



Staff Report for Committee of the Whole Meeting

Date of Meeting: March 20, 2024

Report Number: SRPBS.24.012

Department: Planning and Building Services

Division: Development Planning

Subject: SRPBS.24.012 – Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Minoos Mahroo and Ebrahim Javady Torabi – City Files D02-21010 and SUB-22-0008

Owner:

Minoos Mahroo and Ebrahim Javady Torabi
83 Yongehurst Road
Richmond Hill, ON
L4C 3T3

Agent:

Alexander Planning Inc.
63 Gunning Crescent
Tottenham, ON
L0G 1W0

Location:

Legal Description: Part of Lots 23 and 24, Registered Plan 3806
Municipal Addresses: 551 and 561 16th Avenue

Purpose:

A request for approval concerning revised Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development to be comprised of 14 dwelling units on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Minoos Mahroo and Ebrahim Javady Torabi for lands known as Part of Lots 23 and 24, Registered Plan 3806 (Municipal

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Addresses: 551 and 561 16th Avenue), City Files D02-21010 and SUB-22-0008, be approved, subject to the following:

- i) that a portion of the subject lands be rezoned from “Special Residential One (SR-1) Zone” to “Low Density Residential Six (R6) Zone” under By-law 255-96, as amended, with site specific development standards for the lands zoned “Special Residential One (SR-1) Zone” and “Low Density Residential Six (R6) Zone” under By-law 255-96, as amended, as set out in Appendix “C” to Staff Report SRPBS.24.012;**
 - ii) that the amending Zoning By-law be brought forward to the March 27, 2024 Council meeting for consideration and enactment;**
 - iii) that the draft Plan of Subdivision as depicted on Map 5 to Staff Report SRPBS.24.012 be draft approved, subject to the conditions as set out in Appendix “D” hereto;**
 - 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 94-23; and,**
- b) That 36.84 persons equivalent of additional 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:

Katherine Faria, Senior Planner, phone number 905-771-5543 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

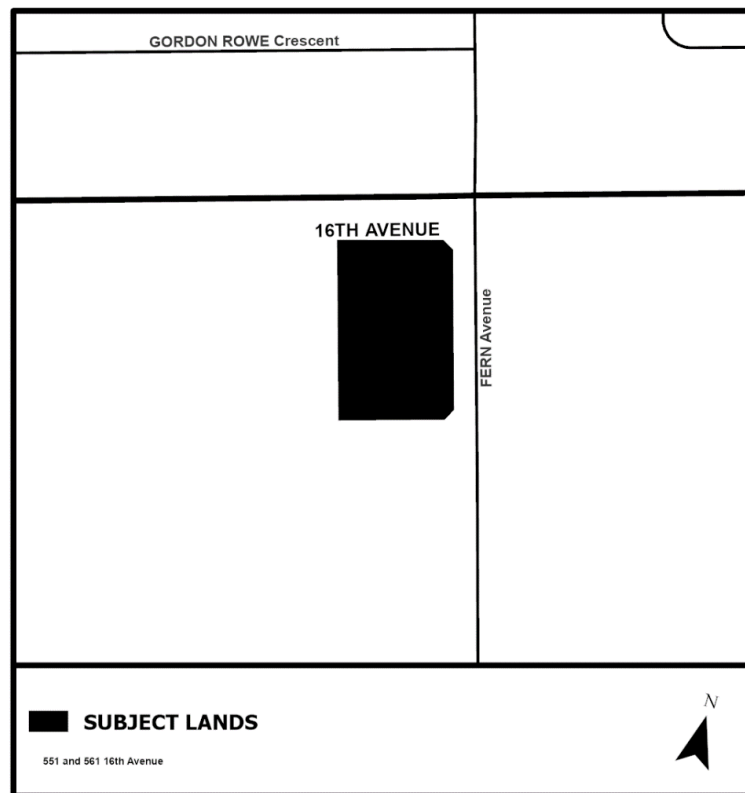
Approved by: Darlene Joslin, City Manager

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 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:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on November 17, 2021, wherein Council received Staff Report SRPI.21.111 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). Subsequently, the applicant submitted a related draft Plan of Subdivision application, which was considered at a statutory Council Public Meeting held on December 7, 2022. At this meeting, Council received Staff Report SRPI.22.108 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “B”). Prior to the statutory Council Public Meetings, a Neighbourhood Residents Information Meeting was held by the Ward Councillor on September 27, 2021 regarding the applicant’s development proposal. Comments and/or concerns were identified

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through the public consultation process with respect to tree removal and preservation, the relationship of the proposed development to adjacent lands, and the Region's requirements regarding vehicular access to 16th Avenue. These matters are addressed in greater detail in the later sections of this report.

At the time of writing of this report, all comments from City departments and external agencies have been satisfactorily addressed. In this regard, the purpose of this report is to seek Council's approval of the applicant's revised Zoning By-law Amendment and draft Plan of Subdivision applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the southwest corner of 16th Avenue and Fern Avenue and have a total combined lot area of approximately 0.44 hectares (1.09 acres) (refer to Map 1). The lands are comprised of two (2) existing residential building lots, which support two (2) single detached dwellings and accessory structures which are proposed to be demolished to facilitate the proposed development.

Adjacent and surrounding land uses include 16th Avenue and low-density residential uses to the north, Fern Avenue and low-density residential uses to the east, commercial and residential uses to the west and a draft approved low-density residential development to the south and west of the subject lands (City Files D02-20031 and SUB-20-0005) comprised of 10 single detached dwellings and the creation of an east-west public road with access from Fern Avenue (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 facilitate a residential development to be comprised of two (2) single detached dwellings fronting onto 16th Avenue, 10 semi-detached dwellings fronting onto Fern Avenue and two (2) future residential development blocks that are intended to support two (2) future single detached dwellings (refer to Map 5). The proposed future development blocks are oriented to front onto a new public infill road that is to be constructed as part of the adjacent draft approved Plan of Subdivision (City File SUB-20-0005).

The applicant has made modifications to the original proposal as described below (refer to Maps 6 and 7):

- a reduction in the total number of dwelling units from 16 to 14 units, including the conversion of four (4) semi-detached dwelling units fronting onto 16th Avenue to two (2) single detached dwelling units fronting onto 16th Avenue;
- increased front yard setbacks for the proposed dwelling units fronting onto 16th Avenue from approximately 6.3 metres (20.7 feet) to a minimum of 11.5 metres (37.7 feet); and,

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- revisions to the proposed lot depths.

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

- **Total Combined Lot Area:** **0.44 hectares (1.09 acres)**
 - **Single Detached Lots (Lots 6 and 7):** **0.12 hectares (0.3 acres)**
 - **Semi-Detached Lots (Lots 1 to 5):** **0.24 hectares (0.6 acres)**
 - **Future Development (Blocks 8 and 9):** **0.09 hectares (0.22 acres)**
- **Total Number of Units:** **14**
 - **Single Detached Dwellings:** **2**
 - **Semi-Detached Dwellings:** **10**
 - **Future Development Blocks:** **2**
- **Minimum Lot Frontages:**
 - **Single Detached Dwellings:** **12.19 metres (40 feet)**
 - **Semi-Detached Dwellings:** **15.3 metres (50.2 feet)**
- **Minimum Lot Areas:**
 - **Single Detached Dwellings (16th Avenue):** **578.05 sq. metres (6,222.1 sq. feet)**
 - **Semi-Detached Dwellings:** **447.54 sq. metres (4,817.28 sq. feet)**
 - **Future Development Blocks:** **438.56 sq. metres (4,720.62 sq. feet)**
- **Building Height:** **3 storeys or 11.0 metres (36.1 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). Uses permitted within the **Neighbourhood** designation include primarily low-rise residential uses as well medium density residential and various commercial and community uses subject to additional policy criteria as defined in Chapter 4 of the Plan. The single detached and semi-detached dwellings as proposed conform with the land use permissions of the **Neighbourhood** designation.

Development within the **Neighbourhood** designation shall be compatible with the character of adjacent and surrounding areas. In this regard, **Section 4.9.2** of the Plan directs development to respect the character and distinguishing features of neighbourhoods and directs that development shall be context-sensitive and compatible with adjacent and surrounding areas in relation to the following:

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- patterns of streets, blocks and lanes;
- parks and public building sites;
- the size and configuration of lots;
- massing, including consideration of height, scale, density and dwelling type(s);
- the location, design and elevations relative to the grade of driveways and garages;
- building setbacks and landscaped open spaces; and,
- the preservation of mature trees as well as landscape features.

Building heights within the **Neighbourhood** designation shall be three storeys unless located on an arterial street where they are permitted up to four storeys. As demonstrated through the applicant's Block Demonstration Plan (refer to Map 8), the proposed lot areas and frontages as well as the building height and built forms contemplated within the applicant's development proposal are generally in keeping with those of approved developments within the neighbourhood and therefore are compatible with the character of existing development within the surrounding area.

The subject lands are also situated within a priority infill area in accordance with **Section 4.9.1.1** and Appendix 9 - Priority Infill Areas of the Plan (refer to Map 9). The area in which the subject lands are located is not subject to a Council-approved infill study; however, the broader area, generally bounded by Highway 7, 16th Avenue, Yonge Street and Bayview Avenue was located within the former 16th Avenue/Duncan Road Area Secondary Plan area ("OPA 156") which formed part of an earlier policy regime within the City. Among other matters, the policies of OPA 156 provided direction for infill development and backlot plans of subdivision within the Secondary Plan area. Since that time, various approvals have been granted to permit infill development within this area of the City, including development fronting onto 16th Avenue and other existing streets as well as on new public roads. Accordingly, the proposed development is in keeping with the established patterns of infill development within this area of the City.

On the basis of the preceding, Planning staff is of the opinion that the proposed development conforms with the relevant policies of the Plan and represents an appropriate form of infill development within the context of the neighbourhood.

Zoning By-law Amendment Application

The applicant is proposing to rezone a portion of its land holdings from **Special Residential One (SR-1) Zone** (refer to Map 3) to **Low Density Residential Six (R6) Zone** under By-law 255-96, as amended, and to establish site-specific development standards on the entirety of its land holdings to facilitate the proposed residential development. Specifically, the applicant is proposing to rezone the northeastern portion of the subject lands from the **SR-1 Zone** to the **R6 Zone**, while the balance of the lands are to remain within the existing **R6** and **SR-1 Zones**, respectively. The **SR-1 Zone** permits single detached and semi-detached dwellings as proposed, among other uses, whereas the **R6** zone permits single detached dwellings in addition to other uses.

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The following tables provide a general summary of the applicable development standards within the proposed zoning categories under By-law 255-96, as amended, including site-specific provisions requested by the applicant:

Proposed Semi-Detached Dwelling Lots (Lots 1-5)

Development Standard	R6 Zone Standard	Proposed Standards (Semi-Detached Dwellings)
Minimum Lot Frontage* (Interior)	15.0 metres (49.2 feet)	Complies
Minimum Lot Frontage* (Corner)	17.0 metres (55.8 feet)	Complies
Minimum Lot Area* (Interior)	502.0 sq. metres (5,403.5 sq. feet)	440 sq. metres (4,736.1 sq. feet)
Minimum Lot Area* (Corner)	569.0 sq. metres (6,124.7 sq. feet)	480 sq. metres (5,166.7 sq. feet)
Maximum Lot Coverage	40%	48%
Minimum Front Yard	4.5 metres (14.8 feet)	Complies
Minimum Side Yard	1.5 metres (4.9 feet)	1.2 metres (3.9 feet)
Minimum Flankage	3.0 metres (9.8 feet)	2.8 metres (9.2 feet)
Minimum Flankage (Arterial Road)	6.2 metres (20.3 feet)	Complies
Minimum Rear Yard	7.5 metres (24.6 feet)	7.0 metres (23.0 feet)
Maximum Height	11.0 metres (36.1 feet)	Complies

*As set out in By-law 255-96, as amended, where dwelling units in a semi-detached dwelling are first constructed on a lot or block, the lots or blocks are required to conform to the minimum lot frontage and minimum lot area requirements as a whole prior to the future division of the dwelling units.

Proposed Single Detached Dwelling Lots (Lots 6-7)

Development Standard	SR-1 Zone Standard	Proposed Standards (Single Detached Dwellings)
Minimum Lot Frontage (Interior)	16.5 metres	12.0 metres (39.4 feet)
Minimum Lot Area (Interior)	814.6 sq. metres (8,768.3 sq. feet)	570 sq. metres (6,135.4 sq. feet)
Maximum Lot Coverage	40%	Complies
Minimum Front Yard (16 th Avenue)	15.0 metres (49.2 feet)	11.5 metres (37.7 feet)
Minimum Side Yard	1.5 metres (4.92 feet)	1.2 metres (3.9 feet)
Minimum Rear Yard	7.5 metres (24.6 feet)	Complies
Maximum Height	9.0 metres (29.5 feet)	11.0 metres (36.1 feet)

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Future Single Detached Dwelling Lots (Blocks 8 and 9)

Development Standard	R6 Zone Standard	Proposed Standards (Future Development)
Minimum Lot Frontage (Interior)	15.0 metres (49.2 feet)	12.0 metres (39.4 feet)
Minimum Lot Area (Interior)	502 sq. metres (5,403.5 sq. feet)	430 sq. metres (4,628.5 sq. feet)
Maximum Lot Coverage	40%	43%
Minimum Front Yard	4.5 metres (14.8 feet)	Complies
Minimum Side Yard	1.5 metres (4.92 feet)	1.2 metres (3.9 feet)
Minimum Rear Yard	7.5 metres (24.6 feet)	Complies
Maximum Height	11.0 metres (36.1 feet)	Complies

In addition to the site-specific development standards outlined in the tables above, the applicant has requested site-specific provisions governing the minimum setbacks to a private garage and to a daylighting triangle, as well as to permit semi-detached dwellings as a use for a portion of the lands zoned **R6**, among various other provisions in order to implement the proposed development as set out in Appendix “C” attached hereto.

Staff has reviewed the subject development proposal and considers the proposed lot fabric and development standards to be appropriate and compatible with the character of adjacent and surrounding lands. The proposed minimum lot areas and minimum lot frontages are generally in keeping with the lot patterns established through approved infill development within this area. Furthermore, the proposed setbacks, coverage and building height provisions are appropriate in consideration of the proposed built form as well as within the existing and emerging context of this area.

Given all of the above, staff is satisfied that the proposed zone categories, including the requested site specific provisions conform with the applicable policies of the Plan and are appropriate for the orderly development of the lands.

Draft Plan of Subdivision Application

The proposed draft Plan of Subdivision is to be comprised of two (2) single detached dwelling units, five (5) semi-detached dwelling lots (for a total of 10 units), two (2) future development blocks that are intended to accommodate single detached dwellings on each parcel, and a road widening block for daylighting purposes at the intersection of 16th Avenue and Fern Avenue. The proposed semi-detached dwellings are to have frontage on Fern Avenue, whereas two (2) single detached dwellings and two (2) future single detached dwellings are proposed to front onto 16th Avenue and a new east-west public road to be established through the adjacent subdivision, respectively. In this regard, the registration of Section 118 restrictions will be required as a condition of approval with respect to the proposed future development blocks in order to ensure appropriate sequencing of development on these parcels (refer to Appendix “D”).

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Subject to the conditions of draft approval contained in Appendix “D” attached hereto, staff is of the opinion that the proposed development conforms with the applicable policies of the Plan and has appropriate regard for the criteria under Subsection 51(24) of the *Planning Act*.

Council and Public Comments:

The following is an overview of and response to the main comments and/or concerns expressed at the Council Public Meetings and Neighbourhood Residents’ Information Meeting held with respect to the subject applications:

Tree Removal and Preservation

Concerns were identified regarding the number of trees to be removed in order to accommodate the proposed development and the preservation and/or replacement of existing trees. The City’s Park and Natural Heritage Planning Section has undertaken a detailed review of the applicant’s proposal, including submitted supporting materials and has confirmed that they generally have no objections to the proposed tree removals in order to facilitate the subject development. As a condition of draft approval, the City’s Park and Natural Heritage Planning Section requires the submission of plans and/or reports addressing tree preservation to the satisfaction of the City prior to any grading, development, pre-servicing or site-alteration, among other requirements.

Relationship of the Proposed Development to Adjacent Lands

Comments were identified with respect to the need to consider and evaluate the proposed development in relation to development patterns existing and recently established within the neighbourhood, including the alignment of the future public road to be constructed to the south of the subject lands. As previously noted, the applicant submitted a Block Demonstration Plan (refer to Map 8) demonstrating the relationship of the proposed infill development to the new public road. In this regard, the applicant’s draft Plan of Subdivision includes two (2) future development blocks, which are intended to front onto the new public road that is to be constructed through the adjacent draft approved Plan of Subdivision (City File SUB-20-0005). The applicant’s development proposal is considered to be compatible with the character of infill development occurring in the area and is appropriate for the orderly development of the lands.

Vehicular Access to 16th Avenue

A question was raised regarding the Regional Municipality of York’s (the “Region”) requirements regarding vehicular access to 16th Avenue. In this regard, the Region has advised that direct access to 16th Avenue shall be restricted to right-in and right-out operations and has further advised of no objections to the proposed development, subject to their conditions of draft approval.

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Department and External Agency Comments:

All circulated City departments and external agencies have indicated no objections to the applicant's development proposal, have provided comments to be considered at a more detailed stage in the approval process and/or have provided conditions of draft approval with respect to the applicant's draft Plan of Subdivision application. Applicable conditions of draft approval are contained in Appendix "D" attached hereto.

Recommendation:

Planning staff has completed a comprehensive review of the proposed development and are in support of same for the following principle reasons:

- the proposed single detached and semi-detached dwellings are permitted uses within the **Neighbourhood** designation in accordance with the policies of the Plan;
- the proposed built form and site-specific development standards, including but not limited to the proposed provisions pertaining to minimum lot frontage and lot area are compatible with the character of the adjacent and surrounding area in accordance with **Section 4.9.2** of the Plan;
- pursuant to **Section 4.9.1.1** and **Appendix 9** of the Plan, the proposed lots and future development blocks, which are intended to have frontage on a new public road, are aligned with approved patterns for infill development within the broader neighbourhood and therefore considered appropriate for the orderly development of the lands;
- the registration of Section 118 restrictions will be required as a condition of approval with respect to the proposed future development blocks to ensure the appropriate sequencing and orderly development of these parcels as shown on the proposed draft Plan of Subdivision; and,
- future Part Lot Control Exemption or Consent applications will be required to facilitate the creation of the proposed semi-detached dwelling lots.

On the basis of the preceding, it is recommended that the applicant's 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. As such, the applicant has submitted a Sustainability Metrics Tool (the "Metrics") in support of its draft Plan of Subdivision application. Staff has reviewed the applicant's Metrics submission and finds it acceptable as the proposed development demonstrates an overall "Application Score" of 21, which represents a "good" score and meets the applicable threshold for draft Plan of Subdivision applications submitted prior to January 1, 2023. Among other implementation measures, the applicant has committed to achieving lighting and landscaping criteria as set out in the Metrics (refer to Appendix "E").

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As indicated in the earlier sections of this report, the subject lands are comprised of two (2) existing residential building lots, resulting in a servicing allocation credit of 7.12 persons equivalent. In consideration of the proposed two (2) single detached dwellings, 10 semi-detached dwellings and two (2) future residential development blocks to be constructed on the subject lands, staff recommends that an additional 36.84 persons equivalent of municipal servicing allocation be assigned to the subject lands.

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 generally aligned with the strategic priorities of **Balancing Growth and Green** and **Strong Sense of Belonging** in supporting residential intensification within the City's built boundary and a Priority Infill Area as defined within the Plan.

Climate Change Considerations:

The recommendations of this report are generally aligned with the City's Climate Change Considerations as it relates to supporting infill development within a Priority Infill Area. In addition, the applicant has demonstrated a "good" score with respect to its Metrics submission in support of its draft Plan of Subdivision application.

Conclusion:

The applicant is seeking Council's approval of its revised Zoning By-law Amendment and draft Plan of Subdivision applications to permit a residential development to be comprised of 14 residential 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 and have regard for the criteria described under Subsection 51(24) of the *Planning Act*. In light of the preceding, the applicant's development proposal represents good planning and is appropriate for the orderly development of the lands. In this regard, staff recommends that Council approve the subject applications, subject to the conditions and directions outlined in this report.

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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#47-21 held November 17, 2021
- Appendix B, Extract from Council Public Meeting C#41-22 held December 7, 2022
- Appendix C, Draft Zoning By-law
- Appendix D, Schedule of Draft Plan of Subdivision Conditions
- Appendix E, Sustainability Metrics Tool Summary Report
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Draft Plan of Subdivision
- Map 6, Original Site Plan
- Map 7, Revised Site Plan
- Map 8, Block Demonstration Plan
- Map 9, Official Plan Appendix 9 - Priority Infill Areas

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Report Approval Details

Document Title:	SRPBS.24.012 - Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications .docx
Attachments:	<ul style="list-style-type: none">- SRPBS.24.012 - Appendix A.pdf- SRPBS.24.012 - Appendix B.pdf- SRPBS.24.012 Schedule C.docx- SRPBS.24.012 Schedule D.docx- SRPBS.24.012 - Appendix E.pdf- SRPBS.24.012 Map 1-Aerial Photograph AODA.docx- SRPBS.24.012 Map 2 - Neighbourhood Context AODA.docx- SRPBS.24.012 Map 3 - Existing Zoning AODA.docx- SRPBS.24.012 Map 4- Official Plan Designation AODA.docx- SRPBS.24.012 Map 5- Draft Plan of Subdivision AODA.docx- SRPBS.24.012 Map 6- Original Site Plan AODA.docx- SRPBS.24.012 Map 7 - Revised Site Plan AODA.docx- SRPBS.24.012 Map 8 -Block Demonstration Plan AODA.docx- SRPBS.24.012 Map 9 - Official Plan Appendix 9 Priority Infill Areas AODA.docx
Final Approval Date:	Feb 29, 2024

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

Deborah Giannetta - Feb 28, 2024 - 4:28 PM

Gus Galanis - Feb 28, 2024 - 5:45 PM

Darlene Joslin - Feb 29, 2024 - 8:33 AM