



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

**Date of Meeting:** May 2, 2023

**Report Number:** SRPI.23.032

**Department:** Planning and Infrastructure

**Division:** Development Planning

**Subject:** **SRPI.23.032 – Request for Comments – Zoning  
By-law Amendment Application – Seyed  
Mohammad Sajadi – City File ZBLA-23-0001**

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### **Owners:**

Seyed Mohammad Sajadi  
34 Avenue Road  
Richmond Hill, Ontario  
L4C 6B9

### **Agent:**

Hyphen Studio  
1901 Avenue Road  
Toronto, Ontario  
M5M 3Z9

### **Location:**

**Legal Description:** Part of Lot 99, Registered Plan M-1960  
**Municipal Addresses:** 34 Avenue Road

### **Purpose:**

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

### **Recommendation:**

- a) **That Staff Report SRPI.23.032 with respect to the Zoning By-law Amendment application submitted by Seyed Mohammad Sajadi for the lands known as Part of Lot 99, Registered Plan M-1960 (Municipal Address: 34 Avenue Road), City File ZBLA-23-0001, 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 and/or Deborah Giannetta, Manager of Development, Subdivisions, phone number 905-771-5542

### Report Approval:

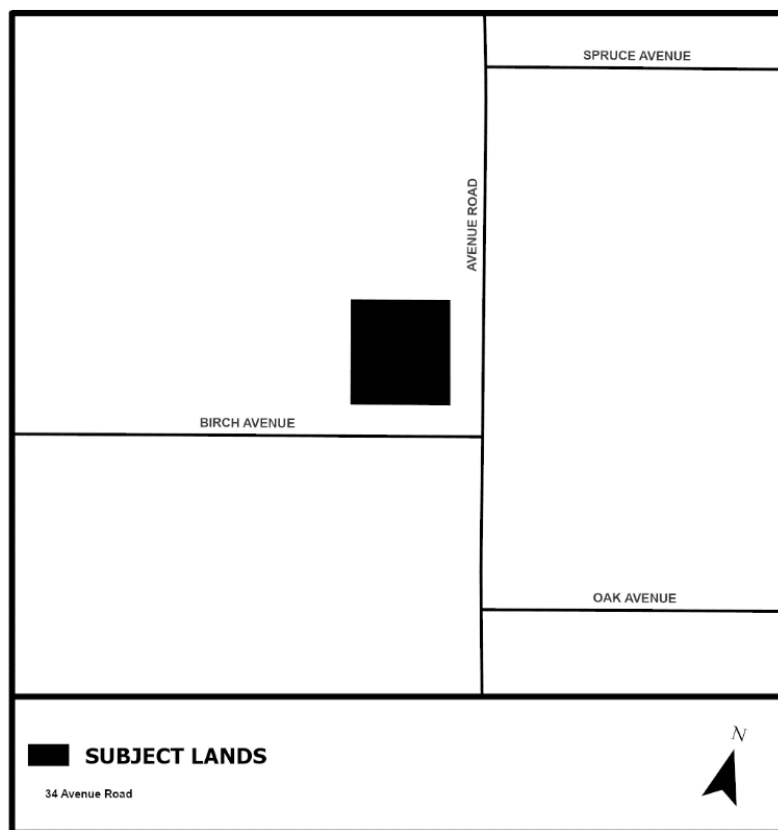
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Infrastructure

**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(s) listed under the “Contact Person” above.



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### Background Information:

The subject Zoning By-law Amendment application was received and deemed complete by the City on February 14, 2023. 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 applicant's 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 on the west side of Avenue Road, north of Birch Avenue (refer to Map 1). The lands have a frontage of 32.67 metres (107.19 feet) along Avenue Road, a total lot area of 1007.65 square metres (10,846.25 square feet) and currently support an existing one storey detached dwelling with an attached garage that is proposed to be demolished in order to facilitate the proposed development. Surrounding land uses include established low density residential uses to the north, south, east, and west of the subject lands (refer to Map 2).

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to facilitate the creation of one additional building lot for single detached residential purposes on its landholdings. Should Council approve the proposal, a total of two lots would be created and each would contain a new single detached dwelling with frontage on Birch Avenue (refer to Maps 6 to 9). 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:

- **Lot Area:** **1007.65 square metres (10,846.25 square feet)**
- **Lot Frontage:** **32.56 metres (107.19 feet)**
- **Number of Dwellings:** **2**
- **Building Height:** **2 storeys (11 metres)**
- **Proposed Lot 1 (East Side)**
  - **Proposed Lot Area:** **443.15 square metres (4,770.03 square feet)**
  - **Proposed Lot Frontage:** **14.0 metres (45.93 feet)**
- **Proposed Lot 2 (West Side)**
  - **Proposed Lot Area:** **456.45 square metres (4,913.19 square feet)**
  - **Proposed Lot Frontage:** **14.0 metres (45.93 feet)**

#### Supporting Documentation/Reports

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

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- Planning Justification Report;
- Topographic Survey;
- Site Plan;
- Floor Plans;
- Roof Plan;
- Elevations;
- Scoped Environmental Report;
- Arborist Report;
- Tree Inventory and Preservation Plan; and,
- Draft Zoning By-law Amendment.

### Zoning By-law Amendment Application

The subject lands are currently zoned **Residential Single Family (R3) Zone**, under Zoning By-law No. 2523, as amended. The applicant is seeking approval to amend the provisions of the **R3 Zone** in order to facilitate the creation of one additional lot to accommodate two (2) single detached dwellings on the subject lands (refer to Map 3). The proposed development does not comply with a number of the development standards of the **R3 Zone** category applicable to the lands. As such, the applicant is seeking approval to amend the current zoning of the subject lands in order to establish site specific provisions to facilitate the proposed development.

The following table provides a comparison of the proposed development standards relative to those of the current **R3 Zone** category, with the proposed site specific exceptions highlighted in bold:

Development Standard	R3 Zone Standards, By-law 2523, as amended	Proposed R3 Zone Standards
Minimum Lot Frontage (Corner)	19.81 metres (65.00 feet)	<b>14.00 metres (45.93 feet)</b>
Minimum Lot Area (Corner)	724.64 square metres (7,800 square feet)	Complies
Minimum Lot Frontage (Interior)	15.24 metres (50.00 feet)	Complies
Minimum Lot Area (Interior)	557.42 square metres (6,000 square feet)	Complies
Maximum Lot Coverage	30%	<b>42.6%</b>
Minimum Required Front Yard	7.62 metres (25.00 feet)	Complies
Minimum Flankage Yard	7.62 metres (25.00 feet)	<b>1.22 metres (4.00 feet)</b>
Minimum Required Side Yard	1.52 metres (5.00 feet)	<b>0.90 metres (2.95 feet)</b> <b>1.22 metres (4.00 feet)</b>
Minimum Required Rear Yard	7.62 metres (25.00 feet)	Complies
Maximum Height	10.67 metres (35.00 feet)	<b>11.0 metres (36.09 feet)</b>

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It should be noted that the appropriateness of the proposed zoning provisions, as well as the need for additional standards will be further evaluated through the review of the subject development application.

### 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 lands are also located within a **Priority Infill Area** for low-density residential development, as identified under **Policy 4.9.1.1.1(c)** of the Plan.

The **Neighbourhood** designation generally permits low and medium density residential uses, neighbourhood commercial uses, community uses, parks and open space uses, as well as automotive service commercial uses, subject to specific policy criteria as outlined in Chapter 4 of the Plan. Development in the **Neighbourhood** designation contemplates small scale infill development that enhances and strengthens the character of the existing area and must be compatible with the character of the adjacent and surrounding area, in accordance with **Section 4.9.2.4** of the Plan.

#### 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.

#### Development Engineering Division

The City’s Development Engineering Division has reviewed the applicant’s development proposal and has advised that the City requires a 4.5 metre by 4.5 metre daylight triangle at the southwest corner of Avenue Road and Birch Avenue. In addition, the City is protecting for a right-of-way width of up to 26 metres along Avenue Road which will require a 3.0 metre (9.84 feet) road widening from the subject property.

#### Park and Natural Heritage Planning Section

The City’s Park and Natural Heritage Planning Section has provided comments with respect to tree preservation, replacement and compensation requirements. These requirements will be further refined as part of a future Consent application to sever the subject lands.

#### Development Planning Division

Development Planning staff has completed a preliminary review of the applicants development proposal. In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

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- the proposed development to create an additional lot for single detached residential purposes appears to be consistent with the policies of the **Neighbourhood** designation of the Plan;
- the proposed lotting pattern, building height and other development standards appear to be in keeping with the general character of the neighbourhood and the typical development standards for single detached dwellings within the **Residential Single Family (R3) Zone** of By-law 2523, as amended;
- a future Consent application will be required to sever the lands to create one additional lot for single detached residential purposes;
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment for its development proposal. The appropriateness of the site specific provisions proposed by the applicant will continue to be reviewed with respect to compatibility, design and function; and,
- the applicant must satisfactorily address any issues identified by City departments and external agencies that have been requested to review the subject development proposal.

A comprehensive review and evaluation 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, Urban Design Section, Building Services Division – Zoning Section, Waste Management Section, in addition to Alectra Utilities, Rogers, Enbridge, and the Regional Municipality of York. These City departments and external agencies have indicated no objections to the application and/or have provided comments to be considered by the applicants during the more detailed implementation stage of the approval process. All of the comments have been forwarded to the applicants for consideration but have not been appended to this report.

### **Financial/Staffing/Other Implications:**

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

### **Relationship to Strategic Plan:**

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.

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### **Conclusion:**

The applicant is seeking Council's approval of their Zoning By-law Amendment application submitted in support of its proposal to facilitate 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 applicant's 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.

### **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(s) listed in this document.

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan - Land Use Designation
- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations - Lot 1
- Map 7, Proposed Elevations - Lot 2

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### Report Approval Details

Document Title:	SRPI.23.032 - Request for Comments - Zoning Bylaw Amendment - 34 Avenue Road.docx
Attachments:	<ul style="list-style-type: none"><li>- Map 1 - Aerial Photograph.docx</li><li>- Map 2 - Neighbourhood Context.docx</li><li>- Map 3 - Existing Zoning.docx</li><li>- Map 4 - Official Plan Designation.docx</li><li>- Map 5 - Proposed Site Plan.docx</li><li>- Map 6 - Proposed Elevations - Lot 1.docx</li><li>- Map 7 - Proposed Elevations - Lot 2.docx</li></ul>
Final Approval Date:	Apr 12, 2023

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

**Gus Galanis - Apr 12, 2023 - 2:57 PM**

**Kelvin Kwan - Apr 12, 2023 - 3:01 PM**

**Darlene Joslin - Apr 12, 2023 - 4:09 PM**