



Staff Report for Council Public Meeting

Date of Meeting: June 19, 2019

Report Number: SRPRS.19.112

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.19.112- Request for Comments- Zoning By-law Amendment Application – Roman Catholic Episcopal Corporation for the Diocese of Toronto in Canada – City File D02-19006 (Related City File D01-18002)**

Owner:

Roman Catholic Episcopal Corporation for the Diocese of Toronto in Canada
1155 Yonge Street
Toronto, Ontario
M4T 1W2

Agent:

Evans Planning Inc.
8481 Keele Street, Unit 12
Vaughan, Ontario
L4K 1Z7

Location:

Legal Description: Part of Lots 1 to 3, Plan 136
Municipal Addresses: 83 and 97 King Road

Purpose:

A request for comments concerning a Zoning By-law Amendment application to permit the expansion of an existing Place of Worship on the subject lands.

Recommendation:

- a) **That Staff Report SRPRS.19.112 with respect to the Zoning By-law Amendment application submitted by the Roman Catholic Episcopal Corporation for the Diocese of Toronto in Canada for lands known as Part of Lots 1 to 3, Plan 136 (Municipal Addresses: 83 and 97 King Road), City File D02-19006, be received for information purposes only and that all comments be referred back to staff.**

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Contact Person:

Jeff Healey, Senior Planner- Subdivisions, phone number 905-747-6452 and/or
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

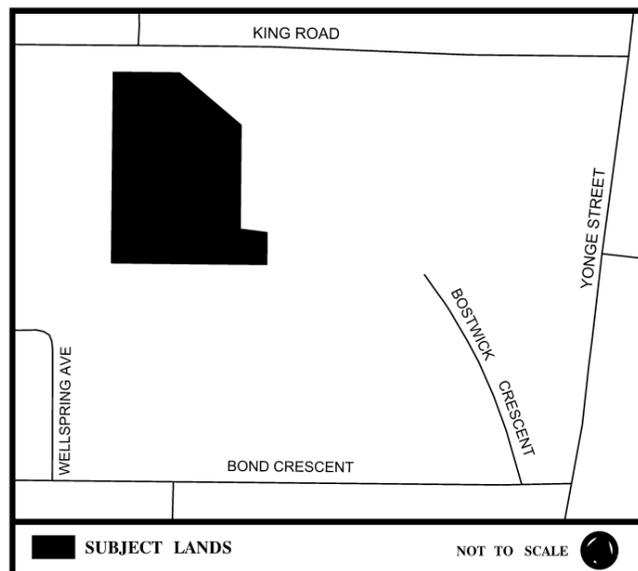
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner and City Manager. Details of the reports approval are attached.

Location Map:

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



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Background Information:

A related Official Plan Amendment application was previously received by the City on May 23, 2018 and deemed complete on May 31, 2018, after Bill 139 received Royal Assent on December 12, 2017. A Council Public Meeting was held on March 20, 2019 regarding the application. No public comments were received at this meeting (refer to Appendix “A”).

The subject Zoning By-law Amendment application was received by the City and deemed complete on April 30, 2019. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

It is noted that the Council Public Meeting notice indicated the proposed zoning as “Institutional Two (I2) Zone under By-law 434-88, as amended”, however the applicant has proposed to rezone the subject lands to “Institutional One (I1) Zone and Flood (F) Zone under By-law 313-96, as amended”.

The purpose of this report is to seek comments from Council and the public with respect to the subject application, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands consist of two properties located on the south side of King Road, approximately 250 metres (820.21 feet) west of Yonge Street and have a total combined lot area of 0.994 hectares (2.456 acres) (refer to Maps 1 and 2). 97 King Road supports the existing Our Lady of the Annunciation Parish Church and associated parish office, a rectory with associated detached garage and a single detached dwelling. 83 King Road currently supports a 1 ½ storey residential dwelling and a parking lot that is used by the abutting church. The existing single detached dwellings on both properties are proposed to be demolished to facilitate the subject proposal; however, the existing church, parish office, and rectory buildings are proposed to remain. The subject lands abut King Road and a Provincially Significant Wetland to the north, commercial uses and a stormwater pond to the east, institutional uses to the south and commercial uses to the west.

Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to facilitate the construction of a 1,343.4 square metre (14,460.23 square feet) expansion to the existing place of worship located on its land holdings (refer to Map 5). The development proposal also consists of an expansion to the existing parking area, which will include a vehicular laneway around the front of the place of worship and two access points onto King Road. The following is a summary table outlining the pertinent

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statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.994 hectares (2.456 acres)
- **Gross Floor Area:** 2,596 square metres (27,943.11 square feet)
- **Building Height:** 13.5 metres (1 storey)
- **Total Lot Coverage:** 27.8%
- **Total Parking Spaces** 159 spaces
 - **Parking Spaces:** 152 spaces
 - **Barrier Free Parking Spaces** 7 spaces

At the time of writing this report, the applicant had not submitted a Site Plan application for the subject lands.

Supporting Documentation/Reports

The applicant has submitted the following documents/information to the City in support of the proposed Zoning By-law Amendment application:

- Planning Justification Report Addendum;
- Draft Zoning By-law Amendment;
- Site Plan;
- Survey;
- Floodplain Mapping Update;
- Transportation Study;
- Phase One Environmental Site Assessment; and,
- Tree Inventory Plan

Zoning By-law Amendment Application

83 King Road is zoned **General Commercial Two (GC2) Zone** and **Flood (F) Zone** under By-law 434-88, as amended (refer to Map 3). The **GC2 Zone** permits clinics restaurants, financial institutions offices, personal service shops, day nurseries, dry cleaning establishments, health centres, hotels and motels and sales and service, rental and repair of automobiles. The use and form of development as proposed by the subject application is not permitted under the **GC2** or **F Zones**. Accordingly, the applicant is proposing to rezone the lands to **Institutional One (I1) Zone** under By-law 313-96 as amended and is seeking to adjust the limits of the **Flood (F) Zone** to reflect the updated limits of the existing floodplain on the lands.

97 King Road is zoned **Institutional Two (I2) Zone** and **Flood (F) Zone** also under By-law 434-88, as amended (refer to Map 3). The **I2 Zone** permits a place of worship, among other uses therefore the proposed expansion of the place of worship is consistent with the existing zoning provisions. Notwithstanding that the use is permitted under the current zone category, the applicant wishes to rezone the lands to **Institutional One (I1) Zone** and **Flood (F) Zone** under By-law 313-96, as amended

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with site-specific development standards and adjustments to the limits of the floodplain in order to facilitate the subject proposal. It is noted that Zoning By-laws 434-88 and 313-96, as amended, pre-date the adoption and approval of the City's Official Plan.

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Oak Ridges Local Centre, Neighbourhood** and **Natural Core** on Schedule-A2 (Land Use) to the City of Richmond Hill Official Plan (the Plan) (see Map 4). The lands are also located within the **Lake Wilcox Special Policy Area**.

The majority of the property is designated **Oak Ridges Local Centre**, which is envisioned as a low-rise, pedestrian-oriented, human-scaled, mixed-use centre serving the Oak Ridges Community. It is the intent of the Plan that the identity of Oak Ridges be enhanced, taking an environment-first approach through innovative landscape, built form and environmental design.

The northwest portion of the lands is designated **Neighbourhood**. The **Neighbourhood** designation is generally characterized by low density residential areas and a range of service uses and facilities including neighbourhood commercial plazas community uses, parks and urban open spaces. The existing place of worship is consistent with a **Community Use**, as identified within Sections 4.1.1.3 and 4.1.1.7 of the Plan and is permitted within both the **Oak Ridges Local Centre** and **Neighbourhood** designations.

A small portion of the of the subject lands located at the northern limit of the property is designated **Natural Core**. The **Natural Core** designation is intended to maintain, improve and restore the ecological integrity of natural features outside the central corridor of the Oak Ridges Moraine. Accordingly, the **Natural Core** designation permits fish, wildlife and forest management, conservation projects and flood and erosion control projects other than stormwater management works, essential transportation, infrastructure, low-intensity recreational uses, unserviced parks and uses accessory thereto. Further to the above, a portion of the property is located within an existing floodplain and its associated buffer. Therefore, **Natural Hazard** policies apply to the lands. **Natural Hazards** such as flooding, erosion and slope failures pose a risk to human health and safety, as well as to property. As a matter of public safety it is important to reduce the potential risks and costs associated with natural hazards by ensuring that development is directed away from these areas. Accordingly, development and site alteration is prohibited within the floodplain subject to Conservation Authority regulations and the natural hazard policies of the *PPS*. The Plan requires that a minimum protection zone of 10 metres (32.80 feet) be provided from the outer limits of hazardous lands or such greater distance as may be determined through appropriate environmental studies. The Plan includes policies in which the City will seek dedication of key natural heritage features and their associated minimum protection

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zones through the development approval process to an appropriate public authority. It is noted that a **Special Policy Area** may permit development but must be planned and designed in order to minimize flooding impacts.

The subject lands are also located within the **Lake Wilcox Special Policy Area**. Lands located within **Special Policy Areas** have historically existed in the floodplain. It is recognized that a strict adherence to the *PPS* may limit opportunities for development within the community, therefore this area is subject to a separate set of policies to allow for development subject to certain regulations. Development may occur within a **Special Policy Area** subject to Site Plan control with the implementation of appropriate flood measures to the satisfaction of the City and the TRCA.

In June 2017, Council approved amendments to the **Lake Wilcox Special Policy Area** to address changes to the floodplain. Included within the changes was the removal of the King Road Special Policy Area sub-area from the **Lake Wilcox Special Policy Area**. It is noted that the subject lands are located within the King Road sub-area proposed to be removed. At the time of writing of this report, the approved amendments to the **Lake Wilcox Special Policy Area** were under review by the Province of Ontario. Until such time that the Province issues approval, the **Lake Wilcox Special Policy Area** remains in effect. Should the Special Policy Area be removed, the **Natural Hazard** policies of the Plan shall apply.

The subject lands are also situated within the **Settlement Area** of the Oak Ridges Moraine, as defined in the ORMCP. In accordance with Section 3.2.1.1(18) of the Plan, all uses which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area** and permitted uses shall be subject to the requirements of Sections 19(3) and 31(4) of the ORMCP.

Existing Zoning

As noted previously, 83 King Road is zoned **General Commercial Two (GC2) Zone** and **Flood (F) Zone** and 97 King Road is zoned **Institutional Two (I2) Zone** and **Flood (F) Zone** both under By-law 434-88, as amended (refer to Map 3). The subject lands are split zoned due to their proximity to natural features and past acquisition of additional lands. The subject Zoning By-law Amendment application proposes to rezone a portion of the lands to **Institutional One (I1) Zone** under By-law 313-96, as amended, to facilitate the subject proposal to address site specific characteristics on the property and to update the limits of the **Flood (F) Zone**. Outlined below is a comparison of the proposed development standards relative to those of the associated parent zone category, with the requested exceptions in bold:

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Development Standard	I2 Zone Standards, By-law 434-88, as amended	I1 Zone Standards, By-law 313-96, as amended	Proposed I1 Zone Standards
Minimum Lot Frontage	30.0 metres (98.42 feet)	60.0 metres (196.85 feet)	42.0 metres (137.79 feet)
Minimum Lot Area	N/A	2.0 ha (4.94 acres)	0.9 ha (2.22 acres)
Maximum Building Height	11.0 metres (36.08feet)	13.0 metres (42.65 feet)	13.5 metres (44.29 feet)
Minimum Required Front Yard	12.0 metres (39.37 feet)	12.0 metres (39.37 feet)	Complies
Minimum Required Interior Yard	6.0 metres (19.68 feet)	6.0 metres (19.68 feet)	Complies
Minimum Required Exterior Yard	6.0 metres (19.68 feet)	6.0 metres (19.68 feet)	Complies
Minimum Required Rear Yard	12.0 metres (39.37 feet)	12.0 metres (39.37 feet)	Complies
Accessory Structures	N/A	Unless specifically permitted by this by-law, no accessory building or structure shall be used for an occupation for gain or profit or for human habitation	-Parish Office with a GFA of 55.0 square metres (592.01 square feet) -Parish Rectory with a GFA of 170.0 square metres (1830.0 square feet)
Maximum floor area of a detached garage	N/A	40.0 square metres (430.55 square feet)	-Rectory Garage with a GFA of 60.0 square metres (646 square feet)
Maximum Building Height of Accessory Buildings	N/A	4.5 metres (14.76 feet)	8.0 metres (26.25 feet)
Minimum Landscaping Strip Abutting a Street	N/A	6.0 metres (19.68 feet)	3.0 metres (9.84 feet)
Minimum Parking Standards	6.4 spaces per 100 square metres of GFA	6.4 spaces per 100 square metres of GFA or 1 parking space per 2.4 seats of maximum seating capacity, whichever is greater	159 Spaces

Development Standard	F Zone Standards, By-law 434-88, as amended	F Zone Standards, By-law 313-96, as amended	Proposed F Zone Standards
Flood Zone Provisions	Buildings and Structures shall not be permitted except where they are intended for flood and erosion control.	Buildings and Structures shall not be permitted except where they are intended for flood and erosion control.	Parking and Driveways are permitted within the Flood (F) Zone

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Department and External Agency Comments:

The subject Zoning By-law Amendment application and associated background studies and reports submitted in support of same have been circulated to various City departments and external agencies for their review and comment. The following is a summary of the comments received as of the time of writing of this report.

Development Planning Division

In consideration of the policies of the Plan which are relevant to the consideration of the proposed development, staff provides the following preliminary comments:

- the proposed zoning should reflect an **Institutional Two (I2) Zone** category as per By-law 434-88, as amended;
- portions of the proposed development are located within the floodplain. In this regard, the applicant shall consider limiting as much of the proposed new development outside of the floodplain, including parking and driveways to the greatest extent possible, to the satisfaction of City staff and the TRCA;
- the applicant must demonstrate that safe access to the site can be provided utilizing existing entrances, otherwise an alternate location for safe access will be required. City staff and TRCA are concerned that in the event of severe flooding vehicular/emergency access to the subject lands may be impacted;
- the applicant shall consider the implementation of a vertical freeboard to address floodplain mitigation in certain locations of the site/building to the satisfaction of Parks and Natural Heritage Planning staff and the TRCA;
- the applicant shall provide a parking rate and, as required, a supply justification for the proposed parking for the subject lands;
- the City's Development Engineering Division, in conjunction with the Region of York will need to evaluate the feasibility of the northeast vehicular access point to the lands;
- the applicant shall explore the relocation of the proposed storage and air conditioning unit to accommodate for the rear addition, accessibility ramp and additional parking; and,
- a Site Plan application will be required to facilitate the proposed development. The applicant is encouraged to submit an application for Site Plan Approval prior to finalization of the Zoning By-law;

Other City Department and External Agency Comments

Comments have been received from Fire and Emergency Services, Enbridge Gas, and Alectra Utilities. Further comments will be provided by City Departments and Public Agencies upon submission of future Site Plan applications.

Outstanding City Department and External Agency Comments

As of the writing of this report, comments remain outstanding from the City's Development Engineering Division, Park and Natural Heritage Planning Section, Urban

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Design Section, Financial Services, the Regional Municipality of York, Community Services, Building Services Zoning Section, Toronto and Region Conservation Authority, Bell Canada, Rogers Cable, the York Catholic District School Board and the York Region District School Board.

Interim Growth Management Strategy

Council has approved and implemented a comprehensive strategy comprised of eight growth management eligibility criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The criteria are as follows:

1. *Providing community benefits and completion of required key infrastructure.*
2. *Developments that have a mix of uses to provide for live-work relationships.*
3. *Developments that enhance the vitality of the Downtown Core.*
4. *Higher-order transit supportive development.*
5. *Developments that represent sustainable and innovative community and building design.*
6. *Completion of communities.*
7. *Small scale infill development.*
8. *Opportunities to provide affordable housing.*

The applicant will be required to submit a Sustainability Performance Metrics Tool as part of a future Site Plan application. However it should be noted that the proposed expansion will not require additional servicing allocation.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The recommendation of this report does not have any direct implications with respect to the City's Strategic Plan. An overview of how the subject applications are aligned with the Strategic Plan will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicant's development proposal.

Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment application to facilitate the expansion of the existing place of worship located on its land holdings. The purpose of this report is to provide Council and the public with an overview of the applicant's development proposal, and to discuss the regulatory framework governing the evaluation of these planning applications. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration.

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Appendix Contents and Maps:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format, please call contact person listed in this document.

- Appendix A, Extract from Council Public Meeting C#12-19 held on March 20, 2019
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Zoning Map
- Map 4 Official Plan Designation
- Map 5 Proposed Site Plan

Report Approval Details

Document Title:	SRPRS.19.112 - Request for Comments- Zoning By-law Amendment - 83-97 King Road.docx
Attachments:	- SRPRS.19.112 Appendix A.pdf - SRPRS.19.112 MAP_1_AERIAL_PHOTOGRAPH.pdf - SRPRS.19.112 MAP_2_NEIGHBOURHOOD_CONTEXT_S219006.pdf - SRPRS.19.112 MAP_3_ZONING_MAP_S219006.pdf - SRPRS.19.112 MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf - SRPRS.19.112 MAP_5_PROPOSED_SITE_PLAN.pdf
Final Approval Date:	Jun 7, 2019

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

Gus Galanis - Jun 5, 2019 - 11:43 AM

Kelvin Kwan - Jun 5, 2019 - 3:47 PM

Neil Garbe - Jun 7, 2019 - 11:38 AM