



Staff Report for Committee of the Whole Meeting

Date of Meeting: May 3, 2023

Report Number: SRPI.23.046

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.23.046 – Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Mercedeh Andalibi – City Files D02-21017 and SUB-21-0004 (D03-21004)**

Owner:

Mercedeh Andalibi
62 Foreht Crescent
Aurora, ON
L4G 3E8

Agent:

JKO Planning Services Inc.
27 Fieldflower Crescent
Richmond Hill, ON
L4E 5E9

Location:

Legal Description: Part of Lot 16, Registered Plan 2113

Municipal Address: 271 Old 16th Avenue

Purpose:

A request for approval concerning proposed Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development to be comprised of four (4) single detached dwelling lots on the subject lands.

Recommendations:

- a) **That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Mercedeh Andalibi for the lands known as Part of Lot 16, Registered Plan 2113 (Municipal Address: 271 Old 16th Avenue), City Files D02-21017 and SUB-21-0004 (D03-21004), be approved, subject to the following:**

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- (i) that the subject lands be rezoned from Residential Single Family Five (R5) Zone under Zoning By-law 107-86, as amended, to Residential Single Family Three (R3) Zone under By-law 107-86, as amended, with site specific exceptions as set out in Appendix “B” to Staff Report SRPI.23.046;
 - (ii) that the amending Zoning By-law be presented at the May 10, 2023 Council meeting for consideration and enactment;
 - (iii) that the Plan of Subdivision as depicted on Map 5 to Staff Report SRPI.23.046 be draft approved, subject to the conditions as set out in Appendix “C” to Staff Report SRPI.23.046;
 - (iv) that prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the City’s Tariff of Fees By-law 83-22; and,
- b) That 10.53 persons equivalent of servicing allocation be assigned to the subject lands, to be released by the Commissioner of Planning and Infrastructure in accordance with By-law 109-11, as amended.

Contact Person:

Sarah Mowder, Planner II – Subdivisions, phone number 905-771-5475 and/or
Deborah Giannetta, Manager of Development, Subdivisions, phone number 905-771-5542

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

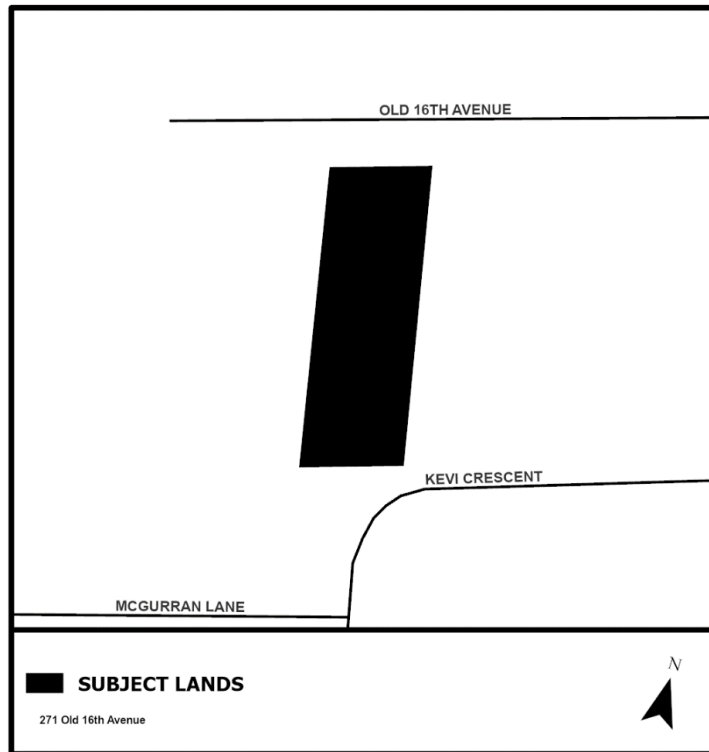
Approved by: Darlene Joslin, City Manager

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.

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Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under the “Contact Person” above.



Background:

On February 16, 2022 a statutory Council Public Meeting was held regarding the subject Zoning By-law Amendment and draft Plan of Subdivision applications wherein Council received Staff Report SRPI.22.005 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). The Local Ward Councillor at that time provided comments concerning the dedication of a road widening for Kevi Crescent, the loss of trees, adequacy of landscaping and the appropriateness of the proposed lot frontages which are discussed in detail later in this report. No members of the public were in attendance at the meeting.

All comments from internal departments and external agencies have now been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment and draft Plan of Subdivision applications.

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Summary Analysis:

Site Location and Adjacent Uses

The subject lands are comprised of a through lot located on the south side of Old 16th Avenue, east of Bayview Avenue (refer to Map 1). The lands have a frontage of approximately 22.86 metres (75.0 feet) along Old 16th Avenue and approximately 23.1 metres (75.79 feet) along Kevi Crescent with a total area of 0.15 hectares (0.37 acres). The lands presently support a one-storey single detached dwelling and detached garage that are to be demolished to facilitate the proposed development.

The lands abut single detached dwellings to the east and west, semi-detached dwellings to the south and vacant lands to the north which are subject to development applications (City Files D02-15032, D03-15009 and D06-15066) to permit a mixed-use development to be comprised of six single detached dwellings fronting onto Old 16th Avenue and a commercial building with access onto 16th Avenue. For broader context, the subject lands are situated near the terminus of Old 16th Avenue which is presently not urbanized. The lands immediately to the west of the terminus support an existing commercial shopping centre (refer to Map 2).

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to permit the construction of four (4) single detached dwelling units and a block for road widening purposes. The proposal would establish two (2) lots with frontage on Old 16th Avenue and two (2) lots with frontage on Kevi Crescent (refer to Maps 5 and 6).

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

- **Total Lot Area:** **0.15 hectares (0.37 acres)**
 - **Residential:** **1,447.9 square metres (15,585.07 square feet)**
 - **Road Block:** **84.2 square metre (906.32 square feet)**
- **Number of Dwelling Units:** **4**
- **Lot Frontages:** **11.35 metres (37.24 feet) to 11.58 metres (38.0 feet)**
- **Lot Areas:** **355.5 square metres (3,825.49 square feet) to 385.7 square metres (4,151.64 square feet)**
- **Building Height:** **2 storeys or 11.0 m (36.09 feet)**

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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 3). In accordance with **Section 4.9.1**, lands designated **Neighbourhood** are generally characterized by low density residential areas, including single detached and semi-detached dwellings as well as areas that provide for a range of service uses and facilities.

Opportunities for small-scale infill development are contemplated within the **Neighbourhood** designation where it can be demonstrated that the development is 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 predominant building forms and types, massing, the general patterns of streets, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks. Further, development in the **Neighbourhood** designation is restricted to a maximum height of three storeys on local streets.

The proposed development contemplates the creation of two new lots fronting Old 16th Avenue and two new lots fronting Kevi Crescent for single detached purposes. The proposed use of the lands is in keeping with the existing character of the neighbourhood and provides small-scale infill development appropriate for the area. The proposed lots maintain the general pattern of the streets and the proposed development standards are in keeping with the intent of the Zoning By-law.

Further to the above, the applicant has provided a concept plan demonstrating that the proposed development does not preclude the redevelopment of the two lots immediately abutting the subject lands to the west which front onto the terminus of Old 16th Avenue (refer to Map 8). Notwithstanding that the original intention for this section of Old 16th Avenue was to develop the properties to the west together with the subject lands to provide larger lot areas for new lots fronting Kevi Crescent, the lands to the west can be redeveloped independent of the subject lands.

In consideration of the preceding, staff is of the opinion that the applicant's development proposal conforms with the applicable policies of the Plan.

Zoning

The applicant is proposing to rezone the lands from **Residential Single Family Five (R5) Zone** to **Residential Single Family Three (R3) Zone** under Zoning By-law 107-86, as amended with site specific development standards to implement its development proposal (refer to Map 4). The applicant's proposed site specific provisions are highlighted in bold relative to the development standards of the current applicable **R3 Zone** category:

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Development Standard	Existing R5 Zone Standards, By-law 107-86	R3 Zone Standards, By-law 107-86	Proposed Development Standards
Minimum Lot Frontage (Interior Lot)	13.5 m (44.29 ft)	10.5 m (34.45 ft)	Complies
Minimum Lot Area (Interior Lot)	452 sq. m (4,865.29 sq. ft)	351 sq. m (3,778.13 sq. ft)	350.0 sq. m (3,767.37 sq. ft)
Maximum Lot Coverage	40%	40%	41%
Minimum Front Yard	4.5 m (14.76 ft)	4.5 m (14.76 ft)	Complies
Minimum Front Yard to a Private Garage	6.0 m (19.69 ft)	6.0 m (19.69 ft)	5.8 m (19.03 ft)
Minimum Side Yard	1.5 m (4.92 ft) or 1.2 m (3.94 ft) where there is no opening in the side wall	1.5 m (4.92 ft) or 1.2 m (3.94 ft) where there is no opening in the side wall	1.2 m (3.94 ft)
Minimum Rear Yard	7.5 m (24.61 ft)	7.5 m (24.61 ft)	7.0 m (22.97 ft)
Maximum Height	11.0 m (36.09 ft)	11.0 m (36.09 ft)	Complies

Staff has reviewed the proposed site specific development standards and find them appropriate for the development of the lands. The proposed **R3 Zone** would permit comparable uses to those permitted within the existing **R5 Zone** including single detached dwellings as proposed by the subject development. Similarly, in terms of development standards, the proposed **R3 Zone** development standards are comparable to those of the **R5 Zone** category and differ only to accommodate the smaller lot frontage of the **R3 Zone** category. Notwithstanding the fact that the proposed lot frontages comply with the **R3 Zone** requirement, a minimum lot frontage of 11.0 metres (36.09 feet) shall be imposed as part of the implementing by-law in order to ensure that the proposed lot frontages remain compatible with the lots in the area.

It is noted that the surrounding properties support single detached dwellings and appear to have lot frontages that exceed the **R5 Zone** requirement of 13.5 metres (44.29 feet). The proposed reduced lot frontages will not adversely impact the streetscapes of either Old 16th Avenue or Kevi Crescent as the proposed lots are located in close proximity to the terminus of Old 16th Avenue and Kevi Crescent and are able to be developed with dwellings appropriately sized to fit the general character of the neighbourhood. Furthermore, specifically along Kevi Crescent, the proposed lots will also serve to provide transition along the bend to the existing semi-detached dwellings along McGurran Lane.

Given all of the above, staff is of the opinion that the subject Zoning By-law Amendment application implements the associated draft Plan of Subdivision application, conforms with the applicable policies of the Plan, and represents good planning.

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Draft Plan of Subdivision

The submitted draft Plan of Subdivision application would facilitate the creation of the four (4) proposed residential lots and a 84.2 square metre (906.32 square feet) block for road widening purposes along Kevi Crescent (refer to Map 5). Through the review of the subject applications, the proposed lot fabric has changed slightly in order to address matters concerning the portion of the lands to be conveyed to complete Kevi Crescent with the portion of the lands that was to be originally conveyed for the road widening being reduced and a slight increase to the proposed lot areas and frontages for the proposed lots fronting Kevi Crescent. Subject to the conditions of draft approval contained in Appendix “C” attached hereto, staff is of the opinion that the applicant’s draft Plan of Subdivision application conforms with applicable policies of the Plan and has appropriate regard for criteria under Section 51(24) of the *Planning Act*.

Council and Public Comments:

In addition to the matters outlined by a member of the public through written correspondence received prior to the Council Public Meeting, the following is a summary of and response to the comments and concerns expressed by members of Council at the Council Public Meeting held on February 16, 2022:

- **Loss of Trees and Adequate Landscaping**

The City’s Park and Natural Heritage Planning Section has reviewed the Tree Preservation Plan and Report submitted in support of the subject development and has found it acceptable. In this regard, Parks staff has provided conditions of approval for the draft Plan of Subdivision as outlined in Appendix “C” attached hereto which address the proposed tree removals along with the required tree compensation. Landscaping is to be provided in accordance with City standards already established along both Old 16th Avenue and Kevi Crescent.

- **Reduced Lot Frontage relative to Existing Lot Frontages**

Staff has carefully reviewed the proposed lot frontages relative to those in the existing area and as noted previously in this report, are of the opinion that they are compatible with the existing lot fabric in this area. The proposed lot frontages will not adversely impact the streetscape along Kevi Crescent as the proposed smaller lot frontages will serve to provide transition to existing semi-detached dwellings to the west along McGurran Lane. Further, the reduced lot frontages will not adversely impact the streetscape along Old 16th Avenue as the lots are situated near the terminus of the road.

- **Loss of Privacy and Light**

As noted previously, the proposed development contemplates minor relief from the by-law with respect to yard setbacks and lot coverage with no relief requested for building heights. The proposed lot depths are comparable to the surrounding lots and a minor 0.5 metre (1.64 feet) reduction to the relief to the rear yard setback is being sought as part of the proposed development. As such, the proposal would be in keeping with the general

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existing built form in this area and will not have a negative impact on the loss of privacy and light.

Recommendation:

Planning staff has undertaken a comprehensive review and evaluation of the applicant's Zoning By-law Amendment and draft Plan of Subdivision applications and are in support of same, for the following principle reasons:

- the proposed single detached dwelling lots are compatible with the existing development in the area and represent intensification within the **Neighbourhood** designation in accordance with the policies of the Plan;
- the proposed development would not inhibit future infill development and the proposed lotting pattern and road widening are considered to be contextually appropriate for the orderly development of the lands;
- the proposed draft Plan of Subdivision application has appropriate regard for the criteria under Section 51(24) of the *Planning Act*; and,
- the proposed **R3 Zone** category, inclusive of the site-specific provisions proposed, are appropriate in consideration of the surrounding context.

On the basis of the preceding, it is recommended that the proposed Zoning By-law Amendment and draft Plan of Subdivision applications be approved.

Interim Growth Management Strategy:

Council has approved and implemented a comprehensive strategy comprised of eight growth management criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The criteria are as follows:

1. *Providing community benefits and completion of required key infrastructure.*
2. *Developments that have a mix of uses to provide for live-work relationships.*
3. *Developments that enhance the vitality of the Downtown Core.*
4. *Higher-order transit supportive development.*
5. *Developments that represent sustainable and innovative community and building design.*
6. *Completion of communities.*
7. *Small scale infill development.*
8. *Opportunities to provide affordable housing.*

Staff has reviewed the applicant's Sustainability Metrics submission and find it acceptable as the proposed development demonstrates an overall "Application" score of 23 points, which achieves a "good" score and meets the threshold of 21-35 points for draft Plan of Subdivision applications (refer to Appendix "D").

The proposed draft Plan of Subdivision application seeks approval for the creation of four (4) single detached dwelling lots on the subject lands. Credit is to be provided for the existing

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single detached dwelling lot and therefore, allocation sought is for three (3) new single detached dwelling lots. In this regard, staff recommends that 10.53 persons equivalent of municipal servicing allocation be assigned to the subject lands to be released by the Commissioner of Planning and Infrastructure in accordance with By-law 109-11, as amended.

Financial/Staffing/Other Implications:

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

Relationship to Council’s Strategic Priorities 2020-2022:

The recommendations of this report are aligned with **Balancing Growth and Green** by recognizing the balance between economic development and environmental protection by supporting residential infill development within an existing neighbourhood, as well as **Strong Sense of Belonging** by adding additional housing stock in existing communities.

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 and achieves a good score meeting the Sustainability Metrics threshold score for approval of a draft Plan of Subdivision.

Conclusion:

The applicant is seeking Council’s approval of its Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development comprised of four (4) single detached dwellings on its land holdings. Staff has undertaken a comprehensive review and evaluation of the applicant’s development proposal and is of the opinion that the submitted applications conform with the applicable policies of the Plan, have regard for the criteria described under Subsection 51(24) of the *Planning Act* and represent good planning. On the basis of the preceding, staff recommends approval of the subject applications in accordance with the direction outlined 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 Public Meeting C#05-22 held February 16, 2022
- Appendix “B”, Draft Zoning By-law
- Appendix “C”, Schedule of Draft Plan of Subdivision Conditions
- Appendix “D”, Sustainability Metrics
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Official Plan Designation

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- Map 4, Existing Zoning
- Map 5, Proposed Draft Plan of Subdivision
- Map 6, Proposed Conceptual Site Plan
- Map 7, Proposed Conceptual Elevation Plans
- Map 8, Proposed Concept Plan

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Report Approval Details

Document Title:	SRPI.23.046 - Request for Approval - D02-21017 and SUB-21-0004.docx
Attachments:	<ul style="list-style-type: none">- SRPI.23.046 - Appendix A - CPM Extract.pdf- SRPI.23.046 - Appendix B - Draft By-law.pdf- SRPI.23.046 - Appendix C - Schedule of Conditions.pdf- SRPI.23.046 - Appendix D - Sustainability Metrics.pdf- SRPI.23.046 - Map 1 - Aerial Photograph.docx- SRPI.23.046 - Map 2 - Neighbourhood Context.docx- SRPI.23.046 - Map 3 - Official Plan Designation.docx- SRPI.23.046 - Map 4 - Existing Zoning.docx- SRPI.23.046 - Map 5 - Proposed Draft Plan of Subdivision.docx- SRPI.23.046 - Map 6 - Proposed Conceptual Site Plan.docx- SRPI.23.046 - Map 7 - Proposed Conceptual Elevation Plans.docx- SRPI.23.046 - Map 8 - Proposed Concept Plan.docx
Final Approval Date:	Apr 13, 2023

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

Gus Galanis - Apr 13, 2023 - 11:02 AM

Kelvin Kwan - Apr 13, 2023 - 11:05 AM

Darlene Joslin - Apr 13, 2023 - 12:33 PM