



Staff Report for Committee of the Whole Meeting

Date of Meeting: February 5, 2018

Report Number: SRPRS.18.030

Department: Planning and Regulatory Services

Division: Development Planning

Subject: SRPRS.18.030 – Request for Approval – Zoning
By-law Amendment Application - Pedram
Mahmoudian – Town File D02-16040 (Related
File: D06-16096)

Owner:

Pedram Mahmoudian
186 Patricia Avenue
Toronto, Ontario
M2M 1J5

Agent:

A. Young Planner Ltd.
62 Pine Crest Road
Toronto, Ontario
M6P 3G5

Location:

Legal Description: Part of Lots 12 and 13, Plan 2300

Municipal Address: 79 Hunt Avenue

Purpose:

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

Recommendation:

That the Zoning By-law Amendment application submitted by Pedram Mahmoudian for lands known as Part of Lots 12 and 13, Plan 2300 (Municipal Address: 79 Hunt Avenue) Town File D02-16040 (Related File: D06-16096), be approved subject to the following:

- a) **That Council approve the draft Zoning By-law as set out in Appendix “B” to Staff Report SRPRS.18.030 and that said by-law be brought forward to a regular meeting of Council for consideration and enactment.**

Contact Person:

Katherine Faria, Planner II – Subdivisions, phone number 905-771-5543 and/or Deborah Giannetta, Manager of Development – Site Plans, phone number 905-771-5542

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 the person listed under “Contact Person” above.



Background:

A Council Public Meeting was held on June 7, 2017 in accordance with the statutory Public Meeting requirements of the *Planning Act* to consider the applicant's Zoning By-law Amendment application wherein Council received Staff Report SRPRS.17.099 for information purposes and directed that all comments be referred back to staff (refer to Appendix "A"). Concerns were raised by Council and members of the public at the Council Public Meeting concerning the applicant's proposal as it relates to its conformity with the recommendations of the Benson Hunt Tertiary Plan ("Tertiary Plan") (refer to Appendix "A"). These matters are addressed in greater detail in a later section of this report.

The purpose of this report is to seek Council's approval of the subject Zoning By-law Amendment application in accordance with the recommendations as set out in Staff Report SRPRS.18.030.

Summary Analysis

Site Location and Adjacent Uses

The subject lands are located on the north side of Hunt Avenue, west of Yonge Street and have a total lot area of approximately 604.6 square metres (6,507.86 square feet). The lands abut residential uses to the north, east and west and Hunt Avenue to the south. The surrounding neighbourhood is characterized by a mix of low and medium density housing forms, including townhouse, semi-detached and single-detached dwellings. The subject lands presently support an existing single detached dwelling that is proposed to be demolished as part of the subject development proposal (refer to Map 1).

Development Proposal

The applicant is seeking Council's approval of its request to amend Zoning By-law 66-71, as amended, to permit the construction of two semi-detached dwelling units on its land holdings. The following is a summary outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

- Total Lot Area, 604.6 square metres (6,507.86 square feet)
- Total Lot Frontage, 13.41 metres (44.00 feet)
- Proposed Lot Frontages, 6.66 metres (21.85 feet) per lot
- Proposed Lot Areas, 302.29 square metres (3,253.82 square feet) per lot
- Proposed Number of Dwelling Units, 2
- Proposed Building Height, 10.0 metres (32.81 feet)

A Site Plan application has been submitted in conjunction with the subject Zoning By-law Amendment application and is discussed later in this report.

Planning Analysis:

Town of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2-Land Use of the Town's Official Plan ("Plan") (refer to Map 2). Uses permitted within the **Neighbourhood** designation include primarily low and medium density residential uses, neighbourhood commercial, community uses, parks and urban open spaces, and automotive service commercial uses subject to specific policy criteria as defined in Chapter 4 of the Plan. Development within the **Neighbourhood** designation shall have building heights of up to three storeys, except on arterial streets where the maximum building height shall be 4 storeys.

Further, in accordance with Section 4.9.2 of the Plan, development shall be compatible with the character of the adjacent and surrounding areas with respect to the predominant building forms and types, massing, general patterns of streets, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks. In addition, where development is subject to an infill plan or tertiary plan, development shall be evaluated on the basis of the criteria as set out in the applicable infill plan or tertiary plan approved by Council for the area.

On the basis of the foregoing, the applicant's development proposal is considered to conform to the land use and design policies of the Plan.

Benson Hunt Tertiary Plan

The subject lands are situated within the boundaries of the Benson Hunt Tertiary Plan ("Tertiary Plan") (refer to Map 4) and are located within the **Medium Density Area** of the study area, wherein semi-detached dwellings as proposed by this application are permitted. The objective of the Tertiary Plan is to guide development within this neighbourhood and to ensure new development represents a 'good fit' within the physical context and character of the surrounding area. Section 1.3 e) of the Tertiary Plan states as follows:

"The character, identity and heritage attributes of the Benson/Hunt Tertiary Plan shall be reinforced through appropriate height, massing, and architectural detailing of built form and appropriate landscaping and streetscaping elements. As such, all new development within the Benson and Hunt Area shall be evaluated on the basis of the principle of compatible development."

Accordingly, the Tertiary Plan provides guidance for new development as outlined in Section 5.0 with respect to various criteria including setbacks and landscaping treatments. More specifically, as it relates to the subject development proposal, the Tertiary Plan recommends side yard setbacks shall be a minimum of 1.5 metres (4.92 feet). In addition, the Tertiary Plan generally encourages enhancement of the urban canopy and landscape design elements that are in keeping with the character of the neighbourhood.

The proposed development does not achieve the recommended side yard setbacks of 1.5 metres (4.92 feet). While the Tertiary Plan provides guidance with respect to recommended development standards, there is a need to apply some flexibility in order to allow for the form of development that is contemplated by the Tertiary Plan. In this regard, there is substantial variation in frontage for the lots on Hunt Avenue, wherein the lot frontage of 13.41 metres (44.00 feet) for the subject lands represents a unique condition. Staff has reviewed the subject development in the context of the adjacent properties and the neighbourhood as a whole and considers the proposed development standards to be generally in keeping with the overall objectives of the Tertiary Plan.

Proposed Zoning By-law Amendment

The subject lands are zoned **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended (refer to Map 3), which permits single detached dwellings and various recreational and institutional uses and does not permitted semi-detached dwellings as proposed by the subject application. In this regard, the applicant is proposing to rezone the subject lands to **Residential Multiple First Density – Special (RM1-S) Zone** under By-law 66-71, as amended, with site specific development standards to facilitate the subject development proposal.

The following table provides a summary of the development standards of the proposed **Residential Multiple First Density – Special Zone (RM1-S) Zone** under By-law 66-71, as amended, that are relevant to the proposed development including the site specific provisions proposed by the applicant:

Development Standard	Development Standards (RM1-S) Zone, Semi-detached dwellings	Proposed Development Standards
Minimum Lot Area	275 square metres (2,960.08 square feet)	Complies
Minimum Lot Frontage	9 metres (29.53 feet)	6.6 metres (21.65 feet)
Minimum Front Yard	6 metres (19.69 feet)	Complies
Minimum Side Yard (Interior)	1 metres (3.28 feet)	1.2 metres (3.94 feet)
Minimum Rear Yard	7.62 metres (25.0 feet)	Complies
Maximum Height	10.67 metres (35.0 feet)	Complies
Maximum Lot Coverage	35%	Complies

As noted above, the standard provisions of the **RM1-S Zone** require a minimum side yard of 1 metre (3.28 feet) and a minimum lot frontage of 9 metres (29.53 feet), whereas the applicant is proposing minimum side yards of 1.2 metres (3.94 feet) and minimum lot frontages of 6.6 metres (21.65 feet). The proposed development meets all other

provisions of the **Residential Multiple First Density – Special (RM1-S) Zone** under By-law 66-71, as amended.

The surrounding neighbourhood is characterized by a range of dwelling types and development standards, wherein both low and medium density uses are present. Staff has undertaken a comprehensive review of the proposed Zoning By-law Amendment, including the proposed side yard setbacks and minimum lot frontages and considers them to be appropriate in light of the existing physical context and lot fabric within the area. It should also be noted that the proposed side yard setbacks allow for a greater unit width and thereby the area devoted to the proposed garage doors on the front facades of the units can be minimized.

Proposed Site Plan

A Site Plan Application, Town File D06-16096, was submitted concurrently with the subject Zoning By-law Amendment application to facilitate the construction of two semi-detached dwelling units on the subject lands (refer to Maps 5 and 6). In response to technical comments received on the initial submission and the comments raised at the Council Public Meeting, the applicant submitted a revised submission to the Town, which included modifications to the orientation of the units and the design of the driveways and walkways in an effort to maximize the front yard area that can be used for planting and landscaping. At the time of writing of this report, only technical matters remain to be addressed with respect to grading. Notwithstanding the foregoing, staff is generally satisfied with the design and placement of the proposed dwellings and will continue to work with the applicant towards the finalization and execution of the Site Plan Agreement.

Public Comments

As noted previously, concerns were raised at the Council Public Meeting with respect to the conformity of the subject development proposal with the guidelines and recommendations of the Tertiary Plan regarding unit sizes, height, side yard setbacks and lot width. The Tertiary Plan does not provide specific guidelines with respect to lot width and unit size for semi-detached dwellings. With respect to building height, the proposed development meets the standard provisions of By-law 66-71, as amended, which permits a maximum building height of 10.67 metres (35 feet) and is comparable with the building heights of new dwellings in the area. In terms of the proposed side yard setbacks of 1.2 metres (3.94 feet), staff has undertaken a comprehensive review of the proposal and considers it to be appropriate for the reasons outlined in this report, in consideration of the existing physical context of the neighbourhood and the fact that this standard has been implemented in newer development across the Town. Finally, it should also be noted that the applicant submitted a revised proposal to provide for additional planting space and landscaped areas within the front yards of the proposed dwellings.

Department and External Agency Comments

The subject Zoning By-law Amendment application, including the associated background studies and reports submitted in support of same have been circulated to various Town departments and external agencies for their review and comment. In response to concerns raised, revised submissions were provided to the Town and subsequently circulated to relevant Town staff and external agencies for review. The following is a summary of comments received on the applicant's revised development proposal, including a brief discussion on how concerns and issues have been addressed by the applicant.

Development Planning Section

Following a comprehensive review of the applicant's development request, Planning staff recommends approval of the proposed Zoning By-law amendment application on the basis of the following considerations:

- the proposed semi-detached dwelling units are permitted within the **Neighbourhood** designation of the Plan and within the **Medium Density Area** of the Tertiary Plan approved by Council;
- the design and development standards for the proposed semi-detached dwellings are considered to represent a 'good fit' within the Benson/Hunt neighbourhood and are in keeping with the general intent of the Tertiary Plan;
- the applicant has satisfactorily addressed comments from Town staff with regard to such matters as site design and landscaping;
- subject to Council's approval of the applicant's proposed Zoning By-law Amendment, Town staff will continue to work with the applicant towards the completion of the related Site Plan Agreement; and,
- a future Consent application will be required to facilitate the proposed development.

Development Engineering Division

Development Engineering staff has provided technical comments with respect to the applicant's Grading and Servicing Plan.

Parks and Natural Heritage Planning

The Town's Parks and Natural Heritage Planning Section has reviewed the applicant's development proposal and has provided advisory comments to the applicant with respect to existing vegetation on neighbouring property.

Servicing Allocation:

Servicing allocation for the proposed dwellings will be taken from the Part Lot Control/Consent pool at the time of the respective approvals.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The proposed development is generally aligned with **Goal Two, Better Choice in Richmond Hill** in providing additional housing options within an existing residential neighbourhood. The proposed development is also generally aligned with **Goal Four, Wise Management of Resources in Richmond Hill** in committing to use land responsibly.

Conclusion:

The applicant is seeking Council's approval of a Zoning By-law Amendment application to facilitate the construction of two semi-detached dwelling units on its land holdings. The applicant has satisfactorily addressed the issues and concerns raised by circulated departments and agencies through the circulation of the development proposal. The proposed Zoning By-law Amendment is consistent with the Plan, is aligned with the general intent of the Tertiary Plan and is considered to represent good planning. In light of the preceding, it is recommended that the subject Zoning By-law Amendment application be approved as outlined in 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# 20-17, held June 7, 2017
- Appendix B, Draft Zoning By-law Amendment
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Benson Hunt Tertiary Plan
- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations

Report Approval Details

Document Title:	SRPRS.18.030.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.18.030 Appendix A.pdf- SRPRS.18.030 Appendix B.pdf- SRPRS.18.030 - Map 1.pdf- SRPRS.18.030 - Map 2.pdf- SRPRS.18.030 - Map 3.pdf- SRPRS.18.030 - Map 4.pdf- SRPRS.18.030 - Map 5.pdf- SRPRS.18.030 - Map 6.pdf
Final Approval Date:	Jan 23, 2018

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

Gus Galanis - Jan 23, 2018 - 10:26 AM

Kelvin Kwan - Jan 23, 2018 - 11:14 AM

Neil Garbe - Jan 23, 2018 - 11:39 AM