



Staff Report for Committee of the Whole Meeting

Date of Meeting: May 15, 2024
Report Number: SRPBS.24.053

Department: Planning and Building Services
Division: Development Planning

Subject: SRPBS.24.053 – Request for Approval – Zoning By-law Amendment Application – Seyed Mohammad Sajadi – City File ZBLA-23-0001

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 Address: 34 Avenue Road

Purpose:

A request to approve a Zoning By-law Amendment application to permit one (1) additional single detached building lot on the subject lands.

Recommendation:

- a) that 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 approved, subject to the following:

Page 2

- i. that the existing zoning of the lands be amended to include the site specific exceptions as set out in Appendix “B” to Staff Report SRPBS.24.053; and,
- ii. that the amending Zoning By-law be brought forward to the May 22, 2024 Council meeting for enactment.

Contact Person:

Umar Javed, Planner I, phone number 905-747-6470

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:

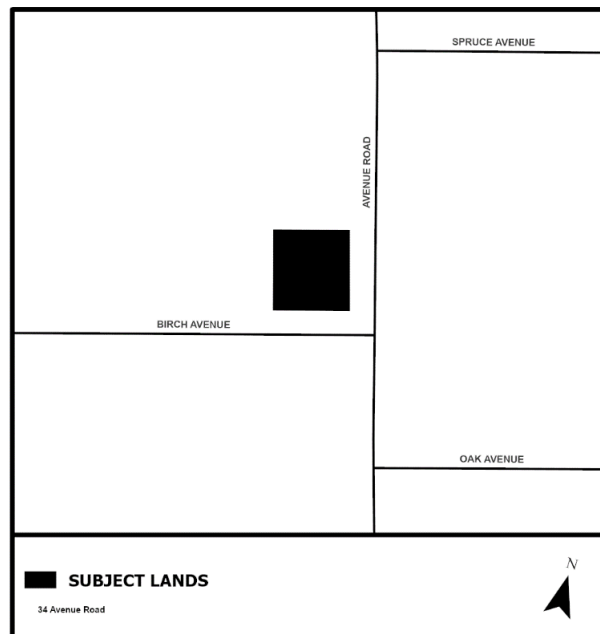
Submitted by: Gus Galanis, Acting Commissioner, Planning and Building Services

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.

Location Map:

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



Page 3

Background:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on May 2, 2023 wherein Council received Staff Report SRPI.23.032 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No members of the public attended the Council Public Meeting; however comments were provided by members of Council and in written correspondence were received related to compatibility and character with respect to the proposed development standards related to building height and lot coverage, as well as tree preservation and traffic concerns, which are addressed in greater detail in subsequent sections of this report.

Following the Council Public Meeting and in response to comments received at the meeting, the applicant revised the original development proposal and the site-specific standards sought. At the time of writing this report, all comments from City departments and external agencies have been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council’s approval of the subject Zoning By-law Amendment application.

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 frontage of 32.67 metres (107.19 feet) along Avenue Road, frontage of 28 metres (91.86 feet) along Birch Avenue and a total lot area of 1,007.65 square metres (10,846.25 square feet). The lands currently support an existing one (1) storey single detached dwelling with an attached garage fronting onto Avenue Road which 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 permit one (1) additional building lot for single detached residential purposes on its landholdings. The proposed development would result in a total of two (2) lots each of which would contain one (1) new single detached dwelling to front onto Birch Avenue (refer to Map 5).

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 Lot Area:** 1,007.65 sq. metres (10,846.25 sq. feet)
- **Total Lot Frontage:** 32.56 metres (106.82 feet)
- **Proposed Number of Dwellings:** 2
- **Proposed Lot 1 (Interior Lot)**

Page 4

- **Lot Area:** 456.45 square metres (4,913 square feet)
- **Lot Frontage (Birch Avenue):** 14 metres (45.93 feet)
- **Proposed Lot 2 (Corner Lot):**
 - **Lot Area:** 443.15 square metres (4,770 square feet)
 - **Lot Frontage (Birch Avenue):** 14 metres (45.93 feet)

In response to the comments received by the public and Council, the applicant has revised its original development proposal and the associated requested site-specific standards as follows:

- a decrease in the maximum lot coverage for the proposed dwelling on the interior lot from 42.6% to 41.8%;
- an increase in the maximum lot coverage for the proposed dwelling from 42.6% to 43.5% for the proposed corner lot; and,
- reduced building heights from 11.0 metres (36.09 feet) to 9.76 metres (32.02 feet) and 10.45 metres (34.28 feet) for the proposed dwellings on the interior and corner lot, respectively. The proposed building heights are now compliant with the existing Zoning By-law requirements applicable to the lands.

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 **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 must be compatible with the character of the adjacent and surrounding area in accordance with **Policy 4.9.2.4** of the Plan, particularly in relation to the following:

- 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.

The subject lands are also situated within an area historically identified as a Priority Infill Area in accordance with **Section 4.9.1.1** and Appendix 9 - Priority Infill Areas of the Plan. The area in which the subject lands are located is not subject to a Council-approved infill study; however, these areas are generally recognized as having the potential for new lot creation and/or the provision of medium density residential development. Modest infill

Page 5

development, as proposed by the subject application contribute to the City’s residential intensification targets while making use of existing or planned infrastructure in these areas.

Staff has evaluated the applicant’s development proposal in relation to the land use, design and compatibility policies of the Plan and is satisfied that the proposal has regard for, and is compatible with existing development in the area. In this regard, the proposed development provides for dwelling types that are envisioned in the Plan on lots that are compatible with the lot fabric of the existing neighbourhood. On this basis, staff is of the opinion that the proposed development conforms with the applicable policies of the Plan and represents an appropriate form of infill development in this neighbourhood.

Zoning By-law Amendment

The subject lands are currently zoned **Third Density Residential (R3) Zone**, under Zoning By-law 2523, as amended. The applicant is seeking approval to amend the provisions of the **R3 Zone** in order to permit one (1) additional single detached lot to accommodate a total of two (2) single detached dwellings on the applicant’s land holdings and to establish site specific provisions to facilitate the proposed development (refer to Map 3).

The following table provides a comparison of the proposed development standards relative to those of the **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 feet)	14 metres (45.93 feet)
Minimum Lot Frontage (Interior)	15.24 metres (50 feet)	14 metres (45.93 feet)
Minimum Lot Area (Corner)	724.64 sq. m (7,800 sq. ft)	443.15 sq. m (4,770 sq. ft)
Minimum Lot Area (Interior)	557.42 sq. m (6,000 sq. ft)	456.45 sq. m (4,913 sq. ft)
Maximum Lot Coverage (Corner)	30%	43.5%
Maximum Lot Coverage (Interior)	30%	41.8%
Minimum Required Front Yard	7.62 metres (25feet)	Complies
Minimum Exterior Side Yard	7.62 metres (25 feet)	1.22 metres (4 feet)
Minimum Side Yard	1.52 metres (5 feet)	0.90 metres (2.95 feet) 1.22 metres (4.00 feet)
Minimum Rear Yard	7.62 metres (25 feet)	Complies
Maximum Height	10.67 metres (35 feet)	Complies

Page 6

Staff has reviewed the subject Zoning By-law Amendment application and finds that the proposed site-specific provisions of the **R3 Zone** under By-law 2523, as amended, are contextually appropriate in consideration of the overall design of the development proposal and existing development in the area in which the lands are located. More specifically, the proposed reduction to the minimum lot frontages and lot areas will result in lot sizes that are compatible with the surrounding area and consistent with development previously approved in the vicinity of the subject lands. In this regard, Zoning By-law Amendment and draft Plan of Subdivision (City Files D03-15002 and D02-15003) applications were approved by Council for the lands to the north in order to facilitate the creation of 25 single detached dwelling lots, a park block, and a new public road, Shining Willow Court. This development includes a variety of lot sizes with lot frontages ranging from approximately 12 metres (39.37 feet) to 18 metres (59.06 feet) and lot areas of approximately 400 square metres (4,305.56 square feet).

With respect to the proposed site specific development standards related to increased lot coverage and reduced side yard setbacks, staff are of the opinion that the additional relief being sought is considered appropriate in the context of development trends in the area. The request for a reduction to the minimum required exterior side yard of 1.22 metres (4 feet) in comparison to the standard **R3 Zone** requirement of 7.62 metres (25 feet) is partially as a result of the reorientation of the proposed new lot from Avenue Road to Birch Avenue, and the requirement to convey a 3 metre (9.84 feet) road widening to the City. Additionally, the side yard setback is reflective of older development standards in By-law 2523 that were intended to accommodate large setbacks and separation between dwellings and did not contemplate the size of dwellings that are being built today. In this regard, staff are of the opinion that the relief being sought with respect to increased lot coverage and reduced side yard setbacks will be compatible with the development of the surrounding area and are aligned with newer development standards that facilitate modest intensification in existing neighbourhoods.

On the basis of the preceding, is of the opinion that the proposal is appropriate for the development of the subject lands.

Council and Public Comments:

The following is an overview of and response to comments and concerns expressed by the public and members of Council at the Council Public Meeting held on May 2, 2023 as well as through written correspondence received by the City with respect to the subject development proposal:

- **Compatibility and Character**

Concerns were raised with respect to the compatibility of the proposal with the existing character of the community, particularly in relation to the proposed building heights and lot coverage of the new dwellings. In this regard, the applicant has reduced the proposed building heights from 11.0 metres (36.09 feet) to 9.76 metres (32.02 feet) and 10.45 metres (34.28 feet) both of which comply with the standard **R3 Zone** requirements. With respect to lot coverage, staff have reviewed the development

Page 7

proposal and are of the opinion that the proposal is consistent with other development in the area and newer residential development standards and therefore the lot coverage is considered to be appropriate for the development of the subject lands. It is noted that the City's Heritage and Urban Design staff has reviewed the development proposal and have advised of no concerns.

- **Tree Preservation**

Concerns were raised with respect to the preservation of existing mature trees on the subject lands. The City's Parks and Natural Heritage section has identified that the proposed development will result in the loss of two (2) native trees. However, it is noted that a number of mature trees in the rear yard of the proposed interior lot and those adjacent to the corner lot are proposed to be retained. In this regard, the City will seek to restore the tree canopy within the development by securing replacement tree plantings and/or compensation for the loss of these trees through the future required Consent application.

- **Traffic**

Concerns were expressed regarding the potential for increased traffic that will be generated in the area as a result of the proposed development. Infrastructure Planning and Development Engineering Staff has reviewed the subject development proposal and are of the opinion that the proposed additional single detached building lot will not adversely impact the traffic volumes for the neighbourhood, including along Birch Avenue.

City Departmental and External Agency Comments:

All circulated City department and external agencies have indicated no objections with respect to the proposed Zoning By-law Amendment.

Recommendation:

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

- the proposed additional single detached residential lot complies with the applicable **Neighbourhood** policies of the Plan, specifically **Section 4.9.2.4** which directs that all development shall be context-sensitive and compatible with the surrounding area;
- the proposed site-specific development standards are contextually appropriate and generally in keeping with the existing lot fabric, dwellings and recent redevelopment approvals in the area; and,
- the applicant has satisfactorily addressed all comments raised by City departments and external agencies.

On the basis of the preceding, it is recommended that the proposed Zoning By-law Amendment application be approved. It is noted that a future Consent application will be

Page 8

required in order to create the additional lot proposed and will address servicing allocation assignment, secure a road widening along Avenue Road, and address tree preservation matters as outlined in this report.

Financial/Staffing/Other Implications:

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

Relationship Strategic Plan:

The recommendation of this report is aligned with **Pillar 1: Growing a Livable, Sustainable Community** demonstrating responsible growth management through residential infill development within an existing neighbourhood which thereby reduces the need to expand development into undeveloped areas of the municipality.

Climate Change Considerations:

The recommendation of this report is aligned with Council's climate change considerations as the development proposal provides modest intensification within an existing residential area thereby preventing urban sprawl and represents an efficient use of land within this area of the City.

Conclusion:

The applicant is seeking Council's approval of its Zoning By-Law Amendment application to permit one (1) additional single detached residential building lot on its land holdings. Staff is of the opinion that the applicant's development proposal conforms with the applicable policies of the Plan, is considered to be appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application as outlined and described 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 Meeting C#17-23 held on May 2, 2023
- Appendix B, Draft Zoning By-law
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation

Page 9

- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations (Part 1)
- Map 7, Proposed Elevations (Part 2)

Page 10

Report Approval Details

Document Title:	SRPBS.24.053 - Request for Approval - Zoning By-law Amendment Application - 34 Avenue Road.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - CPM Extract Minutes.docx- Appendix B - By-law 47-24 Draft.docx- Map 1 - Aerial Photograph.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Existing Zoning.docx- Map 4 - Official Plan Designation.docx- Map 5 - Proposed Site Plan.docx- Map 6 - Revised Elevations (Part 1).docx- Map 7 - Revised Elevations (Part 2).docx
Final Approval Date:	Apr 25, 2024

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

Deborah Giannetta - Apr 25, 2024 - 10:58 AM

Gus Galanis - Apr 25, 2024 - 10:59 AM

Darlene Joslin - Apr 25, 2024 - 1:20 PM