



Staff Report for Committee of the Whole Meeting

Date of Meeting: April 2, 2025
Report Number: SRPBS.25.040

Department: Planning and Building Services
Division: Development Planning

Subject: **SRPBS.25.040 - Request for Approval – Zoning By-law Amendment Application - Arash Azimifar and Zohreh Mirbagheri - 262 Douglas Road - City File D02-18011 (Related Files: D06-18022 and D06-18023)**

Owner:

Arash Azimifar and Zohreh Mirbagheri
262 Douglas Road
Richmond Hill, Ontario
L4E 3H7

Agent:

JKO Planning Services Inc.
27 Fieldflower Crescent
Richmond Hill, Ontario
L4E 5E9

Location:

Legal Description: Part of Lot 9, Registered Plan 163
Municipal Address: 262 Douglas Road

Purpose:

A request to approve a Zoning By-law Amendment application to facilitate the creation of one (1) additional building lot on the subject lands.

Recommendations:

- a) **That the Zoning By-law Amendment application submitted by Arash Azimifar and Zohreh Mirbagheri for lands known as Part of Lot 9, Registered Plan 163 (Municipal Address: 262 Douglas Road), City File D02-18011, be approved, subject to the following:**

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- i) that the subject lands be rezoned from Residential Third Density (R3) Zone under Zoning By-law 1703, as amended, to Single Detached Two (R2) Zone under By-law 313-96, as amended, with site specific exceptions;
- ii) that the draft Zoning By-law Amendment attached hereto as Appendix “B” be finalized to the satisfaction of the Commissioner of Planning and Building Services and brought to the April 9th, 2025 Council meeting for consideration and enactment; and,
- iii) that pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft amending Zoning By-law to implement the proposed development on the subject lands.

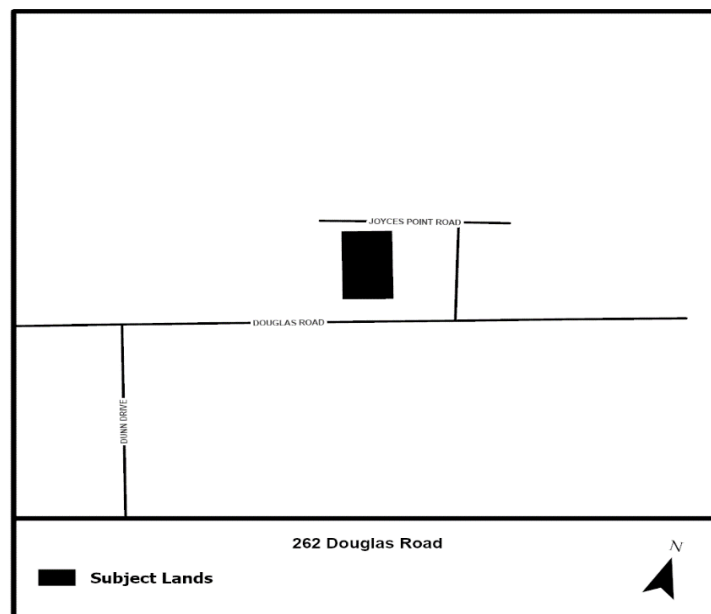
Contact Persons:

- Francesco Caparelli, Planner I, 905-747-6531
- Kaitlyn Graham, Acting Manager of Development Planning, 905-771-5563
- Deborah Giannetta, Director of Development Planning, 905-771-5542
- Gus Galanis, Commissioner, Planning and Building Services, 905-771-9966

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 subject Zoning By-law Amendment application shall facilitate the creation of one (1) additional building lot in order to permit the construction of two (2) new single detached dwellings on the subject lands; and,
- the applicant has satisfactorily addressed the comments and technical requirements provided and therefore, staff recommends that Council support the development proposal as outlined in SRPBS.25.040.

Background:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on February 20, 2019, wherein Council received Staff Report SRPRS.19.035 for information purposes and directed that all comments be referred back to staff (refer to Appendix “A”). Comments and concerns were raised at the Council Public Meeting with respect to the height and density of the proposed development, as well as concerns regarding traffic and safety, flooding and environmental considerations related to Lake Wilcox, which are addressed in the later sections of this report. Since the original submission in 2018, the applicant has provided a number of submissions to address outstanding comments.

The applicant has satisfactorily addressed the comments and technical requirements related to the Zoning By-law Amendment application. All remaining technical comments will be addressed through the detailed design stage of the associated Site Plan applications currently under review by the City (City Files D06-18022 and D06-18023). Accordingly, the purpose of this report is to seek Council’s approval of the applicants’ Zoning By-law Amendment application to permit the construction of two (2) new single detached dwellings on the subject lands

Discussion:

Site Location and Adjacent Uses

The subject lands are located on the north side of Douglas Road, east of Dunn Drive (refer to Maps 1 and 2). The subject property is a through lot and has frontages of 18.60 metres (61.02 feet) along both Douglas Road and Joyces Point Road and a total lot area of approximately 0.056 hectares (0.14 acres). The lands currently support one (1) single detached dwelling that is proposed to be demolished to facilitate the proposed development.

Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to permit the establishment of one (1) additional building lot and the construction of two (2) new single detached dwellings that will front onto Douglas Road (refer to Maps 6, 7, 8, 9 and 10).

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The current proposal has been revised from the original proposal in 2018 to address comments and concerns raised, including reductions to the proposed building heights and removal of the previously proposed detached garages at the rear of the properties.

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

- **Total Lot Area:** 567.58 square metres (6,109.4 square feet)
- **Total Lot Frontage (Douglas Road):** 18.60 metres (61.02 feet)
- **Total Number of Units:** 2
- **Proposed Building Height:** 2 storeys/10.01 metres (32.84 feet)
- **Proposed Lot 1 (West):**
 - **Lot Area:** 283.79 square metres (3,054.70 square feet)
 - **Lot Frontage:** 9.30 metres (30.51 feet)
- **Proposed Lot 2 (East):**
 - **Lot Area:** 283.79 square metres (3,054.70 square feet)
 - **Lot Frontage:** 9.30 metres (30.51 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 (2010) (the "Plan") (refer to Map 4) and are located within the Douglas Road Neighbourhood Infill Study area (refer to Map 5), as outlined on Appendix 9 of the Plan. Uses permitted within the **Neighbourhood** designation include primarily low density residential uses, medium density residential uses and other neighbourhood related uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. The proposed two (2) storey single detached dwellings are a permitted land use and conform with the maximum permitted height within the **Neighbourhood** designation.

Further to the above, the plan directs that development within the **Neighbourhood** designation shall be compatible with the character of the adjacent and surrounding areas with respect to patterns of streets, blocks, and lanes; parks and public building sites; size and configuration of lots; massing, including consideration of height, scale, density and dwelling types of nearby properties; the location, design and elevations relative to driveways and garages; setbacks of buildings from the street; patterns of front, rear, and side yard setbacks and landscaped open space areas; preservation of mature trees and landscape and greenspace features; and, conservation of heritage buildings, structures and landscapes.

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. As noted previously, the lands are within the

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Douglas Road Neighbourhood Infill Study area which is discussed in greater detail below (refer to Map 5).

The subject lands are also located within the **Settlement Area** of the Oak Ridges Moraine as defined in accordance with the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). All uses which are otherwise permitted under the Plan and applicable Secondary Plans, as amended, shall be permitted within the **Settlement Area** as per **Policy 3.2.1.1(18)** of the Plan.

Additionally, the subject lands are located within an Area of High Aquifer Vulnerability in accordance with Schedule A5 – ORM Areas of High Aquifer Vulnerability and Wellhead Protection Areas of the Plan. **Policy 3.2.1.1(37)** of the Plan prohibits uses relating to waste disposal sites and facilities, generation and storage of hazardous waste and toxic contaminants in these areas. The proposed residential development complies with this policy of the Plan as it is not a prohibited land use.

Douglas Road Neighbourhood Infill Study

The subject lands are located within the Douglas Road Neighbourhood Infill Study (the “Study”), which was approved by Council on July 6, 1998. The general intent of the Study is to ensure that new development fits contextually within the existing neighbourhood and provides design objectives to guide infill development within this area. However, the guidelines of the Study, in particular those that address the existing context of Douglas Road, focus on the larger more typical lots (i.e. lots with minimum lot frontages of 15 metres (49.2 feet)) that characterize the majority of the Study area and larger infill redevelopment.

Therefore, the existing undersized lots in this area of Douglas Road are not discussed, including the enclave of small lots on the north side of Douglas Road where the subject lands are located and therefore, do not take into account smaller scale redevelopment such as the proposed development of the subject lands. Accordingly, the development proposal has been assessed on the basis of conformity with the general intent of the Study as well as the principles of compatibility and context of the surrounding lands as prescribed by the Plan and is considered appropriate.

Zoning By-law

As previously noted, the applicant is seeking to rezone the lands from **Residential Third Density (R3) Zone** under Zoning By-law 1703, as amended to **Single Detached Two (R2) Zone** under By-law 313-96, as amended, with site-specific development standards to facilitate the proposed development. The following table provides a summary of the proposed development standards relative to the **R2 Zone** category under By-law 313-96, with the site-specific standards highlighted in bold:

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Development Standard	R2 Zone Standards, By-law 313-96, as amended	Proposed Development Standard
Minimum Lot Frontage	9 metres (29.52 feet)	9.30 metres (30.51 feet)
Minimum Lot Area	300 square metres (3,229.17 square feet)	283.79 square metres (3,054.70 square feet)
Maximum Lot Coverage	40%	41.75%
Minimum Front Yard Setback	4.5 metres (14.76 feet)	5.18 metres (16.99 feet)
Minimum Side Yard Setback (east)	1.5 metres (4.92 feet)	East Lot: 1.21 metres (3.96 feet) West Lot: 1.21 metres (3.96 feet)
Minimum Side Yard Setback (west)	1.5 metres (4.92 feet)	East Lot: 1.22 metres (4.00 feet) West Lot: 1.21 metres (3.96 feet)
Minimum Rear Yard Setback to Dwelling	7.5 metres (24.60 feet)	East Lot: 7.52 metres (24.67 feet) West Lot: 7.52 metres (24.67 feet)
Maximum Encroachment into the Rear Yard (Deck)	2.5 metres (8.20 feet)	East Lot: 2.98 metres (9.77 feet) West Lot: 3 metres (9.84 feet)
Maximum Encroachment into the Rear Yard (Balcony)	2 metres (6.56 feet)	East Lot: 2.98 metres (9.77 feet) West Lot: 3 metres (9.84 feet)
Minimum Number of Parking Spaces	2 spaces	2 spaces
Maximum Height	11 metres (36.08 feet)	10.1 metres (33.13 feet)

Staff have undertaken a comprehensive review and analysis of the applicant's Zoning By-law Amendment application and are of the opinion that the application is appropriate and represents good planning. The applicant is requesting approval of site specific development standards related to reduced lot areas and side yard setbacks, increased lot coverage and rear yard encroachments to accommodate a deck and a balcony for each of the proposed new dwellings.

The lands are located within an established residential neighbourhood which is undergoing infill development. Lands on the north side of Douglas Road, adjacent to Joyces Point Road, consist of a small enclave of existing undersized residential lots relative to the other properties along that street. The majority of lots within this enclave have smaller lot frontages of approximately 9.14 metres (29.98 feet) to 16.71 metres

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(54.82 feet) and lot areas ranging from approximately 278.67 square metres (2,999.57 square feet) to 645.3 square metres (6,945.95 square feet). Therefore, the proposed lot frontages of 9.30 metres (30.51 feet) and lot areas of 283.79 square metres (3,054.70 square feet) are generally consistent with the character of this portion of the Douglas Road neighbourhood and are considered appropriate for the development of the land.

The requests to permit reduced side yard setbacks of 1.2 metres (3.93 feet) and increased lot coverage of 41.75% represent modest amendments from the standards of the **R2 Zone** and are therefore considered appropriate. The proposed reduced setbacks of 1.2 metres (3.93 feet) are consistent with the recommended zone standards of the Infill Study for larger lots with 15 metre (49.21 feet) frontages and achieve adequate separation between dwellings, access and adequate room for drainage. Notwithstanding the applicant's proposed lot coverage of 41.75%, staff are recommending a minimum lot coverage of 45% consistent with O. Reg 299/19 as amended by O. Reg 462/24 and By-law 143-24 in order to facilitate Additional Residential Units.

With respect to the requested rear yard encroachments, an encroachment of 0.48 metres (1.57 feet) for the deck and 0.98 metres (3.21 feet) for the balcony is proposed for the east lot with similar encroachments of 0.5 metres (1.64 feet) and 1.0 metres (3.28 feet) for the deck and balcony respectively for the west lot. The proposed rear yard encroachments are considered to be minor in nature, given that the lots are through lots and the rear yards do not abut other residential lots. Accordingly, staff are of the opinion that the proposed encroachment standards are appropriate.

Department and External Agency Comments:

As noted previously in this report, all comments from City departments and external agencies have been satisfactorily addressed with respect to the applicant's Zoning By-law Amendment application. All circulated City departments and external agencies have either indicated no objections or have provided comments to be addressed through the related Site Plan applications, including the requirement for a Toronto and Region Conservation Authority (TRCA) Permit to be obtained by the applicant under Ontario Regulation 166/06.

Council and Public Comments:

The following is an overview of and response to comments and concerns expressed by members of Council and the public at the Council Public Meeting held on February 20, 2019, and through written correspondence received by the City with respect to the applicant's development proposal:

Height and Density

Concerns were raised with respect to the proposed height and density of the development, and as these matters relate to traffic and safety. In particular, concerns were raised regarding the size of the dwellings and the size and location of the detached garages originally proposed. Concerns were also raised with respect to the

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proposed access to the detached garages from Joyces Point Road due to the limited road width in this location. In this regard, the applicant has reduced the proposed building height from 10.97 metres (35.99 feet) to 10.10 metres (33.13 feet) which is consistent with the building height permissions in this area under the **R3 Zone** standards under By-law 1703, as amended. Further, as noted previously, the detached garages previously proposed have been removed and access to each dwelling is now proposed from Douglas Road. Accordingly, Planning staff are satisfied that the height and density of the current development proposal is appropriate and compatible with existing dwellings within the neighbourhood and the proposed development will not result in traffic or safety concerns.

Flooding and Environmental Considerations

Concerns were raised with respect to flooding and the potential increased runoff of salt and chemicals into Lake Wilcox from Joyces Point Road as a result of the subject development. The applicant submitted a Hydrogeological Study, Erosion and Sediment Control Plan and Grading Plan in support of the proposed development. These documents were circulated to the TRCA, as well as the City's Infrastructure Planning and Development Engineering and Park and Natural Heritage Planning for review and comment. All commenting departments and external agencies, including the TRCA have expressed no flooding or environmental concerns with the proposed Zoning By-law Amendment application. As noted previously, a TRCA permit is required prior to any works occurring on the property. It is noted that technical matters relating to grading and landscaping will be addressed through the related Site Plan applications.

Servicing Allocation:

On January 22, 2025, Council enacted a new Municipal Servicing Allocation Policy By-law 9-25 which sets out the circumstances for when allocation is assigned, withdrawn, or reallocated. The applicant has provided a Servicing Allocation Justification Letter to address the City's allocation criteria in accordance with By-law 9-25. Staff will continue to work with the applicant to secure commitments related to the criteria for servicing allocation through the approval of the associated Site Plan applications to ensure the requirements for servicing allocation are met.

Recommendation:

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

- the proposed single detached dwellings are permitted as low-density residential development under the **Neighbourhood** designation and comply with the applicable policies of the Plan with respect to land use;
- the proposed **R2 Zone** category under By-law 313-96, as amended, and the site-specific development standards as proposed are considered appropriate to implement the proposed development; and,

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- the applicant has satisfactorily addressed all comments raised by City departments and external agencies. Any remaining technical matters shall be addressed as part of the related Site Plan applications (City Files: D06-18022 and D06-18023) and a future Consent application.

On the basis of the preceding, it is recommended that the applicant's Zoning By-law Amendment application be approved.

Financial Implications:

The recommendations of this report do not have any financial, staffing, or other implications

Relationship to Strategic Plan 2024-2027:

The recommendations of this report are aligned with **Pillar 1: Growing a Livable, Sustainable Community** as it demonstrates infill development within an existing neighbourhood which reduces the need to expand development into undeveloped areas of the municipality. This will add additional housing stock within an existing community.

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#06-19 held February 20, 2019
- Appendix B - Draft Zoning By-law
- Map 1 - Aerial Photograph
- Map 2 - Neighbourhood Context
- Map 3 - Existing Zoning
- Map 4 - Official Plan Designation
- Map 5 – Douglas Road Neighbourhood Infill Area
- Map 6 - Site Plan Combined
- Map 7 - Site Plan - East Lot
- Map 8 - Site Plan - West Lot
- Map 9 - Elevations - East Lot
- Map 10 - Elevations - West Lot

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Report Approval Details

Document Title:	SRPBS.25.040 – Request for Approval – Zoning By-law Amendment Application - 262 Douglas Road – City File D02-18011.docx
Attachments:	<ul style="list-style-type: none">- SRPBS.25.040 - Appendix A.docx- SRPBS.25.040 - Appendix B - By-law 39-25.docx- SRPBS.25.040 - Map 1 Aerial Photograph.docx- SRPBS.25.040 - Map 2 Neighbourhood Context.docx- SRPBS.25.040 - Map 3 Existing Zoning.docx- SRPBS.25.040 - Map 4 Official Plan Designation.docx- SRPBS.25.040 - Map 5 Douglas Road Neighbourhood Infill Area.docx- SRPBS.25.040 - Map 6 Site Plan Combined.docx- SRPBS.25.040 - Map 7 Site Plan East Lot.docx- SRPBS.25.040 - Map 8 Site Plan West Lot.docx- SRPBS.25.040 - Map 9 Elevations - East Lot.docx- SRPBS.25.040 - Map 10 Elevations – West Lot.docx
Final Approval Date:	Mar 13, 2025

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

Deborah Giannetta - Mar 12, 2025 - 4:02 PM

Gus Galanis - Mar 12, 2025 - 4:03 PM

Darlene Joslin - Mar 13, 2025 - 8:20 AM