



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.020

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.18.020 – Request for Approval – Zoning
By-law Amendment Application – JEBRAEIL
VOSSOUGHİ – Town File D02-16015**

Owner:

Jebraeil Vossoughi
36 Portage Avenue
Richmond Hill, Ontario
L4E 2Z4

Agent:

PMP Design Group
280 Sheppard Avenue East, Unit 203
Toronto, Ontario
M2N 3B1

Location:

Legal Description: Lots 492 and 493, Plan 133
Municipal Address: 36 Portage Avenue

Purpose:

A request for approval concerning a Zoning By-law Amendment application to permit the construction of two (2) semi-detached dwelling units on the subject lands.

Recommendations:

1. **That the Zoning By-law Amendment application submitted by Jebraeil Vossoughi for lands known as Lots 492 and 493, Plan 133 (Municipal Address: 36 Portage Avenue), Town File D02-16015, be approved, subject to the following:**
 - a) **That the subject lands be rezoned from the provisions of By-law 986, as amended, to Semi-Detached One (RD1) Zone, under By-law 313-96, as**

amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.020; and,

- b) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

Contact Person:

Philip Liu, Planner I – Site Plans, phone number 905-747-6312 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

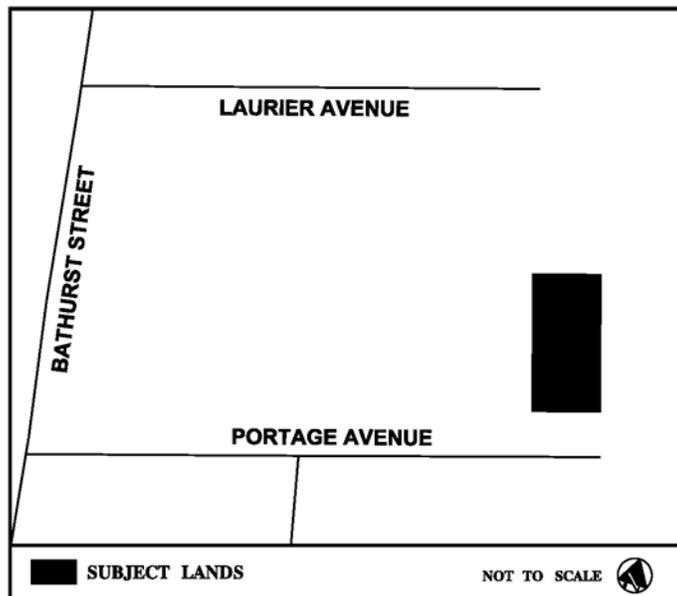
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map

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



Background:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on October 5, 2016 wherein Council received Staff Report SRPRS.16.165 for information purposes and referred all comments back to staff. The extract of this meeting is attached hereto as Appendix "A".

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the north side of Portage Avenue, west of Merton Street and have a total lot area of 0.046 hectares (0.114 acres). The lands form one (1) existing building lot and support a one-storey, single detached dwelling. The lands abut single-family residential units to the north, Portage Avenue to the south, vacant lands to the east and semi-detached residential uses to the west (refer to Maps 1 and 2).

Revised Development Proposal

The applicant is seeking Council's approval of its request to amend the Zoning By-law to permit two semi-detached dwelling units on its land holdings (refer to Map 5). Each unit will have frontage onto Portage Avenue. The following is a summary table outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

- **Total Area: 464.72 square metres (5,002.27 square feet)**
- **Number of Proposed Lots: 2**
- **Building Height: 2 storeys**
- **Existing Lot Frontage: 15.39 metres (50.18 feet)**
- **36A (West Semi-detached Lot)**
 - Gross Floor Area: 209.60 square metres (2,256.21 square feet)
 - Proposed Unit Lot Frontage: 7.65 metres (25.09 feet)
 - Proposed Lot Coverage: 46.5%
- **36B (East Semi-detached Lot)**
 - Gross Floor Area: 209.60 square metres (2,256.21 square feet)
 - Proposed Unit Lot Frontage: 7.65 metres (25.09 feet)
 - Proposed Lot Coverage: 46.5%

The development proposal has been revised since the Council Public Meeting. A conceptual Grading Plan was provided to the Town at the request of Development Engineering staff for their review. A revised submission was subsequently received reflecting a change in the dwelling design to allow for a 1.2 metre side yard setback, an increase from the 0.96 metre and 0.91 metre side yard setbacks originally proposed for the west and east dwellings respectively. This change was made at the request of Town staff to allow for adequate access into the rear yard.

Planning Analysis

Town of Richmond Hill Official Plan (2010)

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (the “Plan”) (refer to Map 4). The **Neighbourhood** designation generally permits low-density and medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, as well as automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. It is noted that semi-detached dwellings are permitted within the **Neighbourhood** designation, which in accordance to policy **4.9.2.4**. must be compatible with the existing character of adjacent and surrounding areas. In this regard, the proposed development would conform to the **Neighbourhood** policies as follows:

- the proposed semi-detached dwellings are a permitted form of low-rise residential use;
- the proposed building height of two-storeys would conform with the maximum building height of three storeys; and,
- the proposed zoning would result in a built form that is compatible with the existing character of the adjacent and surrounding area with respect to predominant building forms and types, massing, landscaped areas and treatments, and general patterns of yard setbacks.

In addition, the subject lands are located within a priority infill area as identified under Policy 4.9.1.1(1) of the Plan and therefore, the subject proposal is to be evaluated based on the guidelines of the Hughey West Infill Study (discussed in greater detail below).

Given all of the above, staff is of the opinion that the submitted Zoning By-law Amendment application has appropriate regard for and is generally consistent with the broader policy direction for this part of the Town as outlined in the new Plan.

Hughey-West Neighbourhood Infill Study (2007)

As indicated above, the subject lands are located within the Hughey West Infill Study area (“Study”) that was approved by Council in 2007 (refer to Map 5). This Study applies to the area bounded by Bathurst Street to the west, Prince Arthur Avenue to the south, Verdi Road to the east and the valley and conservation lands of the East Humber River to the north and east. The Study was prepared as an update to the Bathurst Street Neighbourhood Infill Study (“Bathurst Study”) approved by Council in 1998. The primary objectives of the Study are to build upon the recommendations of the Bathurst Study, while providing more comprehensive direction for the future development of the neighbourhood, including a more connected and functional street network and opportunities for a variety of residential forms of development. In addition to guiding the general pattern of infill development within the neighbourhood, the Study contains

Urban Design Guidelines that provide direction for the architectural design and treatment of individual units. Among the recommendations of the Study is the closure of Bathurst Street accesses for a number of alternate streets. Portage Avenue is to remain open as an “entrance street” to facilitate permanent access into the neighbourhood.

Infill development comprised of semi-detached dwellings is generally supported by the Study for “entrance streets” and a minimum lot frontage of 18 metres (59.06 feet) is recommended. It is noted that the subject lands have an existing frontage of 15.30 metres (50.20 feet), with each proposed semi-detached unit lot intended to have a frontage of 7.65 metres (25.10 feet), as opposed to the 9.0 metres (29.53 feet) as recommended by the Study. While the proposed lot frontages are smaller than those recommended, staff is of the opinion that the proposed semi-detached dwelling units are compatible and appropriate given the context of the site.

Directly west of the subject property are existing semi-detached dwellings with frontages of 7.62 metres (25 feet) per unit lot, approved before the Study was put in place. The proposed semi-detached dwelling units will be compatible with these dwellings as they will be similar in terms of massing, form and frontage. In addition, the lands to the east form part of a newly registered plan of subdivision that includes single detached lots with frontages of 13.67 metres (44.85 metres). As a result, there is no land to the east available for the applicant to acquire and assemble into their land holdings to form larger lots. While it is imperative to have regard to the Study, staff is of the opinion that a minor deviation from the recommendations of the Study is appropriate in this scenario. Given all of the above, staff is satisfied that the proposed semi-detached lots are appropriate for this specific property and location and that it constitutes good and orderly planning.

Proposed Zoning By-Law Amendment

The subject lands are presently zoned under Zoning By-law 986 of the former Township of King, as amended (refer to Map 9), which allows a variety of land uses without the zone categories found in conventional land use by-laws. The proposed building lots and semi-detached dwelling do not meet the existing zoning provisions of Zoning By-law 986. As such, the applicant is seeking Council’s approval to rezone the subject lands to **Semi-Detached One (RD1) Zone** under Zoning By-law 313-96 of the Town of Richmond Hill, as amended, with site specific provisions for reduced minimum lot area and side yard setback. Outlined below is a comparison of the proposed development relative to the standards of the **RD1 Zone**.

Development Standard	RD1 Standards, By-law 313-96, as amended	Proposed
Minimum Lot Area	485.0 sq. metres (5,220.5 sq. feet)	464.27 sq. metres (4,997.4 sq. feet)
Minimum Lot Frontage	14.6 metres (47.9 feet)	15.24 metres (50 feet)
Minimum Front Yard	4.50 metres (14.8 feet)	5.80 metres (19 feet)
Minimum Side Yard	1.5 metres (4.9 feet)	1.2 metres (3.9 feet)
Minimum Rear Yard (from Dwelling)	7.5 metres (24.6 feet)	7.51 metres (24.6 feet)
Minimum Rear Yard (from Deck)	5.0 metres (16.4 feet)	4.86 metres (15.9 feet)
Maximum Height	11.0 metres (36.1 feet)	10.72 metres (35.2 feet)
Maximum Lot Coverage	50%	46.5%

Planning staff has undertaken a comprehensive review and analysis of the applicant's development proposal and is of the opinion that it is appropriate for the following reasons:

- the proposed **RD1 Zone** category is compatible with much of the redevelopment in the area and the proposed building lots are consistent with the emerging lot fabric in the neighbourhood which features an eclectic mix of low-density residential building types;
- the requested site specific provision to reduce the permitted interior side yard interior setback from 1.5 metres (4.92 feet) to 1.2 metres (3.9) feet is in keeping with new development standards applied throughout the Town; and,
- the requested site specific provision to reduce the minimum lot area from 485.0 sq. metres (5,220.5 sq. feet) to 464.27 sq. metres (4,997.4 sq. feet) is appropriate given the existing semi-detached lots located directly to the west of the subject lands are similar in size.

Thus, staff is of the opinion that the development as proposed constitutes good and orderly planning. On the basis of the preceding, it is recommended that the applicant's Zoning By-law Amendment application be approved.

Town Department and External Agency Comments

Development Planning Division

Planning staff has reviewed the applicant's development proposal and is of the opinion that it is appropriate. Accordingly, staff recommends that the subject Zoning By-law Amendment application be approved on the following basis:

- the proposed future semi-detached dwellings are consistent with the **Neighbourhood** designation of the Plan;

- the proposed **Semi-detached One (RD1) Zone** category under Zoning By-law 313-96, as amended, is in keeping with broader policy direction for this part of the Town and constitutes good and orderly planning;
- the development standards for the proposed lot will meet the minimum standards of the **RD1** zone within Zoning By-law 313-96, as amended, with the exception of the minimum side yard setbacks and minimum lot area;
- the proposed development is generally in keeping with the intent of the Hughey West Infill Study. While the proposed lot frontage is smaller than what is recommended by the Study, it is appropriate given the site context and compatible with surrounding uses; and,
- the applicant will need to address all comments from relevant Town departments and external agencies at the Building Permit stage.

Parks and Natural Heritage Planning Section

Parks and Natural Heritage Planning Section staff has reviewed the applicant's development proposal and has no objection to the proposed Zoning By-law Amendment. However, staff has provided comments, outlined in Appendix C1 that will need to be addressed at the detailed design stage during the Building Permit process.

Development Engineering Division

Development Engineering Division staff has reviewed the applicant's development proposal and has no objection to the proposed Zoning By-law Amendment. However, Engineering staff has provided comments, outlined in Appendix C2 that will need to be addressed at the detailed design stage during the Building Permit process. In this regard, staff have, among other comments, noted that a walkout design for the proposed dwelling will not be supported.

Building Services Division – Zoning Section

The Building Services Division – Zoning Section, has noted that there is a deficiency in the proposed minimum rear yard (from the deck) as shown on the Proposed Site Plan (refer to Map 5), which currently shows a 4.86 metres setback – less than the required 5.0 metres. Further, the dwelling height shown on the Proposed Elevations is calculated from the center of the road, whereas By-law 313-96 calculates dwelling height from the established grade. All zoning by-law deficiencies will need to be addressed at the detailed design stage during the Building Permit process.

Other Departments/External Agencies

Comments received through the circulation of the applicant's development proposal from Town departments and external agencies have been satisfactorily addressed. Town departments and external agencies have no further comments or objections to the application.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The applicant's development proposal would align with **Goal Two - Better Choice in Richmond Hill** by providing housing that offers options for people at all stages of life. The proposal would also align with **Goal Four - Wise Management of Resources in Richmond Hill** by designing energy efficient dwellings and using land responsibly.

Conclusion:

The applicant is seeking Council's approval to rezone the subject lands to facilitate the construction of two (2) semi-detached dwelling units on its land holdings. The submitted Zoning By-law Amendment application conforms with the Town's Official Plan, is appropriate and is in keeping with the character of the surrounding area. In this regard, staff recommends approval of the submitted Zoning By-law Amendment application as outlined and described within this report.

Attachments:

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

- Appendix A Council Public Meeting Extract C#23-17 Held October 5, 2016
- Appendix B Draft Zoning By-law 4-18
- Appendix C1 Memo from Patricia Young dated December 13, 2017
- Appendix C2 Memo from Jeff Walters dated February 28, 2017
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Hughey West Infill Study Area
- Map 6 Proposed Site Plan
- Map 7 Proposed Elevation

Report Approval Details

Document Title:	SRPRS.18.020 - 36 Portage Avenue - D02-16015 (JABRAEIL VOUSSOUGH).docx
Attachments:	<ul style="list-style-type: none">- By-law 4-18 - Schedule A.pdf- MAP_1_AERIAL PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S216015A_NEW.pdf- MAP_3_EXISTING_ZONING_S216015A.pdf- MAP_4_OFFICIAL_PLAN_DESIGNATION_LAND_USE.pdf- MAP_5_HUGHEY_WEST_INFILL_STUDY.pdf- MAP_6_PROPOSED_SITE_PLAN.pdf- MAP_7_PROPOSED_ELEVATION.pdf- SRPRS.18.020 - Appendix A (CPM Extract).docx- SRPRS.18.020 - Appendix B (Draft By-law).docx
Final Approval Date:	Jan 9, 2018

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

Gus Galanis - Jan 9, 2018 - 1:29 PM

Kelvin Kwan - Jan 9, 2018 - 3:31 PM

Neil Garbe - Jan 9, 2018 - 4:20 PM