



## Staff Report for Council Public Meeting

Date of Meeting: February 11, 2025

Report Number: SRPBS.25.007

Department: Planning and Building Services

Division: Development Planning

**Subject: SRPBS.25.007 - Request for Comments - Zoning By-law Amendment Application - Khatereh Kheirkhahan, Mohammad Mahmoudzadeh, Janet Yates, Hossein Khan-Mohammadi, Mehdi Zanganeh, Fataneh Bahraei, Ankai Liu and Hou Jian - City File ZBLA-24-0009 (Related City File: SUB-24-0003)**

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### Owners:

Khatereh Kheirkhahan, Mohammad Mahmoudzadeh, Janet Yates, Hossein Khan-Mohammadi, Mehdi Zanganeh, Fataneh Bahraei, Ankai Liu and Hou Jian  
35, 37, 39, and 41 Edgar Avenue and 20 Scott Drive  
Richmond Hill, Ontario  
L4C 6K2 and L4C 6V6

### Agent:

Dafne Gokcen  
Innovative Planning Solutions Inc.  
647 Welham Road, Unit 9  
Barrie, ON L4N 0B7

### Location:

Legal Description: Lot 8 and Part of Lot 9, Registered Plan 3852; and Lots 77 to 79, Registered Plan 1930  
Municipal Addresses: 35, 37, 39, and 41 Edgar Avenue and 20 Scott Drive

### Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to permit the construction of a low-density residential development on the subject lands.

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### Recommendation(s):

- a) That Staff Report SRPBS.25.007 with respect to the Zoning By-law Amendment application submitted by Khatereh Kheirkhahan, Mohammad Mahmoudzadeh, Janet Yates, Hossein Khan-Mohammadi, Mehdi Zanganeh, Fataneh Bahraei, Ankai Liu and Hou Jian for lands known as Lot 8 and Part of Lot 9, Registered Plan 3852; and Lots 77 to 79, Registered Plan 1930 (Municipal Addresses: 35, 37, 39, and 41 Edgar Avenue and 20 Scott Drive), City File ZBLA-24-0009 (Related City File SUB-24-0003), be received for information purposes only and that all comments be referred back to staff.

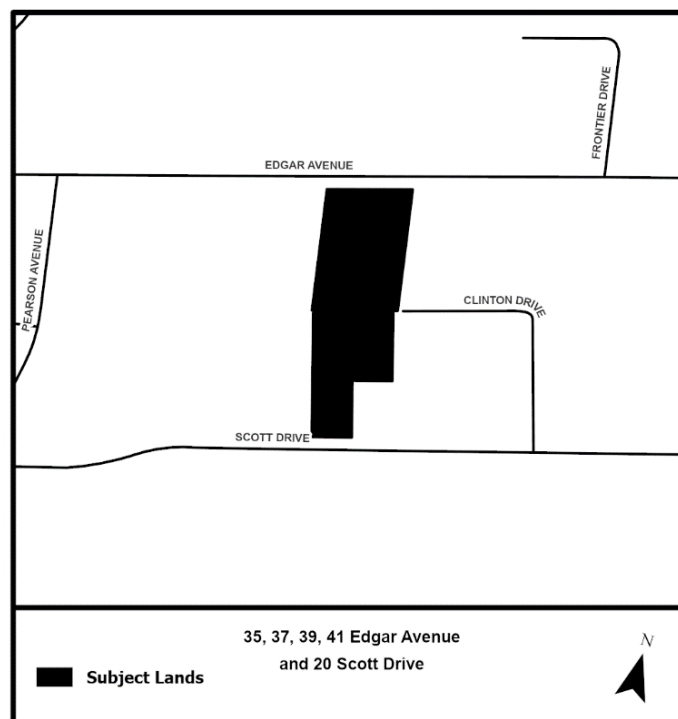
### Contact Person(s):

- Samantha Yeung, Planner II, 905-747-6436
- Sandra DeMaria, Manager of Development Planning, 905-747-6557
- Deborah Giannetta, Director of Development Planning, 905-771- 5542
- Gus Galanis, Commissioner of Planning and Building Services, 905-771-2465

### Report Approval:

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.

### Location Map:



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### Key Messages:

- The applicants are seeking approval of a Zoning By-law Amendment application and a related draft Plan of Subdivision application to permit a residential development to be comprised of nine (9) single detached dwellings on the subject lands; and,
- The purpose of this report is to seek comments from Council and the public with respect to the subject Zoning By-law Amendment application, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

### Background:

The subject Zoning By-law Amendment application was received on August 29, 2024, and deemed complete by the City on September 23, 2024. The application and supporting materials were circulated to relevant City departments and external agencies for review and comment. The purpose of this report is to seek comments from Council and the public with respect to the subject application, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

### Discussion:

#### Site Location and Adjacent Uses

The subject lands are located on the south side of Edgar Avenue, north of Scott Drive and west of Clinton Drive and consist of five (5) existing residential lots. The lands combined have frontage of approximately 109.58 metres (359.51 feet) along Edgar Avenue and 30.48 metres (100 feet) along Scott Drive and a total area of approximately 0.939 hectares (2.32 acres). The lands presently support five single detached dwellings, which are proposed to be retained as the rear portion of the existing lots are proposed to be subdivided further to create additional residential lots as proposed by the subject application and related draft Plan of Subdivision.

Surrounding land uses include low-density residential uses consisting of primarily single detached dwellings to the north, south, east, and west.

#### Development Proposal

The applicants are seeking Council's approval of their Zoning By-law Amendment application to permit the construction of nine (9) single detached dwellings on the future westerly extension of Clinton Drive being proposed as part of the related draft Plan of Subdivision (City File SUB-24-0003).

The following is a summary table outlining relevant statistics of the applicants' development proposal based on the plans and drawings submitted to the City:

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- **Total Lot Area:** 0.939 hectares (2.32 acres)
- **Lot Frontage (Edgar Avenue):** 109.58 metres (359.51 feet)
- **Lot Frontage (Scott Drive):** 30.48 metres (100 feet)
- **Total Number of Units Proposed:** 14 units (9 new units + 5 existing units)
- **Proposed Building Height:** 2 storeys
- **Proposed Density:** 14.9 units per hectare (6.03 units per acres)
- **Proposed Lot Frontages:** 10.92 metres (35.82 feet) to 15.28 metres (50.13 feet)
- **Proposed Lot Areas:** 458.73 sq. metres (4,937.73 sq. feet) to 664.45 sq. metres (7,152.08 sq. feet)
- **Proposed Parking:** 3 parking spaces per lot

### Zoning By-law Amendment and related Draft Plan of Subdivision Applications

The applicants are seeking Council’s approval to rezone the subject lands from **Second Density Residential (R2) Zone** and **Third Density Residential (R3) Zone** under By-law 2523, as amended, to **Third Density Residential (R3) Zone** under By-law 2523, as amended, with site-specific development standards to facilitate the proposed development on their landholdings (refer to Appendix “A”).

The applicants are also seeking approval from the City with respect to a related draft Plan of Subdivision for the proposed development. The submitted plan depicts the proposed development which includes and the westerly extension of Clinton Drive. More specifically, the proposed draft Plan of Subdivision proposes to maintain the four (4) lots fronting on Edgar Avenue and one (1) fronting on Scott Drive with the nine (9) new additional lots proposed fronting onto the future extension of Clinton Drive (refer to Map 5).

### Supporting Documentation/Reports

The following documents/information have been submitted to the City in support of the development proposal:

- Draft Zoning By-law Amendment;
- Conceptual Site Plan;
- Draft Plan of Subdivision;
- Elevation Plans;
- Planning Justification Report;
- Landscape Plan;
- Arborist Report, including Tree Inventory and Tree Protection Plan;
- Tree Removal Consent from Adjacent Owners
- Functional Servicing Report with Stormwater Management component;

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- Site Grading Plan;
- Noise Feasibility Reliance Letter;
- Phase 1 Environmental Site Assessment;
- Photometric Plans;
- Electrical Plans;
- Hydrogeological Assessment;
- Geotechnical Report;
- Sustainability Metrics Report; and,
- Plans of Survey.

### 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 **Neighbourhood** designation permits low and medium density residential uses, neighbourhood commercial uses, community uses, among other uses subject to specific policy criteria as defined in **Section 4.9.1** of the Plan. Low density residential uses, in accordance with Section 4.9 of the Plan include single detached, semi-detached and duplex dwellings.

Additionally, the subject lands are located within a designated Priority Infill Area as shown on in **Appendix 9** of the Plan, bounded by Carrville Road to the north, Avenue Road to the west, Edgar Avenue to the west, Pearson Avenue to the west, Scott Drive to the south, and Yonge Street to the east. Notwithstanding that this area is identified as a Priority Infill Area, this area does not have an applicable infill study approved by Council. Accordingly, the proposed development is to be evaluated based on the relevant policies of the **Neighbourhood** designation of the Plan.

Pursuant to **Policy 4.9.1 (3)** of the Plan, new infill development must be compatible with the character of the adjacent and surrounding area subject to policy criteria in accordance with Policy 4.9.2 (4) of the Plan. In particular, the policy directs that infill development must be context-sensitive and compatible with respect to, but not limited to, patterns of streets, blocks and lanes, size and configuration of lots, massing, location, design and elevations, the general pattern of yard setbacks within the area, among other features and characteristics. Additionally, **Policy 4.9.2 (1)** states that site design of a proposed development which would inhibit future infill development shall not be permitted.

A more detailed review and evaluation of the development proposal in the context of the applicable policies of the Plan will form part of a future recommendation report to Council.

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### Zoning

The subject lands are dual zoned with the north portion of the lands zoned **Second Density Residential (R2) Zone** and the southern portion zoned **Third Density Residential (R3) Zone** under Zoning By-law 2523, as amended (refer to Map 4). Permitted residential uses under these zones are single detached dwellings as proposed.

The applicants are seeking to rezone the subject lands in their entirety to **R3 Zone** under By-law 2523, as amended, with site-specific development standards to facilitate the creation of nine (9) additional lots. In this regard, the applicants are proposing site-specific provisions related to minimum lot frontage, minimum lot area, maximum lot coverage, minimum front yard, minimum side yard, minimum rear yard, minimum ground floor area and maximum building height standards in order to facilitate the proposed development (refer to Appendix “A”).

The proposed lot configuration of the draft Plan of Subdivision is generally in keeping with the existing lot pattern of the abutting lots with the exception of Lots 4 and 5 that are proposed to have a smaller lot area of approximately 459 square metres (4,940.6 square feet) and approximately 10.9 metres (35.8 square feet) of lot frontage as the applicant is maintaining the original lot frontages of these existing lots on Edgar Avenue.

The following table provides a summary of the applicable development standards within the **R2 and R3 Zones** under By-law 2523, as amended, relative to the site-specific provisions proposed:

Development Standard	“R2” Zone Standard under By-law 2523, as amended	“R3” Zone Standard under By-law 2523, as amended	Proposed Development Standard
Minimum Lot Area (interior lot)	696.77 square metres (7500 square feet)	557.42 square metres (6000 square feet)	<b>440 square metres (4,736.12 square feet)</b>
Minimum Lot Frontage	18.28 metres (60 feet)	15.24 metres (50 feet)	<b>10 metres (32.8 feet)</b>
Maximum Lot Coverage	20%	20%	<b>40%</b>
Minimum Front Yard Setback	9.14 metres (30 feet)	7.62 metres (25 feet)	<b>9 metres (29.53 feet)</b>
Minimum Interior Side Yard Setback	1.52 metres (5 feet)	1.52 metres (5 feet)	<b>1.2 metres (3.94 feet)</b>
Minimum Rear Yard Setback	7.62 metres (25 feet)	7.62 metres (25 feet)	<b>6 metres (19.68 feet)</b>
Maximum Building Height	10.67 metres (35 feet)	10.67 metres (35 feet)	<b>11 metres (36.1 feet)</b>
Minimum Ground Floor Area for Two Storey Building	66.89 square metres (720 square feet)	58.52 square metres (630 square feet)	110 square metres (1,184.03 square feet)

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The draft Zoning By-law submitted by the applicant in support of its development proposal is currently under review (refer to Appendix “A”). The appropriateness of the proposed zone category, development standards as well as the need for additional standards and/or restrictions will continue to be evaluated through the review of the submitted development application with regards to policy conformity, compatibility, design, and function.

### **Department and External Agency Comments:**

The subject Zoning By-law Amendment application, in addition to the associated background studies and reports submitted in support of same have been circulated to various City departments and external agencies for their review and comment. Comments have been received from Hydro One, Enbridge Gas, Bell Canada, Alectra Utilities, Rogers Canada, the Regional Municipality of York, the York Region District School Board, the York Catholic District School Board, the City’s Waste Management Section, Building Services Division and Fire and Emergency Services Division. These City Departments and external agencies have no objections to the application and/or have provided comments to be considered by the applicants during the more detailed implementation stage of the approval process.

The applications remain under review of the City’s Financial Services Division, Infrastructure Planning and Development Engineering Division, and the Toronto and Region Conservation Authority (TRCA).

The following is a summary of the main comments received to date:

### **Building Services Division – Zoning Section**

The City’s Zoning Section has identified an inconsistency between the submitted conceptual Site Plan drawing and draft Zoning By-law Amendment relating to the proposed front yard setback requirement. Additional information concerning the proposed building height, encroachments, driveway width and front yard landscaping, among other minor items for review (refer to Appendix “B”).

### **Heritage and Urban Design Section**

The City’s Park and Natural Heritage Planning (HUD) staff have reviewed the proposed development and have recommended that proposed Lots 1 to 5 provide a minimum lot frontage of 13 metres (42.65 feet) to maintain a uniform frontage and streetscape along Clinton Drive. HUD staff requests clarification on the proposed rear yard setback standard due to inconsistent information shown on the concept site plan and the draft Zoning By-law amendment (refer to Appendix “C”).

### **Park and Natural Heritage Planning Section**

The City’s Park and Natural Heritage Planning (PNHP) staff have reviewed the applicants’ development proposal and clarification on the information provided regarding proposed tree protection zones. Further, the submitted Tree Inventory and Preservation

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Plan report notes that 79 trees will require removal as a result of the proposed development. Accordingly, PNHP staff will be seeking tree canopy restoration within the development by securing tree plantings and/or compensation for the loss of these trees through the development process. Any trees not planted on the property will require the payment of cash-in-lieu. Further, PNHP staff recommends additional trees and landscaping in the front and rear yards, and to space the proposed oak tree plantings at larger distances to avoid potential root grafting in the future (refer to Appendix “D”).

### Development Planning Division

Planning staff have undertaken a preliminary review of the applicants’ development proposal, including the plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed single detached dwellings are permitted under the **Neighborhood** designation in accordance with **Section 4.9.1** of the Plan;
- the subject lands are located within a Priority Infill Area in accordance with **Section 4.9.1.1** of the City’s Official Plan but there is no Council approved Infill Study applicable to the lands. In this regard, the development proposal shall be assessed on the basis of conformity with the applicable policies of **Neighbourhood** designation the Plan;
- the proposed lotting pattern and development standards are generally in keeping with the character of the surrounding neighbourhood. The proposed development appears to generally comply with the proposed **R3 Zone** provisions with site-specific standards to permit the proposed single detached dwellings. However, additional information is required to confirm compliance/relief with the proposed **R3 Zone** category and whether any additional site specific provisions are required to facilitate the proposed development;
- the related draft Plan of Subdivision application (City File SUB-24-0003) is required to facilitate the proposed development as it relates to the creation of the new lots to accommodate the proposed nine (9) single detached dwellings; and,
- the applicants must satisfactorily address comments and requirements identified by City departments and external agencies that have been requested to review the development proposal.

A comprehensive review and evaluation of the Zoning By-law Amendment application as well as the associated draft Plan of Subdivision will be conducted following the receipt of comments and feedback from all circulated City departments, external agencies, Council and the public. This detailed review will be completed in advance of and addressed as part of a recommendation report to be prepared for a future Council meeting.



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### **Financial Implications:**

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

### **Relationship to Strategic Plan 2024-2027:**

The recommendation of this report does not have any direct implications with respect to Council's 2024 – 2027 Strategic Plan. An overview of how the subject application is aligned with the Strategic Plan will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicants' development proposal.

### **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, Proposed Draft Zoning By-law Amendment
- Appendix B, Zoning Comments dated October 17, 2024
- Appendix C, Heritage and Urban Design Comments dated October 15, 2024
- Appendix D, Parks and Natural Heritage Planning Comments date October 11, 2024
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Proposed Draft Plan of Subdivision (City File SUB-24-0003)
- Map 6, Proposed Conceptual Plan
- Map 7, Proposed Elevations

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### Report Approval Details

Document Title:	SRPBS.25.007-Request for Comments-ZBLA-24-0009.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - Proposed Draft Zoning By-law Amendment.pdf</li><li>- Appendix B - Zoning Memo.pdf</li><li>- Appendix C - Heritage and Urban Design Memo.pdf</li><li>- Appendix D - Parks and Natural Heritage Planning Memo.pdf</li><li>- Map 1 - Aerial Map.docx</li><li>- Map 2 - Neighbourhood Context.docx</li><li>- Map 3 - Official Plan Designation.docx</li><li>- Map 4 - Existing Zoning.docx</li><li>- Map 5 - Proposed Draft Plan of Subdivision.docx</li><li>- Map 6 - Proposed Concept Plan.docx</li><li>- Map 7 - Proposed Elevations.docx</li></ul>
Final Approval Date:	Jan 23, 2025

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

**Deborah Giannetta - Jan 22, 2025 - 6:30 PM**

**Gus Galanis - Jan 22, 2025 - 6:32 PM**

**Darlene Joslin - Jan 23, 2025 - 2:06 PM**