



**AGENDA**  
**Committee Of Adjustment Hearing**  
**Council Chambers, 7:00 p.m.**  
**Thursday, June 14, 2012**

Call to order  
 Disclosure of Pecuniary Interest  
 Requests for Adjournments/Withdrawals  
 Adjourned Applications  
 New Applications

<b>A</b> <a href="#"><u>B032/12</u></a>	Amir Nejatian & Jeff Reid Plan 5509 Lot 11 <b>6 Long Hill Drive</b> Town of Richmond Hill	<b>TOTAL AREA</b> 7,199.99 m <sup>2</sup> 77,500.05 ft <sup>2</sup>
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THE PROPOSAL:

To sever a parcel of land approximately 15.24 metres (50.00 feet) by irregular, approximately 5,335.49 square metres (57,430.74 square feet), and retain a parcel of land approximately 30.48 metres (100 feet) by irregular, approximately 1864.50 square metres (20,069.31 square feet). Both the severed land and retained lands have frontage onto Long Hill Drive and the single family dwelling (on the retained lands) is to be demolished.

<b>B</b> <a href="#"><u>B033/12</u></a>	Amir Nejatian & Jeff Reid Plan 5509 Lot 11 <b>6 Long Hill Drive</b> Town of Richmond Hill	<b>TOTAL AREA</b> 1,864.50 m <sup>2</sup> 20,069.31 ft <sup>2</sup>
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THE PROPOSAL:

To sever a parcel of land approximately 15.24 metres (50.00 feet) by 62.43 metres (204.82 feet), approximately 951.4 square metres (10,240.78 square feet), and retain a parcel of land approximately 15.24 metres (50 feet) by irregular, approximately 913.10 square metres (9,828.53 square feet). Both the severed land and retained lands have frontage onto Long Hill Drive and the single family dwelling on the subject land is to be demolished.

***Applications B032/12 & B033/12 will be dealt with concurrently.***

<b>C</b> <a href="#"><u>B034/12</u></a>	Asim Ozcan, Zinyat Quliyeva & Elshad Quliyev Plan 2027 Pt Lot 50 RS65R5362 Part 1 <b>31 Pemberton Road</b> Town of Richmond Hill	<b>TOTAL AREA</b> 1,271.80 m <sup>2</sup> 13,689.54 ft <sup>2</sup>
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THE PROPOSAL:

To sever a parcel of land approximately 14.86 metres (48.75 feet) by 42.78 metres (140.35 feet), approximately 635.90 square metres (6,844.77 square feet), and retain a parcel of land approximately 14.86 metres (48.75 feet) by 42.78 metres (140.35 feet), approximately 635.90 square metres (6,844.77 square feet). Both the severed land and retained lands have frontage onto Pemberton Road and the existing dwelling is to be demolished.

<b>D</b> <a href="#"><u>B035/12</u></a>	Donato Tersigni, Giuseppa Tersigni, Loreto Tersigni,
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Nicolina Caccamo & Daniela Ruccia  
 Plan 2383 Lot 69 E Pt Lot 68  
**155 Church Street South**  
 Town of Richmond Hill

**TOTAL AREA**  
 1,575.60 m<sup>2</sup>  
 16,959.62 ft<sup>2</sup>

THE PROPOSAL:

To sever a parcel of land approximately 15.24 metres (62 feet) by irregular, approximately 565.7 square metres (6,089.14 square feet) as a lot addition to be merged in title with the property to the west (municipally known as 157 Church Street South) for residential purposes and retain a parcel of land approximately 15.367 metres (51.302 feet) by irregular, approximately 1,009.9 square metres (10,870.47 square feet).

**E [B036/12](#)** Mehrdad & Khadijeh Mohammadih Razmpoosh  
 Plan 5509 Pt Lot 19  
**140 19th Avenue**  
 Town of Richmond Hill

**TOTAL AREA**  
 7,222.11 m<sup>2</sup>  
 77,738.15 ft<sup>2</sup>

THE PROPOSAL:

To sever a parcel of land approximately 19.81 metres (65 feet) by 50.31 metres (165.06 feet), approximately 995.49 square metres (10,715.37 square feet), and retain a parcel of land approximately 40.14 metres (131.69 feet) by irregular, approximately 2862.65 square metres (30,813.31 square feet). Both the severed land and retained lands have frontage onto Anglin Drive. The severed lands are currently vacant and the existing single family dwelling on the retained lands is to remain.

**F [B037/12](#)** Mehrdad & Khadijeh Mohammadih Razmpoosh  
 Plan 5509 Pt Lot 19  
**140 19th Avenue**  
 Town of Richmond Hill

**TOTAL AREA**  
 2,862.55 m<sup>2</sup>  
 30,812.23 ft<sup>2</sup>

THE PROPOSAL:

To sever a parcel of land approximately 18.29 metres (60 feet) by 34.98 metres (114.76 feet), approximately 640.92 square metres (6,898.80 square feet), and retain a parcel of land approximately 21.85 metres (71.69 feet) by irregular, approximately 2221.63 square metres (23,913.42 square feet). Both the severed and retained lands have frontage onto Anglin Drive. The severed lands are currently vacant and the existing single family dwelling on the retained lands is to remain.

**G [B038/12](#)** Mehrdad & Khadijeh Mohammadih Razmpoosh  
 Plan 5509 Pt Lot 19  
**140 19th Avenue**  
 Town of Richmond Hill

**TOTAL AREA**  
 2,221.63 m<sup>2</sup>  
 23,913.43 ft<sup>2</sup>

THE PROPOSAL:

To sever a parcel of land approximately 21.85 metres (71.69 feet) by irregular, approximately 693.67 square metres (7,466.60 square feet), and retain a parcel of land approximately 30.48 metres (100 feet) by irregular, approximately 1527.96 square metres (16,446.82 square feet). The retained land has frontage onto 19th Avenue and the existing single family dwelling is to remain. The severed land has frontage onto Anglin Drive and is currently vacant.

***Applications B036/12, B037/12 & B038/12 will be dealt with concurrently.***

**H [A090/11](#)** Ali Zohouri

Plan 65M3205 Pt Block 25 RS65R20686 Parts 32 & 33  
**82 Beresford Drive**  
 Town of Richmond Hill

To provide relief from the provisions of By-law 84-03, to permit a reduced minimum number of parking spaces to accommodate the conversion of the existing attached garage into an entrance way with office space which will be used to facilitate handicap access into the building.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Number of Parking Spaces</b>	2 Spaces	1 Space	1 Space

**I [A029/12](#)** Deep Green Mechanical Ltd  
 York Region Condo Plan 804  
**556-604 Edward Avenue, Unit #56**  
 Town of Richmond Hill

To provide relief from the provisions of By-law 184-87, as amended, to permit a reduction in parking to facilitate the conversion of Unit #56 from industrial use to office space. The applicant is proposing to construct a mezzanine within the unit, to accommodate the office use, which will increase the floor area and generate the requirement for additional parking spaces.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Parking</b>	356 spaces	351 spaces	5 spaces

**J [A034/12](#)** 2296253 Ontario Inc.  
 York Region Condo Plan 804, Unit #14  
**556-604 Edward Avenue**  
 Town of Richmond Hill

To provide relief from the provisions of By-law 184-87, as amended, to permit a reduced number of parking spaces to accommodate proposed office space in Unit #14.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Parking</b>	354 space	351 spaces	3 spaces

**K [A042/12](#)** 2245721 Ontario Inc.  
 Plan 203, Lots 2 to 4, Pt Lt 5, Pt Lt 10  
**12891 Yonge Street**  
 Town of Richmond Hill

To provide relief from the provisions of By-law 1703, as amended, to permit a reduced exterior side yard (flankage) setback, increased building height, reduced parking spaces, and increased height of a canopy to construct a new convenience store, a new canopy, new pump islands (gas bar) and miscellaneous site works. The existing car wash is to remain.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Flankage Setback</b>	15 m ( 49.21 ft)	11.542 m ( 37.87 ft)	3.458 m ( 11.35 ft)
<b>Minimum Height of Canopy</b>	5.5 m ( 18.04 ft)	5.638 m ( 18.50 ft)	0.138 m ( 0.45 ft)
<b>Maximum Height</b>	4.935 m ( 16.19 ft)	5.568 m ( 18.27 ft)	0.633 m ( 2.08 ft)
<b>Parking</b>	16 spaces	8 spaces	8 spaces

**L [A043/12](#)** MacLeod Commercial Properties Inc. C/O Metrus Properties Inc.

Plan 65m3855 Blk 173  
**0 Silver Maple Road**  
 Town Of Richmond Hill

To provide relief from the provisions of By-law 42-02, to permit a reduced minimum setback from arterial road, reduced interior side yard (west) setback, increased building height (for convenience store, car wash and canopy), and increased driveway width (for both east and west driveway) to construct a gas station and convenience store with drive-through and car wash facility.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Maximum Driveway Width (East &amp; West Driveway)</b>	9 m ( 29.53 ft)	11 m ( 36.09 ft)	2 m ( 6.56 ft)
<b>Minimum Setback from Arterial Road</b>	15 m ( 49.21 ft)	10.6 m ( 34.78 ft)	4.4 m ( 14.44 ft)
<b>Maximum Height - Convenience Store &amp; Carwash</b>	5.25 m ( 17.22 ft)	5.8 m ( 19.03 ft)	0.55 m ( 1.80 ft)
<b>Maximum Height - Canopy</b>	5.25 m ( 17.22 ft)	5.35 m ( 17.55 ft)	0.10 m ( 0.33 ft)
<b>Minimum Sideyard setback - West</b>	7.5 m ( 24.61 ft)	2.8 m ( 9.19 ft)	4.7 m ( 15.42 ft)

**M [A045/12](#)** Julie & Stephen Doyle  
 Plan 240 Lot 98  
**209 Lakeland Crescent**  
 Town of Richmond Hill

To provide relief from the provisions of By-law 256-88, as amended, to permit a reduced rear yard setback and a reduced setback from the deck to the high water mark to accommodate the construction of a two storey single family dwelling. The existing dwelling is to be demolished.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Rear Yard Setback</b>	7.5 m ( 24.61 ft)	1.4 m ( 4.59 ft)	6.1 m ( 20.01 ft)
<b>Minimum Setback from High Water Mark</b>	10 m ( 32.81 ft)	7.72 m ( 25.33 ft)	2.28 m ( 7.48 ft)

**N [A046/12](#)** Bianca & Nello Sansone  
 Plan 216 Lot 20  
**27 Capelle Street**  
 Town of Richmond Hill

To provide relief from the provisions of By-law 256-88, as amended, to permit a reduced exterior side yard flankage to accommodate the construction of a two storey single family dwelling. Relief is also required to recognize the (existing) deficient lot frontage. The subject lands are currently vacant.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Frontage</b>	17 m ( 55.77 ft)	15.24 m ( 50.00 ft)	1.76 m ( 5.77 ft)
<b>Minimum Flankage Setback</b>	3 m ( 9.84 ft)	1.7 m ( 5.58 ft)	1.3 m ( 4.26 ft)

**OTHER BUSINESS**



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
CONSENT STAFF REPORT**

**A**

**APPLICATION:** B032/12  
**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** AMIR NEJATIAN & JEFF REID  
**NAME OF AGENT:** RAY FLOYD

*STATUTORY AUTHORITY: Section 53 of The Planning Act, 1990*

<b>THE PROPERTY:</b>	Plan 5509 Lot 11 <b>6 Long Hill Drive</b> Town of Richmond Hill	<b>TOTAL AREA</b> 7,199.99 m <sup>2</sup> 77,500.05 ft <sup>2</sup>
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**THE PROPOSAL:**

To sever a parcel of land approximately 15.24 metres (50.00 feet) by irregular, approximately 5,335.49 square metres (57,430.74 square feet), and retain a parcel of land approximately 30.48 metres (100 feet) by irregular, approximately 1864.50 square metres (20,069.31 square feet). Both the severed land and retained lands have frontage onto Long Hill Drive and the single family dwelling (on the retained lands) is to be demolished.

**PRESENT DESIGNATION:**

Official Plan:	Neighbourhood under the Town’s New Official Plan
Zoning Classification:	“Single Detached Six (R6)” Zone “Environmental Protection Area 2 (EPA 2)” Zone
Zoning By-law:	By-law No. 235-97, as amended by By-law No. 17-12

**ZONING PROVISIONS:**

<u>By-law 2523, as amended</u>	<u>Third Density Residential (R3) Zone</u>
Minimum Lot Frontage (Interior):	15 m (49.21 ft)
Minimum Lot area (Interior):	500 m <sup>2</sup> (5,382.13 ft <sup>2</sup> )
Minimum Front Yard Setback:	4.5 m (14.76 ft)
Minimum Side Yard Setback:	1.27 m (4.17 ft) Side Yards of Proposed Westerly Lot 1.22 m (4 ft) Side Yards for Proposed Centre and Easterly Lots
Minimum Rear Yard Setback:	7.5 m (24.6 ft)
Maximum Lot Coverage:	40%
Maximum Height	11

**NOTE: The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.**

**SITE CONDITIONS:**

- The subject lands are located on the east side of Long Hill Drive, north of 19<sup>th</sup> Avenue.
- The subject lands currently support one single family dwelling that is to be demolished.

**ADJACENT LAND CONDITIONS:**

North: Residential uses  
 South: Residential Uses  
 East: Residential Uses and Environmental Lands  
 West: Long Hill Drive

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

The proposed Consent Application will not create any areas of noncompliance with respect to the Zoning By-law.

The following conditions be added as a condition of consent:

1. That the Owner apply to and receive from the Council of the Town of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official or; that the Owner make arrangements satisfactory to the Chief Building Official to demolish all buildings and/or structures and remove all debris to his satisfaction.
2. That the Owner provide a letter to the Chief Building Official confirming that the septic tank has been decommissioned or removed.

**By-Law Enforcement:** No response.

**The Development Engineering Division:**

The Development Engineering Division has reviewed the above noted application and recommend the inclusion of provisional conditions of consent as indicated herein:

We have no sewer allocation objections as the YDSS truck sewer system is now operating, provided that the new units created are accounted for by the Planning and Regulatory Services Department in the consent and site plan allocation reserve

1. **GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (d) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3,360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

### **SERVICE CONNECTION CONDITION (OPERATIONS)**

2. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

- 20 mm water service is \$499.20 per metre + HST
- 125 mm sanitary service connection is \$831.60 per metre + HST
- 150 mm storm sewer connection is \$831.60 per metre (if applicable) +HST
- Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

### **REGISTERED PLANS**

3. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

### **Finance:**

1. No parkland or Cash-in-lieu is required as a condition of consent. However, the Applicant (owner) should be made aware that the Town will require land to be conveyed for park or other public recreation purposes or, at the option the Town, a payment of Cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. A condition of consent should be imposed requiring the Applicant to enter into an agreement acknowledging the forgoing, which agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement. (Please contact the Legal Department.) (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any Cash-in-Lieu owing under Section 42, at an earlier date. The Applicant (Owner) may determine the amount of cash-in-lieu required by contacting the, Finance Department).
2. Local Improvement Charges do not apply.
3. Payment of all current and outstanding taxes to date of consent:
4. Please note that the Town, Regional and Educational Development Charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time. (**Note: Regional development charges will increase June 18, 2012.**)
5. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.
6. Related File: B033/12

### **Parks:**

As per your request we have reviewed the drawings and have the following comments.

1. We require that all environmental and open space lands be appropriately rezoned and conveyed to a public authority.
2. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.

- 3. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
- 4. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning Department:**

The owners of the subject lands submitted an application to rezone the subject lands in August of 2011 to facilitate the future severance of the lands into three (3) building lots fronting onto Long Hill Drive. By-law 17-12 was passed by Council in March 2012, and established the necessary zoning to allow for these severances to take place.

The subject consent applications seek to create three (3) lots with frontages of 15.24 metres (50 feet) fronting onto Long Hill Drive, as well as a parcel of environmentally sensitive lands that are to be conveyed to the Town.

Following a review of the applicant’s proposal, Planning staff is satisfied that the proposed lots to be created are consistent with those contemplated by the Zoning By-law Amendment application and meet the applicable zoning standards. Given this, staff would recommend approval of Consent Applications B032/12 and B033/12 subject to the conveyance of the parcel of environmental lands (shown as Part 1 on the attached plan) to the Town.

**H.R.H. (\*Heritage Building Onsite):** No response.

**PowerStream Inc.:** No response.

**Enbridge Gas Distribution Inc.:** No response.

**Bell Canada:** No response.

**York Region Transportation & Works Department:  
(Design & Construction Branch)** No response.

**York Region District School Board** No response.

**York Region Separate School Board** No response.

**T.R.C.A.:** No response.

**CN Rail:** Not circulated.

**TransCanada Pipeline:** Not circulated.

**Abutting Municipality:** Not circulated.

**Ministry of Transportation:** Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

B033/12 – New Lot (Concurrent Application)

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following conditions are recommended:

**BUILDING**

- 1. That the Owner apply to and receive from the Council of the Town of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official or; that the



Owner make arrangements satisfactory to the Chief Building Official to demolish all buildings and/or structures and remove all debris to his satisfaction.

- 2. That the Owner provide a letter to the Chief Building Official confirming that the septic tank has been decommissioned or removed.

**DEVELOPMENT ENGINEERING DIVISION**

3. **GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (e) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3,360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

**SERVICE CONNECTION CONDITION (OPERATIONS)**

- 4. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

- 20 mm water service is \$499.20 per metre + HST
- 125 mm sanitary service connection is \$831.60 per metre + HST
- 150 mm storm sewer connection is \$831.60 per metre (if applicable) +HST
- Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

**REGISTERED PLANS**

- 5. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**FINANCE**

- 6. That the applicant enters into an agreement acknowledging that the Town will require land to be conveyed to it for park or other public recreation purposes or, at the option of the Town, a payment of Cash-in-lieu of such land, pursuant to Section 42 of the Planning Act, prior to the issuance of a building permit. Such agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further, the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement (please contact the Legal Department). (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any cash-in-lieu owing under Section 42, at an earlier date. The applicant (owner) may determine the amount of cash-in-lieu required by contacting the Finance Department.).
- 7. Payment of all current and outstanding taxes to date of consent.
- 8. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.

**PARKS**

- 9. That all environmental and open space lands be appropriately rezoned and conveyed to a public authority.

**COMITTEE OF ADJUSTMENT:**

- 10. That the applicant provides the secretary-treasurer with either a registrable description or a deed conveying the severed land (easement), for use for the issuance of the certificate of consent.
- 11. That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.

**WARNING:**

**Conditions must be fulfilled within one year of the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused.**

***Section 53(41), The Planning Act R.S.O., 1990***

**FINANCE/REGIONAL AND MUNICIPAL NOTICE:**

Please note that the Town, Regional and Educational development charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time.

The Town will require land to be conveyed for park or other public recreation purposes or, at its option, the Town will require a payment of cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act for the retained lands unless the Finance Department receives documentation that parkland was given or cash-in-lieu of parkland was paid on these lands, or that an existing structure is to be demolished (must build within four years from the date of demolition).

Development charges will also be applicable on the retained lands prior to building permit issuance unless the Finance Department receives documentation that levies were paid on these lands, or that an existing structure is to be demolished. (Must build within four years from the date of the Demolition Permit.)

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Linda Gavey, ACST  
 Secretary-Treasurer  
 Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
CONSENT STAFF REPORT**

**B**

**APPLICATION:** B033/12  
**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** AMIR NEJATIAN & JEFF REID  
**NAME OF AGENT:** RAY FLOYD

*STATUTORY AUTHORITY: Section 53 of The Planning Act, 1990*

<b>THE PROPERTY:</b>	Plan 5509 Lot 11	<b>TOTAL AREA</b>
	<b>6 Long Hill Drive</b>	1,864.50 m <sup>2</sup>
	Town of Richmond Hill	20,069.31 ft <sup>2</sup>

**THE PROPOSAL:**

To sever a parcel of land approximately 15.24 metres (50.00 feet) by 62.43 metres (204.82 feet), approximately 951.4 square metres (10,240.78 square feet), and retain a parcel of land approximately 15.24 metres (50 feet) by irregular, approximately 913.10 square metres (9,828.53 square feet). Both the severed land and retained lands have frontage onto Long Hill Drive and the single family dwelling on the subject land is to be demolished.

**PRESENT DESIGNATION:**

Official Plan:	Neighbourhood under the Town’s New Official Plan
Zoning Classification:	“Single Detached Six (R6)” Zone “Environmental Protection Area 2 (EPA 2)” Zone
Zoning By-law:	By-law No. 235-97, as amended by By-law No. 17-12

**ZONING PROVISIONS:**

<u>By-law 2523, as amended</u>	<u>Third Density Residential (R3) Zone</u>
Minimum Lot Frontage (Interior):	15 m (49.21 ft)
Minimum Lot area (Interior):	500 m <sup>2</sup> (5,382.13 ft <sup>2</sup> )
Minimum Front Yard Setback:	4.5 m (14.76 ft)
Minimum Side Yard Setback:	1.27 m (4.17 ft) Side Yards of Proposed Westerly Lot 1.22 m (4 ft) Side Yards for Proposed Centre and Easterly Lots
Minimum Rear Yard Setback:	7.5 m (24.6 ft)
Maximum Lot Coverage:	40%
Maximum Height	11

**NOTE: The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.**

**SITE CONDITIONS:**

- The subject lands are located on the east side of Long Hill Drive, north of 19<sup>th</sup> Avenue.
- The subject lands currently support one single family dwelling that is to be demolished.

**ADJACENT LAND CONDITIONS:**

North: Residential uses  
South: Residential Uses  
East: Residential Uses and Environmental Lands  
West: Long Hill Drive

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

The proposed Consent Application will not create any areas of noncompliance with respect to the Zoning By-law.

The following conditions be added as a condition of consent:

1. That the Owner apply to and receive from the Council of the Town of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official or; that the Owner make arrangements satisfactory to the Chief Building Official to demolish all buildings and/or structures and remove all debris to his satisfaction.
2. That the Owner provide a letter to the Chief Building Official confirming that the septic tank has been decommissioned or removed.

**By-Law Enforcement:** No response.

**The Development Engineering Division:**

The Development Engineering Division has reviewed the above noted application and recommend the inclusion of provisional conditions of consent as indicated herein:

That the severed parcel merges on title with 14 Walmer Road.

The Development Engineering Division has reviewed the above noted application and recommend the inclusion of provisional conditions of consent as indicated herein:

We have no sewer allocation objections as the YDSS truck sewer system is now operating, provided that the new units created are accounted for by the Planning and Regulatory Services Department in the consent and site plan allocation reserve

1. **GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (f) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3,360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

**SERVICE CONNECTION CONDITION (OPERATIONS)**

2. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

20 mm water service is \$499.20 per metre + HST  
 125 mm sanitary service connection is \$831.60 per metre + HST  
 150 mm storm sewer connection is \$831.60 per metre (if applicable) +HST  
 Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

**REGISTERED PLANS**

3. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**Finance:**

- No parkland or Cash-in-lieu is required as a condition of consent. However, the Applicant (owner) should be made aware that the Town will require land to be conveyed for park or other public recreation purposes or, at the option the Town, a payment of Cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. A condition of consent should be imposed requiring the Applicant to enter into an agreement acknowledging the forgoing, which agreement must be registered on title to the **RETAINED PARCEL** for the purpose of notice. Further the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement. (Please contact the Legal Department.) (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any Cash-in-Lieu owing under Section 42, at an earlier date. The Applicant (Owner) may determine the amount of cash-in-lieu required by contacting the, Finance Department).
- Local Improvement Charges do not apply.
- Payment of all current and outstanding taxes to date of consent:
- Please note that the Town, Regional and Educational Development Charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time. **(Note: Regional development charges will increase June 18, 2012).**
- The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.
- Related File: B032/12

**Parks:**

As per your request we have reviewed the drawings and have the following comments.

1. We require that all environmental and open space lands be appropriately rezoned and conveyed to a public authority.
2. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
3. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
4. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning Department:**

The owners of the subject lands submitted an application to rezone the subject lands in August of 2011 to facilitate the future severance of the lands into three (3) building lots fronting onto Long Hill Drive. By-law 17-12 was passed by Council in March 2012, and established the necessary zoning to allow for these severances to take place.

The subject consent applications seek to create three (3) lots with frontages of 15.24 metres (50 feet) fronting onto Long Hill Drive, as well as a parcel of environmentally sensitive lands that are to be conveyed to the Town.

Following a review of the applicant’s proposal, Planning staff is satisfied that the proposed lots to be created are consistent with those contemplated by the Zoning By-law Amendment application and meet the applicable zoning standards. Given this, staff would recommend approval of Consent Applications B032/12 and B033/12 subject to the conveyance of the parcel of environmental lands (shown as Part 1 on the attached plan) to the Town.

**H.R.H.:** Not circulated.

**PowerStream Inc.:** No response.

**Enbridge Gas Distribution Inc.:** No response.

**Bell Canada:** No response.

**York Region Transportation & Works Department:  
(Design & Construction Branch)** No response.

**York Region District School Board** No response.

**York Region Separate School Board** No response.

**T.R.C.A.:** No response.

**CN Rail:** Not circulated.

**TransCanada Pipeline:** Not circulated.

**Abutting Municipality:** Not circulated.

**Ministry of Transportation:** Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

B032/12 – New Lot (Concurrent Application)

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following conditions are recommended:

**BUILDING**

4. That the Owner apply to and receive from the Council of the Town of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official or; that the Owner make arrangements satisfactory to the Chief Building Official to demolish all buildings and/or structures and remove all debris to his satisfaction.
5. That the Owner provide a letter to the Chief Building Official confirming that the septic tank has been decommissioned or removed.

**DEVELOPMENT ENGINEERING DIVISION**

**6. GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (g) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3,360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

**SERVICE CONNECTION CONDITION (OPERATIONS)**

4. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

- 20 mm water service is \$499.20 per metre + HST
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- 150 mm storm sewer connection is \$831.60 per metre (if applicable) +HST

Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

#### **REGISTERED PLANS**

5. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

#### **FINANCE**

6. No parkland or Cash-in-lieu is required as a condition of consent. However, the Applicant (owner) should be made aware that the Town will require land to be conveyed for park or other public recreation purposes or, at the option the Town, a payment of Cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. A condition of consent should be imposed requiring the Applicant to enter into an agreement acknowledging the forgoing, which agreement must be registered on title to the **RETAINED PARCEL** for the purpose of notice. Further the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement. (Please contact the Legal Department.) (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any Cash-in-Lieu owing under Section 42, at an earlier date. The Applicant (Owner) may determine the amount of cash-in-lieu required by contacting the, Finance Department).
7. Payment of all current and outstanding taxes to date of consent.
8. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.

#### **PARKS**

12. That all environmental and open space lands be appropriately rezoned and conveyed to a public authority.

#### **COMITTEE OF ADJUSTMENT:**

10. That application B032/12 receive final certification of the Secretary-Treasurer and be registered on title prior to completion of this application.
11. That the applicant provides the secretary-treasurer with either a registrable description or a deed conveying the severed land (easement), for use for the issuance of the certificate of consent.
12. That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.

#### **WARNING:**

**Conditions must be fulfilled within one year of the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused.**  
***Section 53(41), The Planning Act R.S.O., 1990***

#### **FINANCE/REGIONAL AND MUNICIPAL NOTICE:**

Please note that the Town, Regional and Educational development charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time.

The Town will require land to be conveyed for park or other public recreation purposes or, at its option, the Town will require a payment of cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act for the retained lands unless the Finance Department receives documentation that parkland was given or cash-in-lieu of parkland was paid on these lands, or that an existing structure is to be demolished (must build within four years from the date of demolition).

Development charges will also be applicable on the retained lands prior to building permit issuance unless the Finance Department receives documentation that levies were paid on these lands, or that an existing structure is to be demolished. (Must build within four years from the date of the Demolition Permit.)



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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
CONSENT STAFF REPORT**

**C**

**APPLICATION:** B034/12  
**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** ASIM OZCAN, ZINYAT QULIYEVA & ELSHAD QULIYEV  
**NAME OF AGENT:** ASIM OZCAN

*STATUTORY AUTHORITY: Section 53 of The Planning Act, 1990*

<b>THE PROPERTY:</b>	Plan 2027 Pt Lot 50 RS65R5362 Part 1	<b>TOTAL AREA</b>
	<b>31 Pemberton Road</b>	1,271.80 m <sup>2</sup>
	Town of Richmond Hill	13,689.54 ft <sup>2</sup>

**THE PROPOSAL:**

To sever a parcel of land approximately 14.86 metres (48.75 feet) by 42.78 metres (140.35 feet), approximately 635.90 square metres (6,844.77 square feet), and retain a parcel of land approximately 14.86 metres (48.75 feet) by 42.78 metres (140.35 feet), approximately 635.90 square metres (6,844.77 square feet). Both the severed land and retained lands have frontage onto Pemberton Road and the existing dwelling is to be demolished.

**PRESENT DESIGNATION:**

Official Plan:	“Neighbourhood”
Zoning Classification:	“Third Density Residential – “S” Zone” (R3(S))
Zoning By-law:	By-law No. 2523, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage:	Interior: 14.78 m (48.5 ft)	Corner: 18.28 m (60.0 ft)
Minimum Lot area (Interior):	Interior: 538.82 m <sup>2</sup> (5800 ft <sup>2</sup> )	Corner: 668.88 m <sup>2</sup> (7200 ft <sup>2</sup> )
Minimum Front Yard Setback:	7.62 m (25.0 ft)	
Minimum Side Yard Setback:	1.52 m (5.0 ft)	
Minimum Flankage Yard Setback:	4.57 m (15.0 ft)	
Minimum Rear Yard Setback:	7.62 m (25.0 ft)	
Maximum Height:	10.66m (35.0 ft)	
Maximum Lot Coverage:	30%	

**NOTE: The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.**

**SITE CONDITIONS:**

- The property currently supports one single detached dwelling which is proposed to be demolished.

**ADJACENT LAND CONDITIONS:**

North: Residential uses  
 South: Residential uses  
 East: Residential uses

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

The following conditions be added as a condition of consent:

1. That the Owner apply to and receive from the Council of the Town of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official.

**By-Law Enforcement:** No response.

**The Development Engineering Division:**

The Development Engineering Division has reviewed the above noted application and recommend the inclusion of provisional conditions of consent as indicated herein:

That the severed parcel merges on title with 14 Walmer Road.

The Development Engineering Division has reviewed the above noted application and recommend the inclusion of provisional conditions of consent as indicated herein:

We have no sewer allocation objections as the YDSS truck sewer system is now operating, provided that the new units created are accounted for by the Planning and Regulatory Services Department in the consent and site plan allocation reserve

1. **GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (h) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
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C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)

Decommission Catchbasin

\$ 500.00 + HST (if applicable)

**SERVICE CONNECTION CONDITION (OPERATIONS)**

2. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

20 mm water service is \$499.20 per metre + HST

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Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

**REGISTERED PLANS**

3. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**Finance:**

1. No parkland or Cash-in-lieu is required as a condition of consent. However, the Applicant (owner) should be made aware that the Town will require land to be conveyed for park or other public recreation purposes or, at the option the Town, a payment of Cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. A condition of consent should be imposed requiring the Applicant to enter into an agreement acknowledging the forgoing, which agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement. (Please contact the Legal Department.) (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any Cash-in-Lieu owing under Section 42, at an earlier date. The Applicant (Owner) may determine the amount of cash-in-lieu required by contacting the, Finance Department).
2. Local Improvement Charges do not apply.
3. Payment of all current and outstanding taxes to date of consent:
4. Please note that the Town, Regional and Educational Development Charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time. **(Note: Regional development charges will increase June 18, 2012).**

**Parks:**

As per your request we have reviewed the drawings and have the following comments.

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit

**Planning Department:**

The lands are designated "Neighbourhood" and would permit low-density residential development. The site is also within a designated "Priority Infill Area". Both the proposed severed and retained parcels will comply with the lot frontage and lot area standards under the R3(S) Zone governing the subject lands. Staff has no objections to the proposed severance.

**H.R.H.:**

Not circulated.

**PowerStream Inc.:**

No response.

<b>Enbridge Gas Distribution Inc.:</b>	No response.
<b>Bell Canada:</b>	No response.
<b>York Region Transportation &amp; Works Department: (Design &amp; Construction Branch)</b>	No response.
<b>York Region District School Board</b>	No response.
<b>York Region Separate School Board</b>	No response.
<b>T.R.C.A.:</b>	No response.
<b>CN Rail:</b>	Not circulated.
<b>TransCanada Pipeline:</b>	Not circulated.
<b>Abutting Municipality:</b>	Not circulated.
<b>Ministry of Transportation:</b>	Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

B228/81 – New Lot; Approved

A019/85 – Rear Yard Setback; Approved

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following conditions are recommended:

**BUILDING**

1. That the Owner apply to and receive from the Council of the Town of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official.

**DEVELOPMENT ENGINEERING DIVISION****2. GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
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**SERVICE CONNECTION CONDITION (OPERATIONS)**

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Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

**REGISTERED PLANS**

4. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**FINANCE**

5. That the applicant enters into an agreement acknowledging that the Town will require land to be conveyed to it for park or other public recreation purposes or, at the option of the Town, a payment of Cash-in-lieu of such land, pursuant to Section 42 of the Planning Act, prior to the issuance of a building permit. Such agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further, the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement (please contact the Legal Department). (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any cash-in-lieu owing under Section 42, at an earlier date. The applicant (owner) may determine the amount of cash-in-lieu required by contacting the Finance Department.).

6. Payment of all current and outstanding taxes to date of consent:

**COMITTEE OF ADJUSTMENT:**

7. That the applicant provides the secretary-treasurer with either a registrable description or a deed conveying the severed land (easement), for use for the issuance of the certificate of consent.

8. That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.

**WARNING:**

**Conditions must be fulfilled within one year of the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused.  
*Section 53(41), The Planning Act R.S.O., 1990***

**FINANCE/REGIONAL AND MUNICIPAL NOTICE:**

Please note that the Town, Regional and Educational development charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time.

The Town will require land to be conveyed for park or other public recreation purposes or, at its option, the Town will require a payment of cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act for the retained lands unless the Finance Department receives documentation that parkland was given or cash-in-lieu of parkland was paid on these lands, or that an existing structure is to be demolished (must build within four years from the date of demolition).

Development charges will also be applicable on the retained lands prior to building permit issuance unless the Finance Department receives documentation that levies were paid on these lands, or that an existing structure is to be demolished. (Must build within four years from the date of the Demolition Permit.)

---

Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
CONSENT STAFF REPORT**

**D**

**APPLICATION:** B035/12

**DATE:** JUNE 14, 2012

**NAME OF OWNER:** DONATO TERSIGNI, GIUSEPPA TERSIGNI, LORETO TERSIGNI,  
NICOLINA CACCAMO & DANIELA RUCCIA

**NAME OF AGENT:** JOE RUCCIA

*STATUTORY AUTHORITY: Section 53 of The Planning Act, 1990*

<b>THE PROPERTY:</b>	Plan 2383 Lot 69 E Pt Lot 68 <b>155 Church Street South</b> Town of Richmond Hill	<b>TOTAL AREA</b> 1,575.60 m <sup>2</sup> 16,959.62 ft <sup>2</sup>
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**THE PROPOSAL:**

To sever a parcel of land approximately 15.24 metres (62 feet) by irregular, approximately 565.7 square metres (6,089.14 square feet) as a lot addition to be merged in title with the property to the west (municipally known as 157 Church Street South) for residential purposes and retain a parcel of land approximately 15.367 metres (51.302 feet) by irregular, approximately 1,009.9 square metres (10,870.47 square feet).

**PRESENT DESIGNATION:**

Official Plan:	“Neighbourhood” – New Official Plan
Zoning Classification:	“Residential Second Density (R2) Zone”
Zoning By-law:	By-law No. 66-71, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage:	15.24 metres (50 feet)
Minimum Lot Area:	464.51 square metres (5,000 square feet)
Minimum Front Yard:	Established Building Line
Minimum Interior Side Yard:	2.11 metres (6.92 feet)
Minimum Rear Yard:	7.62 metres (25 feet)
Maximum Lot Coverage:	30%
Maximum Gross Floor Area:	265.0 square metres (2,852.4 square feet)
Maximum Building Height:	8.5 metres (28 feet)

**NOTE: The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.**

**SITE CONDITIONS:**

The subject land is located on the east side of Church Street South, south of Major Mackenzie Drive East. The property presently supports a one-storey single detached dwelling, and adjacent uses include single detached dwellings and a 3-storey apartment building along Major Mackenzie Drive.



**ADJACENT LAND CONDITIONS:**

North: Residential  
South: Residential  
East: Residential  
West: Residential and Church Street South

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

The proposed Consent Application will not create any areas of noncompliance with respect to the Zoning By-law.

**By-Law Enforcement:** No response.

**The Development Engineering Division:**

The Development Engineering Division has reviewed the above noted application and advise the committee that we have no concerns nor objections to the subject severance, provided that the severed parcel merges on title with 157 Church Street.

**Finance:**

1. Payment of all current and outstanding taxes to date of consent.
2. No additional parcel of land is being created. Local Improvement Charges do not apply.

Other Comments: Lot Addition

**Parks:**

As per your request we have reviewed the drawings and have the following comments.

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit

**Planning Department:**

The applicant has submitted a Consent application in order to sever and convey part of the subject land to the adjacent property to the south as a lot addition. The development proposal would have the same effect as re-creating two original lots in a registered plan of subdivision (Lots 68 and 69, Registered Plan 2383) with lot frontages of approximately 15.367 metres (50.42 feet) and lot areas in excess of 1,000 square metres (10,763.91 square feet). In this regard, the resulting shape, lot frontages and lot areas of both the subject land and the beneficiary land are appropriate and comply with the Zoning By-law.

Given all of the above, Planning staff has no objections to the approval of the submitted Consent application, subject to the imposition of Section 50(5) of the *Planning Act* to any future conveyance of the lands that are the subject of this application. In this regard, the proposal complies with Section 51(24) of the *Planning Act*, conforms to the Official plan, complies with the Zoning By-law, and represents good planning.

**H.R.H.:** Not circulated.

**PowerStream Inc.:** No response.

**Enbridge Gas Distribution Inc.:** No response.

**Bell Canada:** No response.

**York Region Transportation & Works Department:** No response.

**(Design & Construction Branch)**

<b>York Region District School Board</b>	No response.
<b>York Region Separate School Board T.R.C.A.:</b>	No response. No response.
<b>CN Rail:</b>	Not circulated.
<b>TransCanada Pipeline:</b>	Not circulated.
<b>Abutting Municipality:</b>	Not circulated.
<b>Ministry of Transportation:</b>	Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

B228/81 – New Lot; Approved

A019/85 – Rear Yard Setback; Approved

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following conditions are recommended:

**FINANCE**

1. Payment of all current and outstanding taxes to date of consent

**COMITTEE OF ADJUSTMENT:**

2. That the severed parcel be merged in title with the abutting land to the west, municipally known as 157 Church Street South, and the applicant's solicitor provide an undertaking in writing that this condition will be fulfilled. *(Subsection 50 (3 or 5) of the Planning Act, R.S.O. 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.)*
3. That the applicant provides the secretary-treasurer with either a registrable description or a deed conveying the severed land (easement), for use for the issuance of the certificate of consent.
4. That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.

**WARNING:**

**Conditions must be fulfilled within one year of the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused.**

***Section 53(41), The Planning Act R.S.O., 1990***

**FINANCE/REGIONAL AND MUNICIPAL NOTICE:**

Please note that the Town, Regional and Educational development charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time.

The Town will require land to be conveyed for park or other public recreation purposes or, at its option, the Town will require a payment of cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act for the retained lands unless the Finance Department receives documentation that parkland was given or cash-in-lieu of parkland was paid on these lands, or that an existing structure is to be demolished (must build within four years from the date of demolition).

Development charges will also be applicable on the retained lands prior to building permit issuance unless the Finance Department receives documentation that levies were paid on these lands, or that an existing structure is to be demolished. (Must build within four years from the date of the Demolition Permit.)

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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
CONSENT STAFF REPORT**

**E**

**APPLICATION:** B036/12  
**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** MEHRDAD & KHADIJEH MOHAMMADIH RAZMPOOSH  
**NAME OF AGENT:** DAVID STICKNEY

*STATUTORY AUTHORITY: Section 53 of The Planning Act, 1990*

<b>THE PROPERTY:</b>	Plan 5509 Pt Lot 19 <b>140 19th Avenue</b> Town of Richmond Hill	<b>TOTAL AREA</b> 7,222.11 m <sup>2</sup> 77,738.15 ft <sup>2</sup>
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**THE PROPOSAL:**

To sever a parcel of land approximately 19.81 metres (65 feet) by 50.31 metres (165.06 feet), approximately 995.49 square metres (10,715.37 square feet), and retain a parcel of land approximately 40.14 metres (131.69 feet) by irregular, approximately 2862.65 square metres (30,813.31 square feet). Both the severed land and retained lands have frontage onto Anglin Drive. The severed lands are currently vacant and the existing single family dwelling on the retained lands is to remain.

**PRESENT DESIGNATION:**

Official Plan:	“Neighbourhood”
Zoning Classification:	“Single Detached Six Zone” (R6)
Zoning By-law:	By-law No. 235-97, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage:	Interior: 15 m (49.21 ft)	Corner: 17 m (55.77 ft)
Minimum Lot area (Interior):	Interior: 500 m <sup>2</sup> (5381.96 ft <sup>2</sup> )	Corner: 565 m <sup>2</sup> (6081.61 ft <sup>2</sup> )
Minimum Front Yard Setback:	7.6 m (24.93 ft)	
Minimum Side Yard Setback:	1.5 m (4.92 ft)	
Minimum Flankage Yard Setback:	6.2 m (20.34 ft)	
Minimum Rear Yard Setback:	7.5 m (24.61 ft)	
Maximum Height:	11.0 m (36.09 ft)	
Maximum Lot Coverage:	40%	

**NOTE:** The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.

**SITE CONDITIONS:**

- The subject lands are located at the northeast corner of 19<sup>th</sup> Avenue and Anglin Drive.
- The property currently supports one single detached dwelling which is proposed to be retained.

**ADJACENT LAND CONDITIONS:**

North: Residential uses  
South: 19<sup>th</sup> Avenue and residential uses  
East: Residential uses  
West: Anglin Drive and residential uses

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

The proposed Consent Application will not create any areas of noncompliance with respect to the Zoning By-law.

There appears to be a frame shed on the land to be severed. Please confirm if the shed is still existing and remove the shed, if required, in accordance with the consent condition below.

The following conditions be added as a condition of consent:

1. That the Owner apply to and receive from the Council of the Town of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official or; that the Owner make arrangements satisfactory to the Chief Building Official to demolish all buildings and/or structures and remove all debris to his satisfaction.

**By-Law Enforcement:** No response.

**The Development Engineering Division:**

The Development Engineering Division has reviewed the above noted application and recommend the inclusion of provisional conditions of consent as indicated herein:

We have no sewer allocation objections as the YDSS truck sewer system is now operating, provided that the new units created are accounted for by the Planning and Regulatory Services Department in the consent and site plan allocation reserve

1. **GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (j) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3,360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

### **SERVICE CONNECTION CONDITION (OPERATIONS)**

2. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

- 20 mm water service is \$499.20 per metre + HST
- 125 mm sanitary service connection is \$831.60 per metre + HST
- 150 mm storm sewer connection is \$831.60 per metre (if applicable) +HST
- Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

### **REGISTERED PLANS**

3. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

### **Finance:**

1. No parkland or Cash-in-lieu is required as a condition of consent. However, the Applicant (owner) should be made aware that the Town will require land to be conveyed for park or other public recreation purposes or, at the option the Town, a payment of Cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. A condition of consent should be imposed requiring the Applicant to enter into an agreement acknowledging the forgoing, which agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement. (Please contact the Legal Department.) (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any Cash-in-Lieu owing under Section 42, at an earlier date. The Applicant (Owner) may determine the amount of cash-in-lieu required by contacting the, Finance Department).
2. Local Improvement Charges do not apply.
3. Payment of all current and outstanding taxes to date of consent:
4. Please note that the Town, Regional and Educational Development Charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time. (**Note: Regional development charges will increase June 18, 2012.**)
5. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.

### **Parks:**

As per your request we have reviewed the drawings and have the following comments.

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit

**Planning Department:**

The lands are designated “Neighbourhood” and would permit low-density residential development. The lands were subject to a zoning by-law amendment application (Town File No. D02-11018) which resulted in Council’s adoption of By-law No. 34-12 to rezone the lands from RR1 under By-law No. 2325-68, as amended, to R6 under By-law No. 235-97, as amended. In this regard, the appeal period expires June 6, 2012 and By-law No. 34-12 would become final and binding. The proposed severed parcel would comply with lot frontage and lot area under the R6 Zone when the by-law is in effect. Staff has no objections to the proposed severance on the condition that By-law No. 34-12 becomes final and binding.

<b>H.R.H.:</b>	Not circulated.
<b>PowerStream Inc.:</b>	No response.
<b>Enbridge Gas Distribution Inc.:</b>	No response.
<b>Bell Canada:</b>	No response.
<b>York Region Transportation &amp; Works Department: (Design &amp; Construction Branch)</b>	No response.
<b>York Region District School Board</b>	No response.
<b>York Region Separate School Board</b>	No response.
<b>T.R.C.A.:</b>	No response.
<b>CN Rail:</b>	Not circulated.
<b>TransCanada Pipeline:</b>	Not circulated.
<b>Abutting Municipality:</b>	Not circulated.
<b>Ministry of Transportation:</b>	Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

B037/12 – New Lot – Concurrent Application

B038/12 – New Lot – Concurrent Application

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following conditions are recommended:

**PLANNING DEPARTMENT**

1. That By-law No. 34-12 becomes final and binding.

**BUILDING**

2. That the Owner apply to and receive from the Council of the Town of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official or; that the Owner make arrangements satisfactory to the Chief Building Official to demolish all buildings and/or structures and remove all debris to his satisfaction.

**DEVELOPMENT ENGINEERING DIVISION**

**3. GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (k) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3,360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

**SERVICE CONNECTION CONDITION (OPERATIONS)**

4. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

- 20 mm water service is \$499.20 per metre + HST
- 125 mm sanitary service connection is \$831.60 per metre + HST
- 150 mm storm sewer connection is \$831.60 per metre (if applicable) +HST
- Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

**REGISTERED PLANS**

5. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.



**FINANCE**

- 6. That the applicant enters into an agreement acknowledging that the Town will require land to be conveyed to it for park or other public recreation purposes or, at the option of the Town, a payment of Cash-in-lieu of such land, pursuant to Section 42 of the Planning Act, prior to the issuance of a building permit. Such agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further, the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement (please contact the Legal Department). (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any cash-in-lieu owing under Section 42, at an earlier date. The applicant (owner) may determine the amount of cash-in-lieu required by contacting the Finance Department.).
- 7. Payment of all current and outstanding taxes to date of consent.
- 8. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.

**COMITTEE OF ADJUSTMENT:**

- 9. That the applicant provides the secretary-treasurer with either a registrable description or a deed conveying the severed land (easement), for use for the issuance of the certificate of consent.
- 10. That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.

**WARNING:**

**Conditions must be fulfilled within one year of the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused.**  
*Section 53(41), The Planning Act R.S.O., 1990*

**FINANCE/REGIONAL AND MUNICIPAL NOTICE:**

Please note that the Town, Regional and Educational development charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time.

The Town will require land to be conveyed for park or other public recreation purposes or, at its option, the Town will require a payment of cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act for the retained lands unless the Finance Department receives documentation that parkland was given or cash-in-lieu of parkland was paid on these lands, or that an existing structure is to be demolished (must build within four years from the date of demolition).

Development charges will also be applicable on the retained lands prior to building permit issuance unless the Finance Department receives documentation that levies were paid on these lands, or that an existing structure is to be demolished. (Must build within four years from the date of the Demolition Permit.)

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Linda Gavey, ACST  
 Secretary-Treasurer  
 Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
CONSENT STAFF REPORT**

**F**

**APPLICATION:** B037/12  
**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** MEHRDAD & KHADIJEH MOHAMMADIH RAZMPOOSH  
**NAME OF AGENT:** DAVID STICKNEY

*STATUTORY AUTHORITY: Section 53 of The Planning Act, 1990*

<b>THE PROPERTY:</b>	Plan 5509 Pt Lot 19	<b>TOTAL AREA</b>
	<b>140 19th Avenue</b>	2,862.55 m <sup>2</sup>
	Town of Richmond Hill	30,812.23 ft <sup>2</sup>

**THE PROPOSAL:**

To sever a parcel of land approximately 18.29 metres (60 feet) by 34.98 metres (114.76 feet), approximately 640.92 square metres (6,898.80 square feet), and retain a parcel of land approximately 21.85 metres (71.69 feet) by irregular, approximately 2221.63 square metres (23,913.42 square feet). Both the severed and retained lands have frontage onto Anglin Drive. The severed lands are currently vacant and the existing single family dwelling on the retained lands is to remain.

**PRESENT DESIGNATION:**

Official Plan:	“Neighbourhood”
Zoning Classification:	“Single Detached Six Zone” (R6)
Zoning By-law:	By-law No. 235-97, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage:	Interior: 15 m (49.21 ft)	Corner: 17 m (55.77 ft)
Minimum Lot area (Interior):	Interior: 500 m <sup>2</sup> (5381.96 ft <sup>2</sup> )	Corner: 565 m <sup>2</sup> (6081.61 ft <sup>2</sup> )
Minimum Front Yard Setback:	7.6 m (24.93 ft)	
Minimum Side Yard Setback:	1.5 m (4.92 ft)	
Minimum Flankage Yard Setback:	6.2 m (20.34 ft)	
Minimum Rear Yard Setback:	7.5 m (24.61 ft)	
Maximum Height:	11.0 m (36.09 ft)	
Maximum Lot Coverage:	40%	

**NOTE:** The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.

**SITE CONDITIONS:**

- The subject lands are located at the northeast corner of 19<sup>th</sup> Avenue and Anglin Drive.
- The property currently supports one single detached dwelling which is proposed to be retained.

**ADJACENT LAND CONDITIONS:**

North: Residential uses  
 South: 19<sup>th</sup> Avenue and residential uses  
 East: Residential uses  
 West: Anglin Drive and residential uses

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

The proposed Consent Application will not create any areas of noncompliance with respect to the Zoning By-law.

**By-Law Enforcement:** No response.

**The Development Engineering Division:**

The Development Engineering Division has reviewed the above noted application and recommend the inclusion of provisional conditions of consent as indicated herein:

We have no sewer allocation objections as the YDSS truck sewer system is now operating, provided that the new units created are accounted for by the Planning and Regulatory Services Department in the consent and site plan allocation reserve

1. **GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (l) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3, 360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

**SERVICE CONNECTION CONDITION (OPERATIONS)**

- 2. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

- 20 mm water service is \$499.20 per metre + HST
- 125 mm sanitary service connection is \$831.60 per metre + HST
- 150 mm storm sewer connection is \$831.60 per metre (if applicable) +HST
- Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

**REGISTERED PLANS**

3. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**Finance:**

1. No parkland or Cash-in-lieu is required as a condition of consent. However, the Applicant (owner) should be made aware that the Town will require land to be conveyed for park or other public recreation purposes or, at the option the Town, a payment of Cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. A condition of consent should be imposed requiring the Applicant to enter into an agreement acknowledging the forgoing, which agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement. (Please contact the Legal Department.) (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any Cash-in-Lieu owing under Section 42, at an earlier date. The Applicant (Owner) may determine the amount of cash-in-lieu required by contacting the, Finance Department).
2. Local Improvement Charges do not apply.
3. Payment of all current and outstanding taxes to date of consent:
4. Please note that the Town, Regional and Educational Development Charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time. **(Note: Regional development charges will increase June 18, 2012).**
5. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.

**Parks:**

As per your request we have reviewed the drawings and have the following comments.

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit

**Planning Department:**

The lands are designated “Neighbourhood” and would permit low-density residential development. The lands were subject to a zoning by-law amendment application (Town File No. D02-11018) which resulted in Council’s adoption of By-law No. 34-12 to rezone the lands from RR1 under By-law No. 2325-68, as amended, to R6 under By-law No. 235-97, as amended. In this regard, the appeal period expires June 6, 2012 and By-law No. 34-12 would become final and binding. The proposed severed parcel would comply with lot frontage and lot area under the R6 Zone when the by-law is in effect. Staff has no objections to the proposed severance on the condition that By-law No. 34-12 becomes final and binding.

- H.R.H.:** Not circulated.
- PowerStream Inc.:** No response.
- Enbridge Gas Distribution Inc.:** No response.
- Bell Canada:** No response.

<b>York Region Transportation &amp; Works Department: (Design &amp; Construction Branch)</b>	No response.
<b>York Region District School Board</b>	No response.
<b>York Region Separate School Board</b>	No response.
<b>T.R.C.A.:</b>	No response.
<b>CN Rail:</b>	Not circulated.
<b>TransCanada Pipeline:</b>	Not circulated.
<b>Abutting Municipality:</b>	Not circulated.
<b>Ministry of Transportation:</b>	Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

- B036/12 – New Lot – Concurrent Application
- B038/12 – New Lot – Concurrent Application

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following conditions are recommended:

**PLANNING DEPARTMENT**

1. That By-law No. 34-12 becomes final and binding.

**DEVELOPMENT ENGINEERING DIVISION**

**2. GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (m) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3,360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

**SERVICE CONNECTION CONDITION (OPERATIONS)**

3. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

- 20 mm water service is \$499.20 per metre + HST
- 125 mm sanitary service connection is \$831.60 per metre + HST
- 150 mm storm sewer connection is \$831.60 per metre (if applicable) +HST
- Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

**REGISTERED PLANS**

4. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**FINANCE**

5. That the applicant enters into an agreement acknowledging that the Town will require land to be conveyed to it for park or other public recreation purposes or, at the option of the Town, a payment of Cash-in-lieu of such land, pursuant to Section 42 of the Planning Act, prior to the issuance of a building permit. Such agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further, the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement (please contact the Legal Department). (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any cash-in-lieu owing under Section 42, at an earlier date. The applicant (owner) may determine the amount of cash-in-lieu required by contacting the Finance Department.).
6. Payment of all current and outstanding taxes to date of consent.
7. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.

**COMITTEE OF ADJUSTMENT:**

8. That application B036/12 receive final certification of the Secretary-Treasurer and be registered on title prior to completion of this application.
9. That the applicant provides the secretary-treasurer with either a registrable description or a deed conveying the severed land (easement), for use for the issuance of the certificate of consent.
10. That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.

**WARNING:**

**Conditions must be fulfilled within one year of the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused.  
*Section 53(41), The Planning Act R.S.O., 1990***

**FINANCE/REGIONAL AND MUNICIPAL NOTICE:**

Please note that the Town, Regional and Educational development charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time.

The Town will require land to be conveyed for park or other public recreation purposes or, at its option, the Town will require a payment of cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act for the retained lands unless the Finance Department receives documentation that parkland was given or cash-in-lieu of parkland was paid on these lands, or that an existing structure is to be demolished (must build within four years from the date of demolition).

Development charges will also be applicable on the retained lands prior to building permit issuance unless the Finance Department receives documentation that levies were paid on these lands, or that an existing structure is to be demolished. (Must build within four years from the date of the Demolition Permit.)

---

Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
CONSENT STAFF REPORT**

**G**

**APPLICATION:** B038/12  
**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** MEHRDAD & KHADIJEH MOHAMMADIH RAZMPOOSH  
**NAME OF AGENT:** DAVID STICKNEY

*STATUTORY AUTHORITY: Section 53 of The Planning Act, 1990*

<b>THE PROPERTY:</b>	Plan 5509 Pt Lot 19	<b>TOTAL AREA</b>
	<b>140 19th Avenue</b>	2,221.63 m <sup>2</sup>
	Town of Richmond Hill	23,913.43 ft <sup>2</sup>

**THE PROPOSAL:**

To sever a parcel of land approximately 21.85 metres (71.69 feet) by irregular, approximately 693.67 square metres (7,466.60 square feet), and retain a parcel of land approximately 30.48 metres (100 feet) by irregular, approximately 1527.96 square metres (16,446.82 square feet). The retained land has frontage onto 19th Avenue and the existing single family dwelling is to remain. The severed land has frontage onto Anglin Drive and is currently vacant.

**PRESENT DESIGNATION:**

Official Plan:	“Neighbourhood”
Zoning Classification:	“Single Detached Six Zone” (R6)
Zoning By-law:	By-law No. 235-97, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage:	Interior: 15 m (49.21 ft)	Corner: 17 m (55.77 ft)
Minimum Lot area (Interior):	Interior: 500 m <sup>2</sup> (5381.96 ft <sup>2</sup> )	Corner: 565 m <sup>2</sup> (6081.61 ft <sup>2</sup> )
Minimum Front Yard Setback:	7.6 m (24.93 ft)	
Minimum Side Yard Setback:	1.5 m (4.92 ft)	
Minimum Flankage Yard Setback:	6.2 m (20.34 ft)	
Minimum Rear Yard Setback:	7.5 m (24.61 ft)	
Maximum Height:	11.0 m (36.09 ft)	
Maximum Lot Coverage:	40%	

**NOTE:** The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.

**SITE CONDITIONS:**

- The subject lands are located at the northeast corner of 19<sup>th</sup> Avenue and Anglin Drive.
- The property currently supports one single detached dwelling which is proposed to be retained.

**ADJACENT LAND CONDITIONS:**

North: Residential uses  
 South: 19<sup>th</sup> Avenue and residential uses  
 East: Residential uses  
 West: Anglin Drive and residential uses



**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

The proposed Consent Application will not create any areas of noncompliance with respect to the Zoning By-law.

**By-Law Enforcement:** No response.

**The Development Engineering Division:**

The Development Engineering Division has reviewed the above noted application and recommend the inclusion of provisional conditions of consent as indicated herein:

We have no sewer allocation objections as the YDSS truck sewer system is now operating, provided that the new units created are accounted for by the Planning and Regulatory Services Department in the consent and site plan allocation reserve

1. **GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
- (c) enter into an agreement with the Town (unless not required by the Town) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the Town Solicitor deems to be an encumbrance or claim; and
- (n) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

**FURTHER GRADING RELATED INFORMATION**

Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr. Mike Ayers, Grading Technologist at 905-747-6426.

The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

Plan Review	\$ 375.00 + HST
Agreement Preparation	\$ 450.00 + HST
Registration/Admin.	\$ 110.00 + HST
Install Catchbasin	\$ 3, 360.00 + HST (if applicable)
Survey Layout	\$ 640.00 + HST (if applicable)
C.C.T.V. Scan (\$690.00 + HST) x 2	\$ 1559.40 HST Included (if applicable)
Install 250 mm Catchbasin Lead	\$ 400.00 per metre + HST (if applicable)
Install Cleanout	\$ 2,160.00 + HST (if applicable)
Decommission Catchbasin	\$ 500.00 + HST (if applicable)

**SERVICE CONNECTION CONDITION (OPERATIONS)**

- 2. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

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 Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

### **REGISTERED PLANS**

3. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

### **Finance:**

1. No parkland or Cash-in-lieu is required as a condition of consent. However, the Applicant (owner) should be made aware that the Town will require land to be conveyed for park or other public recreation purposes or, at the option the Town, a payment of Cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. A condition of consent should be imposed requiring the Applicant to enter into an agreement acknowledging the forgoing, which agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement. (Please contact the Legal Department.) (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any Cash-in-Lieu owing under Section 42, at an earlier date. The Applicant (Owner) may determine the amount of cash-in-lieu required by contacting the, Finance Department).
2. Local Improvement Charges do not apply.
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5. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.

### **Parks:**

As per your request we have reviewed the drawings and have the following comments.

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit

### **Planning Department:**

The lands are designated "Neighbourhood" and would permit low-density residential development. The lands were subject to a zoning by-law amendment application (Town File No. D02-11018) which resulted in Council's adoption of By-law No. 34-12 to rezone the lands from RR1 under By-law No. 2325-68, as amended, to R6 under By-law No. 235-97, as amended. In this regard, the appeal period expires June 6, 2012 and By-law No. 34-12 would become final and binding. The proposed severed parcel would comply with lot frontage and lot area under the R6 Zone when the by-law is in effect. Staff has no objections to the proposed severance on the condition that By-law No. 34-12 becomes final and binding.

### **H.R.H.:**

Not circulated.

### **PowerStream Inc.:**

No response.

### **Enbridge Gas Distribution Inc.:**

No response.

### **Bell Canada:**

No response.

<b>York Region Transportation &amp; Works Department: (Design &amp; Construction Branch)</b>	No response.
<b>York Region District School Board</b>	No response.
<b>York Region Separate School Board</b>	No response.
<b>T.R.C.A.:</b>	No response.
<b>CN Rail:</b>	Not circulated.
<b>TransCanada Pipeline:</b>	Not circulated.
<b>Abutting Municipality:</b>	Not circulated.
<b>Ministry of Transportation:</b>	Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

- B036/12 – New Lot – Concurrent Application
- B037/12 – New Lot – Concurrent Application

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following conditions are recommended:

**PLANNING DEPARTMENT**

1. That By-law No. 34-12 becomes final and binding.

**DEVELOPMENT ENGINEERING DIVISION**

2. **GRADING CONDITION**

"That the applicant:

- (a) submit to the Town's Engineering & Public Works Department a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;
- (b) obtain the Town's approval of the grading plan referred to in (a);
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- (o) ensure that any easements required to be provided pursuant to the agreement referred to in (c) are registered in priority to all other claims, encumbrances or any other item or matter the Town Solicitor deems to be an encumbrance or claim."

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The Town's current fees for such services are as per the **currently amended** Tariff of Fees By-law 173-08.

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**SERVICE CONNECTION CONDITION (OPERATIONS)**

3. That the Applicant arranges and pays to the Town for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the Town's fees for standard configuration of services are as follows and may change at anytime without notice:

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Combined storm and sanitary service is \$948.00 per metre (if applicable and if in same trench) + HST

Arrangements and payment for service connections can be made through Mr. Mario Di Salvo of our Works Division at (905) 780-2949.

**REGISTERED PLANS**

4. That the applicant provide to the Engineering Department, to the attention of Mr. Erik Loorand, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**FINANCE**

5. That the applicant enters into an agreement acknowledging that the Town will require land to be conveyed to it for park or other public recreation purposes or, at the option of the Town, a payment of Cash-in-lieu of such land, pursuant to Section 42 of the Planning Act, prior to the issuance of a building permit. Such agreement must be registered on title to the **SEVERED PARCEL** for the purpose of notice. Further, the applicant shall be required to pay the sum of \$110.00 to reimburse the Town for the cost of registration of the agreement (please contact the Legal Department). (If the applicant does not wish to enter into the above agreement, he or she may voluntarily pay any cash-in-lieu owing under Section 42, at an earlier date. The applicant (owner) may determine the amount of cash-in-lieu required by contacting the Finance Department.).
6. Payment of all current and outstanding taxes to date of consent.
7. The applicant/owner must enter into an agreement providing for payment of Area Specific Development Charges at the time of execution of the Agreement.

**COMITTEE OF ADJUSTMENT:**

8. That application B037/12 receive final certification of the Secretary-Treasurer and be registered on title prior to completion of this application.
9. That the applicant provides the secretary-treasurer with either a registrable description or a deed conveying the severed land (easement), for use for the issuance of the certificate of consent.
10. That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.

**WARNING:**

**Conditions must be fulfilled within one year of the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused.  
*Section 53(41), The Planning Act R.S.O., 1990***

**FINANCE/REGIONAL AND MUNICIPAL NOTICE:**

Please note that the Town, Regional and Educational development charges are payable prior to building permit issuance. Water meter and tree charges are also applicable at that time.

The Town will require land to be conveyed for park or other public recreation purposes or, at its option, the Town will require a payment of cash-in-lieu of such land prior to the issuance of a building permit pursuant to Section 42 of the Planning Act for the retained lands unless the Finance Department receives documentation that parkland was given or cash-in-lieu of parkland was paid on these lands, or that an existing structure is to be demolished (must build within four years from the date of demolition).

Development charges will also be applicable on the retained lands prior to building permit issuance unless the Finance Department receives documentation that levies were paid on these lands, or that an existing structure is to be demolished. (Must build within four years from the date of the Demolition Permit.)

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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE STAFF REPORT**

**H**

**MINOR VARIANCE APPLICATION A090/11**

**DATE:** JUNE 14, 2012

**NAME OF OWNER:** ALI ZHOURI

**NAME OF AGENT:** N/A

*STATUTORY AUTHORITY: Section 45 of The Planning Act, 1990*

**THE PROPERTY:** Plan 65M3205 Pt Block 25 RS65R20686 Parts 32 & 33  
**82 Beresford Drive**  
Town of Richmond Hill

**THE REQUEST:** To provide relief from the provisions of By-law 84-03, to permit a reduced minimum number of parking spaces to accommodate the conversion of the existing attached garage into an entrance way with office space which will be used to facilitate handicap access into the building.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Number of Parking Spaces</b>	2 Spaces	1 Space	1 Space

**PRESENT DESIGNATION:**

Official Plan: "Richmond Hill Centre" – New Official Plan  
Zoning Classification: "Residential Laneway Townhouse One (RLT1) Zone"  
Zoning By-law: By-law No. 278-96, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage: 4.5 metres (14.76 feet)  
Minimum Lot Area: 125 square metres (1,345.49 square feet)  
Minimum Front Yard: 4.5 metres (14.76 feet) or 5.8 metres (19.03 feet) to an attached private garage  
Minimum Interior Side Yard: nil  
Minimum Rear Yard: 7.5 metres (24.61 feet)  
Maximum Coverage: 40%  
Maximum Building Height: 11.0 metres (36.09 feet)

**NOTE: The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.**

**SITE CONDITIONS:**

- The subject land is located on the south side of Beresford Drive, and presently supports a two-storey townhouse dwelling. Adjacent uses include both block and street townhouse dwellings.

**ADJACENT LAND CONDITIONS:**

North: Residential and Beresford Drive  
 South: Residential  
 East: Residential  
 West: Residential

**BACKGROUND**

The applicant originally submitted the subject Minor Variance application in December of 2011, and requested an increase in the permitted driveway width from 3.0 metres (9.84 feet) to 5.5 metres (18.04 feet) and a reduction in the minimum front yard landscaping requirement from 45% to 15%. The purpose of the proposal was to facilitate the conversion of the existing single-car attached garage into residential living space containing wheelchair ramp access into the existing dwelling. In this respect, the applicant originally sought relief to widen the existing driveway virtually across the entire frontage of the property in order to accommodate the two (2) on-site parking spaces required by the Zoning By-law.

Staff completed a review of the applicant's original proposal and identified a number of planning and engineering related concerns. Staff subsequently met with the applicant to discuss the issues associated with the proposal, and to look at other ways of achieving the applicant's desired outcome without reducing the amount of front yard landscaping. These discussions have culminated in the applicant's submission of the revised Minor Variance application discussed below.

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:** The requested variances are correct.

**By-Law Enforcement:** No response.

**Development Engineering:** No concerns or objections.

**Finance:** Not circulated.

**Parks:**

As per your request we have reviewed the drawings and have the following comments:

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning:**

The applicant has amended its Minor Variance application and is currently seeking relief from the provisions of the Zoning By-law to reduce the amount of required on-site parking from 2 to 1 spaces in order to facilitate the conversion of the existing single-car attached garage into residential living space containing wheelchair ramp access into the existing dwelling. In this regard, the applicant's previous proposal to widen the existing driveway on the property and to remove virtually all of the front yard landscaping has been abandoned.

In terms of justification for the revised proposal, it is noted that there appears to be insufficient space to construct a wheelchair ramp with proper radii and slopes in the front yard due to the height of the main floor. Furthermore, the subject land is located on the side of Beresford Drive without a sidewalk, meaning that there is sufficient space (approximately 10.36 metres or 34 feet) between the attached garage and the curb at the street to physically park two vehicles in the existing driveway (albeit one vehicle would be parked on the portion of the driveway within the Town's road allowance).

The applicant's revised proposal represents a compromise that aims to balance the needs of the applicant's disabled family members with the Town's desire to ensure that driveways do not dominate the streetscape in residential neighbourhoods. It is acknowledged that the circumstances behind the

applicant’s requested reduction in the amount of on-site parking are somewhat unique, and may not be appropriate or supportable in other instances.

Given all of the above, Planning staff has no objections to the submitted Minor Variance application. In this respect, the requested variance is considered to be minor in nature, is desirable for the appropriate development of the subject land, and maintains the general intent and purpose of the applicable Official Plan and Zoning By-law.

**H.R.H.:** Not circulated.

**PowerStream Inc.:** No objections.

**Enbridge Gas Distribution Inc.:** Not circulated.

**Bell Canada:** No response.

**York Region Transportation & Works Department:  
(Design & Construction Branch)** No response.

**York Region District School Board:** Not circulated.

**York Region Separate School Board:** Not circulated.

**T.R.C.A.:** No response.

**CN Rail:** No response.

**TransCanada Pipeline:** Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:** N/A

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following condition(s) is (are) recommended:

1. That the variances pertain only to the request as submitted with the application.
2. That development be substantially in accordance with the sketch submitted with the application.

**FOR THE FOLLOWING REASONS:**

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

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Linda Gavey, ACST  
 Secretary-Treasurer  
 Committee of Adjustment





**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE STAFF REPORT**

**I**

**MINOR VARIANCE APPLICATION A029/12**

**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** DEEP GREEN MECHANICAL LTD  
**NAME OF AGENT:** MURRAY EVANS OF EVANS PLANNING

*STATUTORY AUTHORITY: Section 45 of The Planning Act, 1990*

**THE PROPERTY:** York Region Condo Plan 804  
**556-604 Edward Avenue, Unit #56**  
 Town of Richmond Hill

**THE REQUEST:** To provide relief from the provisions of By-law 184-87, as amended, to permit a reduction in parking to facilitate the conversion of Unit #56 from industrial use to office space. The applicant is proposing to construct a mezzanine within the unit, to accommodate the office use, which will increase the floor area and generate the requirement for additional parking spaces.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Parking</b>	356 spaces	351 spaces	5 spaces

**PRESENT DESIGNATION:**

Official Plan: "Employment Area" – Official Plan (2010)  
 Zoning Classification: "High Performance Commercial Industrial (MC1) Zone"  
 Zoning By-law: By-law No.184-87, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage: 60 metres (196.85 feet)  
 Minimum Lot Area: 0.8 hectare (1.98 acres)  
 Minimum Front Yard Setback: 12 metres (39.37 feet)  
 Minimum Side Yard Setback: 6 metres (19.68 feet)  
 Minimum Rear Yard Setback: 12 metres (39.37 feet)  
 Parking Requirement -Industrial Use (Floor Area of 2800 sq. m. or less for each building) 1 space for each 42 sq. m. or portion thereof of the floor area  
 Parking Requirement – Commercial Use 3.2 parking spaces per 100 sq. m. of gross floor area

**NOTE:** The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.

**SITE CONDITIONS:**

The subject land is located on the west side of Edward Avenue, north of Elgin Mills Road East and presently supports three multi-unit industrial/commercial buildings. There are a total of 351 parking spaces provided on the property to serve the three buildings.

**ADJACENT LAND CONDITIONS:**

North: Industrial/Commercial  
 South: Industrial/Commercial  
 East: Edward Avenue  
 West: C.N. Bala Subdivision

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:** The requested variances are correct.

**By-Law Enforcement:** No response.

**Development Engineering:** **To follow.**

**Finance:** Not circulated.

**Parks:**

As per your request we have reviewed the drawings and have the following comments:

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning:**

As previously noted in this report, there are three buildings located on the subject property and a total of 351 parking spaces provided to serve all three buildings. In 2009, the Committee considered a request from 1252837 Ontario Inc. (File No. A029/09) to reduce the parking requirement of the subject property as a result of a conversion of an industrial unit to a performing arts school. The performing arts school required five parking spaces, but only two parking spaces were available at the time. A relief for three spaces was approved.

Based on the Town's current occupancy/permit records and the parking provisions under the zoning by-law, the subject property currently has a parking deficiency of 0.42 spaces. It should be noted that this deficiency does not account for the relief of three spaces granted for File No. A029/09 in 2009.

The applicant is proposing to convert one of the industrial units located on the subject property (Unit 56) to an office and to add additional floor area by constructing a mezzanine. In accordance with the parking provisions under the zoning by-law, the amount of floor area being converted from an industrial use to an office use and the proposed additional floor space would trigger an additional parking requirement of 4.75 spaces. Since there is an existing parking deficiency on the site, which needs to be addressed through this application, therefore, the total parking requirement for the subject property becomes 356 spaces (351+0.42+4.75), if the conversion was to proceed. As such, the applicant is requesting a relief from the Zoning By-law No. 184-87, as amended, to permit a reduced parking requirement for the subject property from 356 spaces to 351 spaces.

A Parking Analysis addressing the parking situation of the entire site has been submitted in support this application as well as File No. A034/12. The analysis suggests that there is a surplus of parking on the property at any given time on a weekday, which would be sufficient to accommodate the relief and the effect of previously granted parking reduction.

Planning Staff has reviewed the analysis with Development Engineering staff and has no objections to the request as it meets the general intent and purpose of the Official Plan, the general intent and purpose of the Zoning By-law, the request is desirable for the appropriate development of the lands and it is minor in nature.

<b>H.R.H.:</b>	Not circulated.
<b>PowerStream Inc.:</b>	No response.
<b>Enbridge Gas Distribution Inc.:</b>	Not circulated.
<b>Bell Canada:</b>	No response.
<b>York Region Transportation &amp; Works Department: (Design &amp; Construction Branch)</b>	No response.
<b>York Region District School Board:</b>	Not circulated.
<b>York Region Separate School Board:</b>	Not circulated.
<b>T.R.C.A.:</b>	No response.
<b>CN Rail:</b>	No response.
<b>TransCanada Pipeline:</b>	Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

A029/09 – Parking Spaces – Approved  
A034/12 – Parking Spaces – Concurrent Application

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following condition(s) is (are) recommended:

1. That the variances pertain only to the request as submitted with the application.
2. That development be substantially in accordance with the sketch submitted with the application.

**FOR THE FOLLOWING REASONS:**

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE STAFF REPORT**

**J**

**MINOR VARIANCE APPLICATION A034/12**

**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** 2296253 ONTARIO INC.  
**NAME OF AGENT:** W.E. OUGHTRED & ASSOCIATES INC.

*STATUTORY AUTHORITY: Section 45 of The Planning Act, 1990*

**THE PROPERTY:** York Region Condo Plan 804, Unit #14  
**556-604 Edward Avenue**  
 Town of Richmond Hill

**THE REQUEST:** To provide relief from the provisions of By-law 184-87, as amended, to permit a reduced number of parking spaces to accommodate proposed office space in Unit #14.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Parking</b>	354 spaces	351 spaces	3 spaces

**PRESENT DESIGNATION:**

Official Plan: "Employment Area" – Official Plan (2010)  
 Zoning Classification: "High Performance Commercial Industrial (MC1) Zone"  
 Zoning By-law: By-law No.184-87, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage: 60 metres (196.85 feet)  
 Minimum Lot Area: 0.8 hectare (1.98 acres)  
 Minimum Front Yard Setback: 12 metres (39.37 feet)  
 Minimum Side Yard Setback: 6 metres (19.68 feet)  
 Minimum Rear Yard Setback: 12 metres (39.37 feet)  
 Parking Requirement -Industrial Use 1 space for each 42 sq. m. or portion (Floor Area of 2800 sq. m. or less for thereof of the floor area each building)  
 Parking Requirement – Commercial Use 3.2 parking spaces per 100 sq. m. of gross floor area

**NOTE:** The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.

**SITE CONDITIONS:**

The subject land is located on the west side of Edward Avenue, north of Elgin Mills Road East and presently supports three multi-unit industrial/commercial buildings. There are a total of 351 parking spaces provided on the property to serve the three buildings.

**ADJACENT LAND CONDITIONS:**

North: Industrial/Commercial  
 South: Industrial/Commercial  
 East: Edward Avenue  
 West: C.N. Bala Subdivision

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED****Arborist:** No response.**Building Department/Zoning Section:** The requested variances are correct.**By-Law Enforcement:** No response.**Development Engineering:** **To follow.****Finance:** Not circulated.**Parks:**

As per your request we have reviewed the drawings and have the following comments:

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning:**

As previously noted in this report, there are three buildings located on the subject property and a total of 351 parking spaces provided on the site to serve all three buildings. In 2009, the Committee granted a request from 1252837 Ontario Inc. (File No. A029/09) to reduce the parking requirement of the subject property as a result of a conversion of an industrial unit to a performing arts school. The proposed conversion at the time would require five parking spaces for the performing arts school and only two parking spaces were available at the time. A relief for three spaces was approved.

Based on the Town's current occupancy/permit records and the parking provisions under the zoning by-law, the subject property currently has a parking deficiency of 0.42 spaces. It should be noted that this deficiency does not account for the relief of three spaces granted for File No. A029/09 in 2009.

The applicant is proposing to convert one of the industrial units located on the subject property (Unit 56) to an office. In accordance with the parking provisions under the zoning by-law, the amount of floor area being converted from an industrial use to an office use would trigger an additional parking requirement of 3.24 spaces. As such, the applicant is requesting a relief from the Zoning By-law No. 184-87, as amended, to permit a reduced parking requirement for the subject property from 354 spaces to 351 spaces.

It should be noted that should the Committee approved Minor Variance File No. A029/12 and the subject application (File No. A034/12), the "cumulative combined effect" of parking reduction on the entire site would be a total of 11 spaces (3 spaces previously granted under File No. A029/09, 5 spaces as a result of File No. A029/12 and 3 spaces as a result of this application). In addition, should Minor Variance File No. A029/12 be denied, the existing parking deficiency of 0.42 spaces should be addressed through this application. This means the request should be amended to seek parking relief from 355 (351+0.42+3.24) spaces to 351 spaces.

A Parking Analysis addressing the parking situation of the entire site has been submitted in support this application as well as File No. A029/12. The Parking Analysis suggests that there is a surplus of parking on the property at any given time on a weekday. It appears that the surplus of parking would be sufficient to accommodate the applicant's request and the cumulative parking reduction.

Planning Staff has reviewed the analysis with Development Engineering staff and no objections to the request as it meets the general intent and purpose of the Official Plan, it meets the general intent and purpose of the Zoning By-law, the request is desirable for the appropriate development of the lands and it is minor in nature.

**H.R.H.:** Not circulated.**PowerStream Inc.:** No response.

<b>Enbridge Gas Distribution Inc.:</b>	No response.
<b>Bell Canada:</b>	No response.
<b>York Region Transportation &amp; Works Department: (Design &amp; Construction Branch)</b>	No response.
<b>York Region District School Board:</b>	Not circulated.
<b>York Region Separate School Board:</b>	Not circulated.
<b>T.R.C.A.:</b>	No response.
<b>CN Rail:</b>	No response.
<b>TransCanada Pipeline:</b>	Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**

- A029/09 – Parking Spaces – Approved
- A029/12 – Parking Spaces – Concurrent Application

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following condition(s) is (are) recommended:

1. That the variances pertain only to the request as submitted with the application.
2. That development be substantially in accordance with the sketch submitted with the application.

**FOR THE FOLLOWING REASONS:**

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE STAFF REPORT**

**K**

**MINOR VARIANCE APPLICATION A042/12**

**DATE:** JUNE 14, 2012

**NAME OF OWNER:** 2245721 ONTARIO INC.

**NAME OF AGENT:** NITIN MALHOLTRA OF NITIN ARCHITECTURAL INC.

*STATUTORY AUTHORITY: Section 45 of The Planning Act, 1990*

**PROPERTY:** Plan 203, Lots 2 to 4, Pt Lt 5, Pt Lt 10  
**12891 Yonge Street**  
Town of Richmond Hill

**REQUEST:** To provide relief from the provisions of By-law 1703, as amended, to permit a reduced exterior side yard (flankage) setback, increased building height, reduced parking spaces, and increased height of a canopy to construct a new convenience store, a new canopy, new pump islands (gas bar) and miscellaneous site works. The existing car wash is to remain.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Flankage Setback</b>	15 m ( 49.21 ft)	11.542 m ( 37.87 ft)	3.458 m ( 11.35 ft)
<b>Minimum Height of Canopy</b>	5.5 m ( 18.04 ft)	5.638 m ( 18.50 ft)	0.138 m ( 0.45 ft)
<b>Maximum Height</b>	4.935 m ( 16.19 ft)	5.568 m ( 18.27 ft)	0.633 m ( 2.08 ft)
<b>Parking</b>	16 spaces	8 spaces	8 spaces

**PRESENT DESIGNATION:**

New Official Plan: "Oak Ridges Local Centre"  
Zoning Classification: "Service Station (SS) Zone"  
Zoning By-law: By-law No. 365-86, as amended by 199-02

**ZONING PROVISIONS:**

Minimum Setback from Yonge Street 15 m (49.21 ft)  
 Minimum Interior Side Yard Setback 7.5 m (24.61 ft)  
 Maximum Gross Floor Area For Retail Store 100 sq.m (1,076.43 sq.ft)  
 Maximum Building Height (top of parapet) 4.94 m (16.21 ft)  
 Minimum Canopy Setback From All Lot Lines 4.2 m (13.78 ft)  
 Maximum Canopy Height 5.5 m (18.05 ft)  
 Parking Standards: 5.4  
 Retail Store (100 sq.m. @ 5.4 spaces/100 sq.m.) 9.92  
 15.32  
 Car Wash (310 sq.m. @ 3.2 spaces /100 sq.m.)  
 Landscape Buffers:  
 Yonge Street 1 m (3.28 ft)  
 Interior Side Yard 3 m (9.84 ft)  
 Lake Avenue 0.7 m (2.3 ft)

**NOTE:** The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.

**SITE CONDITIONS:**

The subject property is located on the northeast corner of Yonge Street and Lake Avenue and support an existing automobile service station comprised of a gas bar and automated car wash. The property abuts existing residential uses to the east, a retirement residence to the north, Yonge Street to the west and Lake Avenue to the south.

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

<b>Arborist:</b>	No response.
<b>Building Department/Zoning Section:</b>	The requested variances are correct.
<b>By-Law Enforcement:</b>	No response.
<b>Development Engineering:</b>	No concerns or objections.
<b>Finance:</b>	Not circulated.

**Parks:**

As per your request we have reviewed the drawings and have the following comments:

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning:**

The applicants are proposing to vary the provisions for minimum flankage setback, maximum canopy height, maximum building height and minimum number of parking spaces in order to facilitate a convenience store addition and to construct a new gas bar and canopy on the subject lands. The applicant is proposing a minimum flankage setback of 11.54 m (37.87 ft), a maximum canopy height of 5.64 m (18.5 ft), a maximum building height of 5.57 m (18.27 ft), and a reduction in the number of required parking spaces to 8, with corresponding variances of 3.46 m (11.35 ft) for the flankage setback, 0.14 m (0.45 ft) for the canopy height, 0.63 m (2.08 ft) for the building height, and 8 parking spaces, respectively.

Staff has considered the requested variances and would note that the proposed reduced setback to Yonge Street would serve to facilitate convenience store addition which is effectively in line with the existing carwash building. The increased canopy height will serve to facilitate the movement of the gas tanker truck underneath. The increased building height will serve to facilitate the screening of the rooftop mechanicals above the convenience store addition. With respect to the request for reduced parking, it is noted that parking for the car wash building is calculated at a rate of 3.2 spaces per 100 sq.m, even though the car wash is an automated facility. Staff is satisfied that there is sufficient parking to service the convenience store addition and the automated car wash.

Staff further notes that the applicant submitted an application for Site Plan Amendment (Town File No. D06-11005) in January of 2011 to renovate the existing service station and to construct a convenience store on the subject lands. Staff report SRPRS.11.186 was considered by Committee of the Whole on December 5, 2011. The Site Plan application has progressed through the Site Plan review process and has received conditional approval.

In light of the above noted review, staff is of the opinion that the requested variances can be considered minor in nature, are desirable for the appropriate development and use of the subject land, and maintain the intent of the Official Plan and Zoning By-law.

Staff would recommend that the Committee of Adjustment approve the Minor Variance application.

<b>H.R.H.:</b>	Not circulated.
<b>PowerStream Inc.:</b>	No response.



**Enbridge Gas Distribution Inc.:** Not circulated.  
**Bell Canada:** No response.

**York Region Transportation & Works Department:  
(Design & Construction Branch)** No response.

**York Region District School Board:** Not circulated.

**York Region Separate School Board:** Not circulated.

**T.R.C.A.:** No response.

**CN Rail:** Not circulated.

**TransCanada Pipeline:** Not circulated.

**Committee of Adjustment:**  
This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:**  
B010/85 – New Lot; Approved

**RECOMMENDATION:**  
Should the Committee find it appropriate to approve this application, the following condition(s) is (are) recommended:

1. That the variances pertain only to the request as submitted with the application.
2. That development be substantially in accordance with the sketch submitted with the application.

**FOR THE FOLLOWING REASONS:**

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE STAFF REPORT**

**L**

**MINOR VARIANCE APPLICATION A043/12**

**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** MACLEOD COMMERCIAL PROPERTIES INC. C/O METRUS PROPERTIES INC.  
**NAME OF AGENT:** GOLDBERG GROUP

*STATUTORY AUTHORITY: Section 45 of The Planning Act, 1990*

**PROPERTY:** Plan 65m3855 Blk 173  
**0 Silver Maple Road**  
 Town Of Richmond Hill

**REQUEST:** To provide relief from the provisions of By-law 42-02, to permit a reduced minimum setback from arterial road, reduced interior side yard (west) setback, increased building height (for convenience store, car wash and canopy), and increased driveway width (for both east and west driveway) to construct a gas station and convenience store with drive-through and car wash facility.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Maximum Driveway Width (East &amp; West Driveway)</b>	9 m ( 29.53 ft)	11 m ( 36.09 ft)	2 m ( 6.56 ft)
<b>Minimum Setback from Arterial Road</b>	15 m ( 49.21 ft)	10.6 m ( 34.78 ft)	4.4 m ( 14.44 ft)
<b>Maximum Height – Convenience Store&amp; Carwash</b>	5.25 m ( 17.22 ft)	5.8 m ( 19.03 ft)	0.55 m ( 1.80 ft)
<b>Maximum Height – Canopy</b>	5.25 m ( 17.22 ft)	5.35 m (17.55 ft)	0.10 m (0.33 ft)
<b>Minimum Sideyard setback - West</b>	7.5 m ( 24.61 ft)	2.8 m ( 9.19 ft)	4.7 m ( 15.42 ft)

**PRESENT DESIGNATION:**

Official Plan: “Regional Mixed Use Corridor” – Official Plan (2010)  
 Zoning Classification: “Yonge Street Centre (YSC) Zone”  
 Zoning By-law: By-law No. 42-02, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage: 30.0 metres (98.4 feet)  
 Minimum Lot Area: 0.2 hectares (0.49 acres)  
 Minimum Front Yard Setback: 9.0 metres (29.5 feet)  
 Minimum Setback to Arterial Road: 15.0 metres (49.2 feet)  
 Minimum Side Yard Setback: 7.5 metres (24.6 feet)  
 Minimum Rear Yard Setback: 7.5metres (24.6 feet)  
 Maximum Building Height: 5.25 metres (17.2 feet)  
 Maximum Driveway Width: 9.0 metres (29.5 feet)

**NOTE:** The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.

**SITE CONDITIONS:**

The subject land is located at the southwest corner of Silver Maple Road and Yonge Street. The subject property is current vacant.

**ADJACENT LAND CONDITIONS:**

North: Silver Maple Road  
South: vacant lands  
East: Yonge Street/residential  
West: vacant lands/residential

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

Staff note that variance #1 is to increase the maximum driveway width for both the east and west driveways to the site.

**By-Law Enforcement:** No response.

**Development Engineering:**

The Development Engineering Section has reviewed the application and comments that the application is premature due to revisions being requested to a related site plan application.

**Finance:** Not circulated.

**Parks:**

As per your request we have reviewed the drawings and have the following comments:

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning:** To follow.

**H.R.H.:** Not circulated.

**PowerStream Inc.:** No response.

**Enbridge Gas Distribution Inc.:** Not circulated.

**Bell Canada:** No response.

**York Region Transportation & Works Department:  
(Design & Construction Branch)** No response.

**York Region District School Board:** Not circulated.

**York Region Separate School Board:** Not circulated.

**T.R.C.A.:** No response.

**CN Rail:** Not circulated.

**TransCanada Pipeline:** Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands:** N/A

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following condition(s) is (are) recommended:

1. That the variances pertain only to the request as submitted with the application.
2. That development be substantially in accordance with the sketch submitted with the application.

**FOR THE FOLLOWING REASONS:**

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE STAFF REPORT**

**M**

**MINOR VARIANCE APPLICATION A045/12**

**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** JULIE & STEPHEN DOYLE  
**NAME OF AGENT:** ROBERT SEGARRA

*STATUTORY AUTHORITY: Section 45 of The Planning Act, 1990*

**THE PROPERTY:** Plan 240 Lot 98  
**209 Lakeland Crescent**  
 Town of Richmond Hill

**THE REQUEST:** To provide relief from the provisions of By-law 256-88, as amended, to permit a reduced rear yard setback and a reduced setback from the deck to the high water mark to accommodate the construction of a two storey single family dwelling. The existing dwelling is to be demolished.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Rear Yard Setback</b>	7.5 m ( 24.61 ft)	1.4 m ( 4.59 ft)	6.1 m ( 20.01 ft)
<b>Minimum Setback from High Water Mark</b>	10 m ( 32.81 ft)	7.72 m ( 25.33 ft)	2.28 m ( 7.48 ft)

**PRESENT DESIGNATION:**

Official Plan: "Neighbourhood", "Special Policy Area" and "Natural Core"  
 Zoning Classification: "Single Family Six" (R6)  
 Zoning By-law: By-law No. 256-88, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage (Corner): 17 m (55.77 ft)  
 Minimum Lot area (Corner): 569 m<sup>2</sup> (6124.67 ft<sup>2</sup>)  
 Minimum Front Yard Setback: 4.5 m (14.76 ft) or the established line of existing dwellings which are not more than 90 m (295.28 ft) apart  
 Minimum Interior Side Yard Setback: 1.4 m (4.59 ft)  
 Minimum Rear Yard Setback: 7.5 m (24.61 ft)  
 Maximum Lot Coverage: 40%  
 Maximum Height: 11 m (36.09 ft)

**NOTE: The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.**

**SITE CONDITIONS:**

- The subject lands are located on the east side of Lakeland Crescent, south of North Lake Road.
- The property currently supports a single detached dwelling proposed to be demolished and replaced with a two-storey single detached dwelling.

**ADJACENT LAND CONDITIONS:**

North: residential uses

South: residential uses

East: Lake Wilcox

West: Lakeland Crescent and residential uses

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED****Arborist:**

No response.

**Building Department/Zoning Section:**

The requested variances are correct.

**By-Law Enforcement:**

No response.

**Development Engineering:**

No concerns or objections.

**Finance:**

Not circulated.

**Parks:**

As per your request we have reviewed the drawings and have the following comments:

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning:**

The lands are partly designated “Neighbourhood” and “Natural Core”, and located within a “Special Policy Area” (SPA). The SPA policies recognize that the area existed historically within the floodplain and permits the development, redevelopment or rehabilitation of buildings or structures subject to site plan control. In this regard, the lands are subject to a Site Plan application (Town File No. D06-11071) to facilitate the development of a two-storey single detached dwelling. The applicant is in the process of addressing the Town and external agency comments pertaining to the proposed development, and has submitted a minor variance application with respect to the rear yard setback and setback to the high water mark.

The “Neighbourhood” designation permits the proposed low-rise residential development. The purpose of the “Natural Core” designation is to maintain, and where possible, improve or restore the ecological integrity of the natural features and functions of the key natural heritage features and key hydrological features. Staff notes that Lake Wilcox is a key hydrological feature. Staff has the following comments:

- the defined rear yard along the southerly lot line functions as a side yard. The lands maintain an useable private amenity area along the eastern portion of the lands where it abuts the shoreline of Lake Wilcox;
- the proposed development is compatible as it generally maintains the predominant building form and type, massing, landscaped areas and treatments and general pattern of yard setbacks;
- the proposed relief from the 10 metre setback to the high water mark pertains to the deck which is an open structure and not to the main building;
- through the site plan approval process, the applicant has proposed restorative planting along the Lake Wilcox shoreline in order to meet the objective of maintaining, improving and restoring Lake Wilcox. Staff will continue to work with the applicant to ensure that the proposed restorative planting is satisfactory; and,
- staff will continue to work with the applicant through the site plan approval process in order to ensure that the development meets the policies and objectives of the Natural Core and Special Policy Area designations.

On the basis of the above noted comments, staff considers the proposed variances to meet the intents of the Official Plan and Zoning By-law, and is considered minor and appropriate development for the subject lands. Staff would recommend that Committee of Adjustment approve the minor variance application.

<b>H.R.H.:</b>	Not circulated.
<b>PowerStream Inc.:</b>	No response.
<b>Enbridge Gas Distribution Inc.:</b>	Not circulated.
<b>Bell Canada:</b>	No response.
<b>York Region Transportation &amp; Works Department: (Design &amp; Construction Branch)</b>	No response.
<b>York Region District School Board:</b>	Not circulated.
<b>York Region Separate School Board:</b>	Not circulated.
<b>T.R.C.A.:</b>	No response.
<b>CN Rail:</b>	Not circulated.
<b>TransCanada Pipeline:</b>	Not circulated.

**Committee of Adjustment:**

This application was circulated to the commenting departments and agencies on May 18, 2012.

**Previous/ Concurrent Applications for the Subject Lands: N/A**

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following condition(s) is (are) recommended:

1. That the variances pertain only to the request as submitted with the application.
2. That development be substantially in accordance with the sketch submitted with the application.

**FOR THE FOLLOWING REASONS:**

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment



**TOWN OF RICHMOND HILL  
COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE STAFF REPORT**

**N**

**MINOR VARIANCE APPLICATION A046/12**

**DATE:** JUNE 14, 2012  
**NAME OF OWNER:** BIANCA & NELLO SANSONE  
**NAME OF AGENT:** FRANK ROTUNDO

*STATUTORY AUTHORITY: Section 45 of The Planning Act, 1990*

**THE PROPERTY:** Plan 216 Lot 20  
**27 Capelle Street**  
 Town of Richmond Hill

**THE REQUEST:** To provide relief from the provisions of By-law 256-88, as amended, to permit a reduced exterior side yard flankage to accommodate the construction of a two storey single family dwelling. Relief is also required to recognize the (existing) deficient lot frontage. The subject lands are currently vacant.

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Frontage</b>	17 m ( 55.77 ft)	15.24 m ( 50.00 ft)	1.76 m ( 5.77 ft)
<b>Minimum Flankage Setback</b>	3 m ( 9.84 ft)	1.7 m ( 5.58 ft)	1.3 m ( 4.26 ft)

**PRESENT DESIGNATION:**

Official Plan: "Neighbourhood"  
 Zoning Classification: "Single Family Six" (R6)  
 Zoning By-law: By-law No. 256-88, as amended

**ZONING PROVISIONS:**

Minimum Lot Frontage (Corner): 17 m (55.77 ft)  
 Minimum Lot area (Corner): 569 m<sup>2</sup> (6124.67 ft<sup>2</sup>)  
 Minimum Front Yard Setback: 4.5 m (14.76 ft) or the established line of existing dwellings which are not more than 90 m (295.28 ft) apart  
 Minimum Interior Side Yard Setback: 1.4 m (4.59 ft)  
 Minimum Rear Yard Setback: 7.5 m (24.61 ft)  
 Maximum Lot Coverage: 40%  
 Maximum Height: 11 m (36.09 ft)

**NOTE:** The above noted zoning provisions are only the general standards for this zone and are provided for the reference of the Members of the Committee of Adjustment. Full compliance with all applicable zoning standards is the responsibility of the landowner and must be ensured prior to the issuance of any building permits based upon the submission of a detailed full set of building plans.

**SITE CONDITIONS:**

- The subject lands are located on the southeast corner of Capelle Street and Moray Avenue.
- The property is currently vacant and a two-storey single detached dwelling is proposed.



**ADJACENT LAND CONDITIONS:**

North: Capelle Street and residential uses

South: residential uses

East: residential uses

West: Moray Avenue and residential uses

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Arborist:** No response.

**Building Department/Zoning Section:**

**By-Law Enforcement:** No response.

**Development Engineering:**

The Development Engineering Section has reviewed the application and comments the following:

**CONVEYANCE OF LANDS CONDITION**

That the Applicant convey to the Town, free of all costs, objects, structures, and encumbrances, the necessary road widening, determined by a legal survey, to establish:

A standard 4.5 metre x 4.5 metre daylighting triangle adjoining the subject property at the intersection of the existing rights-of-way being Moray Avenue and Capelle Street.

That the Applicant prepare and deposit a reference plan detailing the road widening and or the daylighting triangle, following the Town's review and acceptance of same. The applicant's surveyor must submit draft reference plans for Town review prior to deposition, to the attention of Mr. Michael Ayers, Grading Technologist, Development Engineering Division (905) 747-6426.

**REGISTERED PLANS**

That the applicant provide to the Engineering Department, to the attention of Mr. Michael Ayers, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**Finance:** Not circulated.

**Parks:**

As per your request we have reviewed the drawings and have the following comments:

1. The owner should note that they must comply with the Tree Preservation By-law No. 41-07 as it applies.
2. The owner should note that they must comply with the Street Tree Bylaw No. 40-07, as it relates to Town trees fronting the property
3. Any new lots will be subject to parkland dedication at the time of building permit.

**Planning:**

The lands are subject to a Site Plan application (Town File No. D06-11071) to facilitate the development of a two-storey single detached dwelling. The applicant is in the process of addressing comments from Town staff and external agency pertaining to the proposed development, and has submitted a minor variance application with respect to reduced lot frontage and reduced flankage yard setback. The "Neighbourhood" designation and the R6 zone under By-law No. 256-88 permits the proposed low-rise residential development. The proposed variances would meet the intents of the Official Plan and Zoning By-law. The proposed variances are considered minor and appropriate development for the subject lands on the following basis:

- the area is characterized by lots with varied frontages and the proposed lot frontage of 15 metres is generally compatible with other lots in the area;
- staff notes that the flankage yard setback of 1.7m pertains to the stairs and the main dwelling is setback 2.45m; and,
- the proposed development is generally in keeping with the predominant building forms, massing, landscaped areas, and general yard setbacks.

On the basis of the preceding, staff would recommend that Committee of Adjustment approve the minor variance application.

<b>H.R.H.:</b>	Not circulated.
<b>PowerStream Inc.:</b>	No objections.
<b>Enbridge Gas Distribution Inc.:</b>	Not circulated.
<b>Bell Canada:</b>	No response.
<b>York Region Transportation &amp; Works Department: (Design &amp; Construction Branch)</b>	No response.
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**Committee of Adjustment:**

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**Previous/ Concurrent Applications for the Subject Lands: N/A**

**RECOMMENDATION:**

Should the Committee find it appropriate to approve this application, the following condition(s) is (are) recommended:

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2. That development be substantially in accordance with the sketch submitted with the application.
3. **CONVEYANCE OF LANDS CONDITION**  
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4. **REGISTERED PLANS**  
That the applicant provide to the Engineering Department, to the attention of Mr. Michael Ayers, three white prints of the deposited plan of reference which outlines the necessary requirements of all Engineering conditions.

**FOR THE FOLLOWING REASONS:**

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
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Linda Gavey, ACST  
Secretary-Treasurer  
Committee of Adjustment

