holdings.

The revised 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 with respect to the applicant's development proposal.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are situated on the south side of 16th Avenue, east of Elm Avenue (refer to Maps 1 and 2). The lands have a frontage of 25.15 metres (82.51 feet) on 16th Avenue and a lot area of 1284.44 square metres (13,825.60 square feet). The lands presently support a single-detached dwelling and detached garage which are proposed to be demolished to facilitate the proposed development. Surrounding land uses include established low density residential uses to the east, west, and south, and 16th Avenue to the north, beyond which is Sixteenth Avenue Public School, Elvis Stojko Arena and low density residential uses (refer to Map 2).

Development Proposal

The applicant is seeking Site Plan approval to facilitate the construction of a new two storey, 372.00 square metre (4004.17 square feet) day nursery with 16 surface parking spaces for both staff and visitors on its land holdings. Primary access to the proposed day nursery is to be provided from a restricted right-in, right-out driveway from 16th Avenue.

Applicable signage will be erected on the subject lands that will restrict and limit parking during pick up and drop off times. The proposed day nursery is expected to accommodate up to 80 children with a 161.37 square metre (1,737 square feet) playground on the west side of the day nursery building. Additionally, the applicant proposes to retain the rear portion of the subject lands as residential for future infill development and the provision for the future east-west road between 16th Avenue and Duncan Road.

Below is a summary of the pertinent development statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Lot Frontage:** 25.15 metres (82.51 feet)
- **Lot Area (Day Nursery):** 1284.44 square metres (13,825.60 square feet)
- **Building Height:** 9.0 metres (29.53 feet)

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- **Ground Floor Area:** 372.00 square metres (4004.17 square feet)
- **East Side Yard Setback:** 7.52 metres (24.67 feet)
- **West Side Yard Setback:** 3.62 metres (11.88 feet) – to building
- **Lot Coverage:** 15.88%
- **Landscape Area:** 36%
- **Number of Parking Spaces:** 16
- **Number of Children:** 80 children

Supporting Documentation/Reports

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

- Site Plan;
- Survey;
- Elevations;
- Floor Plans;
- Landscape Plan;
- Tree Inventory and Preservation Plan;
- Erosion and Sediment Control Plan;
- Lighting Plan;
- Exterior Material and Colour Palette Schedule;
- Storm Water Management Report;
- Transportation Study;
- Grading Plan; and,
- Servicing Plan

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 - Land Use in the City's Official Plan (the "Plan") (refer to Map 4). Uses permitted within the **Neighbourhood** designation consist of low-density residential uses, medium density residential uses, neighbourhood commercial uses, parks and open spaces, and community uses, including day nurseries.

Zoning

The subject lands are zoned "**Special Residential One (SR-1) Zone**" in accordance with By-law 65-20, as amended by By-law 255-96. By-law 65-20 permits a day nursery on the front portion of the lands (refer to Appendix A).

City Department, External Agency and Public Comments:

The applicant's revised Site Plan application, including the associated studies and plans in support of same have been circulated to various City departments for review and

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comment. In this regard, the following sections contain an overview of the comments and requirements with respect to the applicant's revised Site Plan application and includes a brief discussion on how concerns and issues have been addressed by the applicant as well as a summary of outstanding technical matters to be addressed prior to finalization of the Site Plan application.

Development Engineering Division

Development Engineering staff has provided comments on the applicant's revised Site Plan application with respect to various technical and functional considerations, including servicing and grading, accessibility and design, transportation and traffic, sustainable design, stormwater management, and erosion and sediment control. Transportation Engineering staff requires that appropriate directional and parking signage be erected to restrict specific parking spaces for staff, pick-up and drop off, and to facilitate safe turnarounds for patrons. The applicant has addressed staff's concerns related to servicing, grading, and traffic management, and has since received their sign off.

Parks and Natural Heritage

The City's Park and Natural Heritage Planning Section has reviewed the Site Plan application and has signed off accordingly. Staff require tree protection fencing to be installed as a condition of Site Plan approval.

Heritage and Urban Design Section

The City's Heritage and Urban Design Section has reviewed the subject application in accordance with the Council approved *City-wide Urban Design Guidelines* and has confirmed that the proposed day nursery aligns with the guidelines.

Community Services – Waste Management

The City's Community Services Department has provided comments with respect waste management as it relates to the storage and collection of waste. Staff requires all waste to be stored internally and enclosed entirely. The applicant has demonstrated that on-site waste will be enclosed and fenced on the west side of the subject lands.

Richmond Hill Fire and Emergency Services

The City's Fire and Emergency Services Division has reviewed the Site Plan application and has no concerns with the proposed fire access route.

Regional Municipality of York

The Regional Municipality of York ("Region") has reviewed the Site Plan application and has provided technical comments with respect to traffic management, grading, stormwater management, utilities and servicing, landscaping, and proposed works within the Regional right-of-way. As a condition of Site Plan approval, the applicant has agreed, among other requirements, to convey a portion of the subject lands in support of the regional right-of-way (16th Avenue). Additionally, the applicant will be required to

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construct the restricted right-in, right-out access to 16th Avenue to the satisfaction of the Region. A road occupancy permit will be required prior to commencing any work on the 16th Avenue right-of-way, which will include minimum requirements with respect to lane closures, pedestrian access, and traffic signage. The owner will be required to enter into a Site Plan Agreement as a condition of Site Plan Approval.

Development Planning Division

The City's Development Planning Section has reviewed the materials submitted in support of the applicant's revised Site Plan application and advises as follows:

- the proposed day nursery is a permitted use under the **Neighbourhood** designation of the Plan;
- the proposed day nurse is permitted on the subject lands under Zoning By-law 255-96, as amended by By-law 65-20;
- the applicant has addressed all technical matters related to its Site Plan application, including on-site circulation, parking, traffic management, servicing, accessibility, and design; and;
- the applicant is working with the Regional Municipality of York with respect to the construction of the right-in, right-out driveway access from 16th Avenue, as well as the conveyance of a portion of their lands in support of the Regional right of way.

Staff has no further concerns with the subject Site Plan application and has no objections to the proposed day nurse building.

Financial/Staffing/Other Implications:

The recommendation does not have any financial, staffing or other implications.

Relationship to the Strategic Plan – 2020-22:

The applicant's development proposal aligns with **Goal Two – Strong Sense of Belonging** in providing an age-friendly service within the community that accommodates a large number of children within the proposed facility.

Conclusion:

The applicant is seeking comments from Council with respect to its Site Plan application to facilitate the construction of a new, two storey, 372.00 square metre (4004.17 square feet) day nursery **on its land holdings**. At the time of writing this report, all technical comments have been addressed by the applicant. 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.

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Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format, please call the contact person listed in this document.

- Appendix A, Zoning By-law 65-20
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations
- Map 7, Proposed Floor Plans

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Report Approval Details

Document Title:	SRPI.23.034 - Request for Comments - Site Plan Application - 429 16th Avenue.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Bylaw 65-20.docx- Map 1 - Aerial Photograph.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Existing Zoning.docx- Map 4 - Official Plan Designation.docx- Map 5 - Proposed Site Plan.docx- Map 6 - Proposed Elevations.docx- Map 7 - Proposed Floor Plans.docx
Final Approval Date:	Mar 6, 2023

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

Gus Galanis - Mar 3, 2023 - 10:30 AM

Kelvin Kwan - Mar 3, 2023 - 12:03 PM

Darlene Joslin - Mar 6, 2023 - 9:10 AM