



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** February 21, 2024

**Report Number:** SRPBS.24.004

**Department:** Planning and Building Services

**Division:** Development Planning

**Subject:** SRPBS.24.004 – Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Babak Masoodi and Alireza Saremi – City Files D02-21023 and SUB-21-0005 (D03-21005)

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### **Owner:**

Babak Masoodi and Alireza Saremi  
107 Silver Maple Road  
Richmond Hill, ON  
L4E 0C5

### **Agent:**

Evans Planning Inc.  
9212 Yonge Street, Unit 1  
Richmond Hill, ON  
L4C 7A2

### **Location:**

**Legal Description:** Part of Lot 148, Registered Plan 202  
**Municipal Address:** 51 Elm Grove Avenue

### **Purpose:**

A request for approval concerning proposed Zoning By-law Amendment and Draft Plan of Subdivision applications to permit the construction of four (4) single detached dwellings and the extension of Carmela Avenue on the subject lands.

### **Recommendations:**

- a) That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Babak Masoodi and Alireza Saremi for the lands known as Part of Lot 148, Plan 202 (Municipal Address: 51 Elm Grove

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**Avenue), City Files D02-21023 and SUB-21-0005 (D03-21005), be approved, subject to the following:**

- (i) that the subject lands be rezoned from Residential Urban (RU) Zone under By-law 1275, as amended, to Single Detached Five (R5) Zone under By-law 313-96, as amended, with site specific exceptions as set out in Appendix “B” to Staff Report SRPBS.24.004;**
  - (ii) that the amending Zoning By-law be brought forward to the February 28, 2024 Council meeting for consideration and enactment;**
  - (iii) that the draft Plan of Subdivision as depicted on Map 6 to Staff Report SRPBS.24.004 be draft approved, subject to the conditions as set out in Appendix “C” to this report; and,**
  - (iv) that prior to draft approval being granted, the applicants pay the applicable processing fee in accordance with the City’s Tariff of Fees By-law 94-23.**
- b) That 9.87 persons equivalent of servicing allocation be assigned to the subject lands, to be released by the Commissioner of Planning and Building Services in accordance with By-law 109-11, as amended.**

### **Contact Person:**

Marc Mitanis, Planner II, phone number 905-771-2459 and/or  
Kaitlyn Graham, Acting Manager of Development Planning, phone number 905-771-5563  
Deborah Giannetta, Acting Director of Development Planning, phone number 905-771-5542

### **Report Approval:**

**Submitted by:** Gus Galanis, Acting Commissioner, Planning and Building Services

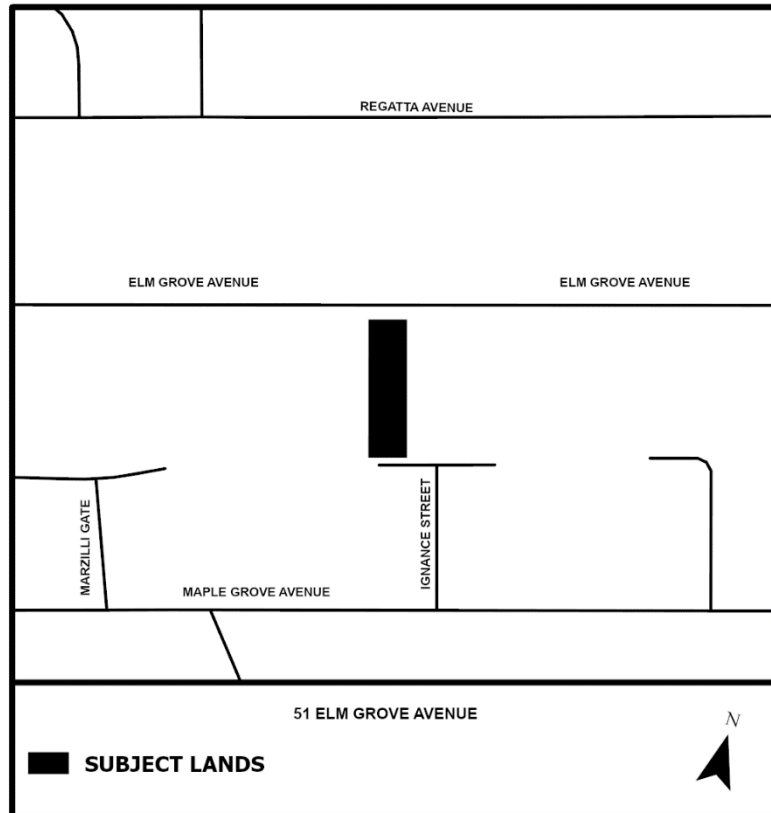
**Approved by:** Darlene Joslin, City Manager

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 report’s approval are attached.

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### Location Map:

Below is a map displaying the location of the subject lands. Should you require an alternative format, please call the person listed under the “Contact Person” above.



### Background:

A statutory Council Public Meeting was held on April 20, 2022 to consider the subject Zoning By-law Amendment and draft Plan of Subdivision applications wherein Council received Staff Report SRPI.22.047 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No concerns from Council or members of the public were raised regarding the subject proposal at the Council Public Meeting.

The applicants have satisfactorily addressed the comments and technical requirements related to the subject Zoning By-law Amendment and draft Plan of Subdivision applications. 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 located on the south side of Elm Grove Avenue, west of Yonge Street, and have a total lot area of 0.258 hectares (0.638 acres) (refer to Map 1). The lands currently support a single detached dwelling that is proposed to be demolished to facilitate the proposed development. Adjacent uses include Elm Grove Avenue to the north and existing single detached dwellings to the east, west and south (refer to Map 2). It is noted that there are two approved draft Plans of Subdivision in the surrounding area. To the east (47 Elm Grove Avenue), the draft approved plan of subdivision is to be comprised of three (3) single detached dwelling lots and the extension of Carmela Avenue (City File D03-20004) and to the south (28, 30 and 32 Maple Grove Avenue), the draft approved Plan of Subdivision is to be comprised of 12 single detached dwelling lots and the extension of Carmela Avenue (City File D03-16014).

#### Development Proposal

The applicants are seeking Council's approval to permit the construction of four (4) single detached dwellings and the extension of Carmela Avenue on the subject lands (refer to Maps 6 and 7). Outlined below are the relevant statistics for the applicants' development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** **0.258 hectares (0.638 acres)**
  - **Residential Lots:** **0.232 hectares (0.573 acres)**
  - **Carmela Avenue Extension:** **0.025 hectares (0.062 acres)**
  - **0.3-Metre Reserve Block** **0.001 hectares (0.002 acres)**
- **Total Number of Units:** **4**
- **Proposed Lot Frontages:** **13.31 metres (43.67 feet) to 13.57 metres (44.52 feet)**
- **Proposed Building Height:** **9.22 metres (30.25 feet) or 2 storeys**
- **Proposed Density:** **15.50 units per hectare (6.279 units per acre)**

### 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 3). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* ("ORMCP") and are within the boundaries of the **Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study area** (refer to Map 4).

The **Neighbourhood** designation generally permits low and medium density residential uses among other uses. The subject applications propose single detached dwellings, which are permitted within the **Neighbourhood** designation. Further, in accordance with

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**Policy 4.9.2.4** of the Plan, development in the **Neighbourhood** designation shall be compatible with the existing character of adjacent and surrounding areas, including but not limited to predominant building forms and types, massing, the general patterns of streets, blocks and lanes, and the general pattern of yard setbacks. Small scale infill development that enhances and strengthens the character of the existing area and promotes connectivity and high quality design is also permitted. Where development is subject to an Infill Plan, Tertiary Plan or Concept Plan, the criteria as set out therein and approved by Council shall also apply.

Further to the above, it should be noted that revised **Neighbourhood** policies were adopted by Council on July 6, 2022 and approved by York Region on September 9, 2022 through Official Plan Amendment 18.4 (“OPA 18.4”) which address matters related to the achievement of complete communities, respecting the distinguishing features of neighbourhoods, and encouraging infill development. Accordingly, amended **Policy 4.9.2.4** of the Plan directs development to respect the character and the distinguishing features of neighbourhoods. In this regard, the applicants have provided a Conceptual Site Plan (refer to Map 7) and an Addendum to the Architectural Control Design Guidelines applicable to the area to demonstrate consistency with the architectural character of the surrounding area.

The subject lands are further located within the **Settlement Area** of the Oak Ridges Moraine as defined in the ORMCP and are identified as within an Area of High Aquifer Vulnerability. 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**. Lands located within an Area of High Aquifer Vulnerability are susceptible to contamination from both human and natural impacts on water quality. **Section 3.2.1.1(37)** of the Plan identifies specific uses prohibited within an Area of High Aquifer Vulnerability such as storage of hazardous waste or liquid industrial waste and waste disposal sites. The proposed residential development is not a prohibited land use and therefore is considered to comply with this policy of the Plan.

### **Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study**

In accordance with **Policy 4.9.1.1.3** and **Appendix 9** of the Plan, the subject lands are further identified as being located within a Priority Infill Area subject to the Council-approved **Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study** (the “Infill Study”). The Infill Study was approved by Council in 1999 and generally includes the lands bounded by Parker Avenue to the west, George Street to the south, the rear lot line of properties west of Yonge Street to the east, and Regatta Avenue to the north (refer to Map 4). The primary objective of the Infill Study is to guide infill development within the area through urban design principles as well as recommended street network layouts, residential housing types, and lot sizes. The Infill Study provides comprehensive direction on how the neighbourhood could develop over time, identifies opportunities for backlot subdivisions throughout the interior of the neighbourhood, and identifies the potential for medium density development for lands adjacent to the Yonge Street community core.

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Single detached dwellings as proposed are permitted throughout the Infill Study area with recommended minimum lot frontages of 13.5 metres (44.3 feet) and minimum lot areas of 450 square metres (4,843.8 square feet) with the exception of those lands identified as 'Proposed Infill Single Family Residential 60' Wide Shallow Lots', which recommends a larger minimum lot frontage of 16.5 metres (54.13 feet), but notes that the recommended 16.5 metre (54 foot) lot frontage is based on a benchmark lot area of 450 square metres (4,844 square feet), and that a variety of lot sizes and housing designs can be accommodated throughout the neighbourhood by varying the lot frontages accordingly.

The subject applications propose lot frontages between 13.31 metres (43.67 feet) and 13.57 metres (44.52 feet) and lot areas between 530.77 square metres (5,713.16 square feet) to 622.46 square metres (6,700.10 square feet) and the southern portion of the subject lands are identified as 'Proposed Infill Single Family Residential 60' Wide Shallow Lots'. The proposed development complies with the minimum lot area recommended in the Infill Study, and although the proposed lot frontages are not consistent with the applicable minimum lot frontages identified in the Infill Study, staff are of the opinion that the proposed lot frontages are generally consistent with approved lot standards in the surrounding area, including 13.4 metre (44 feet) lot frontages on the adjacent development to the south at 28, 30 and 32 Maple Grove Avenue (City File D03-16014).

Further to the above, the Infill Study Concept Plan also identifies the potential for backlotting for the properties north of Maple Grove Avenue and south of Elm Grove Avenue and the establishment of a proposed east/west road along the rear lot lines of these properties. The proposed draft Plan of Subdivision is consistent with the anticipated backlotting along the rear lots of Elm Grove Avenue and proposes a further extension of the existing Carmela Avenue to facilitate future backlotting westward as envisioned by the Infill Study.

On the basis of the foregoing, Planning staff is satisfied that the subject applications conform with the applicable policies of the Plan and are consistent with the recommendations of the approved Infill Study.

### Zoning By-law Amendment

The applicants are seeking to rezone the subject lands from **Residential (RU) Zone** under By-law 1275, as amended to **Single Detached Five (R5) Zone** under By-law 313-96, as amended, with site specific provisions to facilitate the subject development proposal.

The following table provides a comparison of the proposed development standards for the parent **Single Detached Five (R5) Zone** under By-law 313-96, as amended, and the site specific standards proposed by the applicants. Where no site specific provision has been proposed, the standard provisions of By-law 313-96, as amended, will apply to the proposed development:

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Development Standard	R5 Zone Standards, By-law 313-96, as amended	Proposed R5 Zone Standards
<b>Minimum Lot Frontage (Interior)</b>	13.5 metres (44.29 feet)	<b>13.30 metres (43.64 feet)</b>
<b>Minimum Lot Area (Interior)</b>	450 square metres (4,843.76 square feet)	Complies
<b>Maximum Lot Coverage</b>	40%	<b>45%</b>
<b>Minimum Required Front Yard</b>	4.5 metres (14.76 feet)	Complies
<b>Minimum Required Side Yard</b>	1.5 metres (4.92 feet)	<b>1.2 metres (3.94 feet)</b>
<b>Minimum Required Rear Yard</b>	7.5 metres (24.61 feet)	Complies
<b>Maximum Height</b>	11.0 metres (36.09 feet)	Complies

Planning staff have carefully reviewed the applicants' development proposal and are satisfied that the proposed Zoning By-law Amendment, including the requested site specific provisions outlined above, meet the general intent of the Infill Study recommendations and are appropriate in consideration of the approved built form and development patterns in the surrounding neighbourhood. As noted in the preceding section of this report, the minimum lot frontages generally meet the recommendations of the Infill Study with a minor deficiency of 0.2 metres (0.66 feet), but exceed the minimum lot area requirements by between approximately 81 square metres (872 square feet) to 212 square metres (2,282 square feet). Additionally, the proposed site specific provisions with respect to maximum lot coverage and minimum interior side yard setbacks are consistent with newer development standards established across the City.

In consideration of the preceding, staff is of the opinion that the Zoning By-law Amendment application conforms with the applicable policies of the Plan, conforms with the Infill Study, and implements the proposed draft Plan of Subdivision application required to facilitate the orderly development of the subject lands. A copy of the draft Zoning By-law can be found on Appendix "B" to this report.

### Draft Plan of Subdivision

The applicants have submitted a draft Plan of Subdivision application intended to facilitate the creation of four (4) single detached lots and the extension of Carmela Avenue (refer to Map 6). The subject applications propose lot frontages between 13.30 metres (43.64 feet) and 13.57 metres (44.52 feet) and minimum lot areas of 530.77 square metres (5,713.16 square feet) to 622.46 square metres (6,700.10 square feet). The proposed draft Plan of Subdivision also provides for a 0.025 hectare (0.062 acre) block to accommodate the extension of Carmela Avenue and a 0.3 metre reserve block to control access to this future road. The proposed development and the associated

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extension of Carmela Avenue will provide access between the subject lands and the adjacent approved Plans of Subdivision (City Files D03-16014 and D03-20004) to the south and east.

Subject to the conditions of draft approval contained in Appendix “C” attached hereto, staff is of the opinion that the applicants’ draft Plan of Subdivision application conforms with the applicable policies of the Plan and has appropriate regard for the criteria under Section 51(24) of the *Planning Act*.

### City Department and External Agency Comments

All circulated City department and external agencies have indicated no objections and/or have provided conditions of draft approval with respect to the proposed Zoning By-law Amendment and draft Plan of Subdivision applications including the City’s Development Engineering Division and Park and Natural Heritage Planning Section, in addition to the Regional Municipality of York. Applicable conditions of draft approval are contained in Appendix “C” attached hereto.

### Recommendation

Planning staff have completed a comprehensive review and evaluation of the applicants’ Zoning By-law Amendment and draft Plan of Subdivision applications and are in support of the same for the following principal reasons:

- the proposed single detached dwellings are permitted under the **Neighbourhood** designation of the Plan and the **Settlement Area** policies of the ORMCP;
- the proposed lotting pattern and development standards are compatible and in keeping with adjacent and surrounding areas with respect to matters, including but not limited, to the patterns of streets, the size and configuration of lots, and the massing and density of nearby residential properties, in accordance with **Policy 4.9.2.4** of the Plan;
- the applicants’ development proposal is generally consistent with the recommendations of the **Elm Grove/Maple Grove/ Aubrey Avenue Residential Infill Study**;
- the proposed draft Plan of Subdivision facilitates the extension of Carmela Avenue that provides access to approved plans of subdivision to the south and east thereby representing proper and orderly planning for this area;
- the proposed development generally complies with the provisions of the Single Detached Five **(R5) Zone** under By-law 313-96, as amended, and the proposed specific provisions respecting minimum lot frontage, minimum side yard setback and maximum lot coverage are considered to be appropriate; and,
- the proposed draft Plan of Subdivision has appropriate regard for criteria under Section 51(24) of the *Planning Act*.

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



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### 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 applicants' Sustainability Metrics submission and finds it acceptable as the proposed development demonstrates an overall Application Score of 27 points, which achieves a "good" score and meets the threshold of 21-35 points for draft Plan of Subdivision applications submitted under the City's Sustainability Metrics program applicable for applications submitted in 2022. It is noted that the lands are currently occupied by one (1) existing single detached dwelling that will be credited to servicing allocation required for the proposed development. In this regard, based on the proposed total unit count of four (4) single detached dwellings and the credit of servicing allocation for the existing dwelling, staff recommends 9.87 persons equivalent of municipal servicing allocation be assigned to the subject lands to facilitate the development proposal.

### 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 a Priority Infill Area.

### Climate Change Considerations:

The recommendations of this report are aligned with Council's climate change considerations as the development proposal contemplates infill development within a Priority Infill Area; contemplates residential intensification within 400 metres of community services and recreational amenities; and, meets the required threshold Sustainability Metrics score for approval of a draft Plan of Subdivision application.

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### Conclusion:

The applicants are seeking Council's approval of Zoning By-law Amendment and draft Plan of Subdivision applications to permit the construction of four (4) single detached dwellings and the extension of Carmela Avenue on their land holdings. Staff has completed a comprehensive review and evaluation of the applicants' development proposal and is of the opinion that the submitted applications conform with the applicable policies of the City's Official 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 that Council approve the subject Zoning By-law Amendment and draft Plan of Subdivision applications in accordance with the recommendations 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#16-22, held April 20, 2022
- Appendix "B", Draft Zoning By-law
- Appendix "C", Schedule of Draft Plan of Subdivision Conditions
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Official Plan Designation
- Map 4, Elm Grove/Maple Grove/Aubrey Avenue Residential Infill Study
- Map 5, Existing Zoning
- Map 6, Proposed Draft Plan of Subdivision
- Map 7, Proposed Site Plan
- Map 8, Proposed Elevations

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### Report Approval Details

Document Title:	SRPBS.24.004 – Request for Approval – 51 Elm Grove.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPBS 24.004 - Map 1 - Aerial Photograph.docx</li><li>- SRPBS 24.004 - Map 2 - Neighbourhood Context.docx</li><li>- SRPBS 24.004 - Map 3 - Existing OP Designation.docx</li><li>- SRPBS 24.004 - Map 4 - Infill Study.docx</li><li>- SRPBS 24.004 - Map 5 - Existing Zoning.docx</li><li>- SRPBS 24.004 - Map 6 - Proposed Draft Plan of Subdivision.docx</li><li>- SRPBS 24.004 - Map 7 - Proposed Site Plan.docx</li><li>- SRPBS 24.004 - Map 8 - Proposed Elevations.docx</li><li>- Appendix A - CPM Extracts.docx</li><li>- Appendix B - Draft Zoning By-law.docx</li><li>- Appendix C - Schedule of Draft Plan of Subdivision Conditions.docx</li></ul>
Final Approval Date:	Jan 30, 2024

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

**Deborah Giannetta - Jan 29, 2024 - 5:28 PM**

**Gus Galanis - Jan 29, 2024 - 6:08 PM**

**Darlene Joslin - Jan 30, 2024 - 7:57 AM**