



Staff Report for Committee of the Whole Meeting

Date of Meeting: May 21, 2019
Report Number: SRPRS.19.065

Department: Planning and Regulatory Services
Division: Development Planning

Subject: **SRPRS.19.065 – Request for Approval – Zoning By-law Amendment Application – Aralansa Inc. – City File D02-15021**

Owner:

Aralansa Inc.
9993 Yonge Street
Richmond Hill, Ontario
L4C 1T9

Agent:

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

Location:

Legal Description: Part of Lot 55, Concession 1, E.Y.S.
Municipal Address: 0 Yonge Street

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the construction of a three storey commercial building on the subject lands.

Recommendations:

- a) **That the Zoning By-law Amendment application submitted by Aralansa Inc. for the lands known as Part of Lot 55, Concession 1, E.Y.S. (Municipal Address: 0 Yonge Street), City File D02-15021, be approved, subject to the following:**
 - (i) **That the subject lands be rezoned from Residential Single Family Two (R2) Zone and Residential Single Family Four (R4) Zone under By-law 184-87, as amended, to Neighbourhood Commercial (NC) Zone under By-law 184-87, as amended, and that the amending Zoning By-law**

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establish site specific development standards as outlined in Staff Report SRPRS.19.065;

- (ii) That the amending Zoning By-law be brought forward to a regular Council meeting for consideration and enactment; and,**
- (iii) That prior to forwarding the amending Zoning By-law to Council for enactment, the applicant pay the applicable processing fee in accordance with the City's Tariff of Fees By-law.**

Contact Person:

Simone Fiore, Planner II – Subdivisions, phone number 905-771-2479 and/or
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

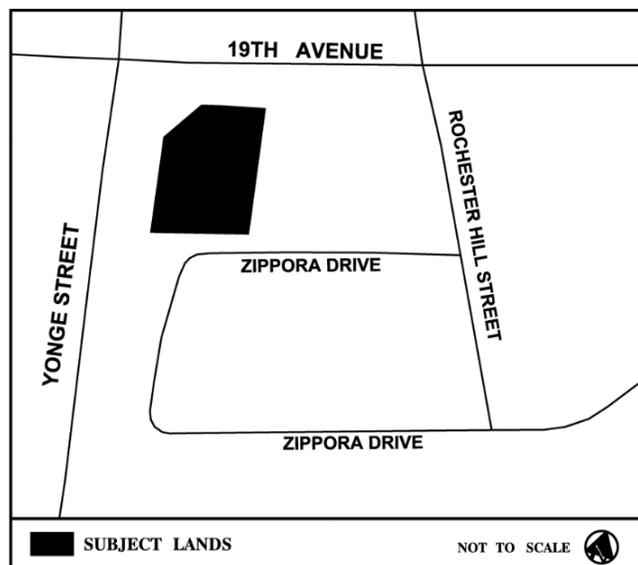
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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 the contact person listed under "Contact Person" above.



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Background:

The applicant has submitted a Zoning By-law Amendment application with respect to its proposal to permit the construction of a three storey commercial building on its land holdings. The application was considered at a statutory Council Public Meeting on January 20, 2016 (refer to Appendix A). Concerns were raised by Council and members of the public with respect to the applicant's proposal pertaining to the potential traffic and noise generation of the proposed commercial uses as well as the proposed parking supply. These matters are addressed in greater detail in the later sections of this report.

All comments from internal departments and external agencies pertaining to the subject proposal have been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council's approval of the applicant's Zoning By-law Amendment application.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the southeast corner of Yonge Street and 19th Avenue and have a lot area of 0.25 hectares (0.62 acres). The lands are vacant and abut 19th Avenue to the north, low rise residential uses to the east, Zippora Drive to the south and Yonge Street to the west (refer to Maps 1 and 2).

Development Proposal

The applicant is seeking Council's approval to rezone the subject lands from **Residential Single Family Two (R2) Zone** and **Residential Single Family Four (R4) Zone** under By-law 184-87, as amended, to **Neighbourhood Commercial (NC) Zone** under By-law 184-87, as amended to facilitate the construction of a three storey commercial building on its land holdings (refer to Maps 5 and 6).

The applicant made resubmissions to the City in February 2018 and again in September 2018 in response to comments received from the public and technical comments received from City staff and Council arising from their original application submission in June 2015. One of the key revisions to the proposal included the elimination of the pedestrian connection to Zippora Court. The following is a summary table outlining the pertinent statistics of the applicant's revised development proposal based on the plans and drawings submitted to the City:

- **Lot Area:** 0.248 hectares (0.613 acres)
- **Lot Frontage:** 29.71 metres (97.47 feet)
- **Gross Floor Area:** 2,487.9 square metres (26,779.53 square feet)
- **Building Height:** 14.33 metres (47.01 feet)
- **Number of Storeys:** 3
- **Number of Parking Spaces:** 104 parking spaces (including 6 barrier free spaces)
- **Lot Coverage:** 36.8%
- **FSI:** 1.0

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Planning Analysis:

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the City’s Official Plan (the “Plan”) (refer to Map 3). Uses permitted within the **Neighbourhood** designation include low and medium density residential uses, neighbourhood commercial uses, community uses, parks and urban open spaces and automotive service uses. In accordance with Section 4.9.2 of the Plan, development shall be compatible with the character of the adjacent/surrounding area with respect to the predominant building forms and types, massing, general pattern of street, blocks, lots and lanes, landscaped areas and treatments, and the general pattern of yard setbacks. Development within the **Neighbourhood** designation shall have a maximum building height of three storeys, except on an arterial street where the maximum building height can be four storeys. Further, Policy 4.9.1.3 (5) of the Plan indicates that development of new neighbourhood commercial sites not shown on Appendix 7 (Existing Neighbourhood Commercial Sites) may be permitted only where:

- the lands have frontage on an arterial street at the intersection of an arterial street or a collector street;
- there is a need for the proposed use as demonstrated through a Commercial Needs Study and the proposed development does not exceed a maximum gross leasable floor area (GLA) of 5,575 square metres (60,000 square feet);
- the maximum site density shall be 1.0 FSI;
- the proposed development has a maximum of one supermarket or one anchor tenant and no department stores;
- there is no outdoor storage of materials and/or goods; and,
- the proposed development provides adequate on-site parking, access and circulation.

The proposed development conforms with the applicable **Neighbourhood** designation policies of the Plan, including the locational criteria for new commercial sites, maximum height, maximum density and maximum GLA. Further, the applicant submitted a Commercial Needs Study which was peer reviewed by Kircher Research Associates Ltd. (“Kircher”) on behalf of the City. Kircher concluded that the proposed development would not create any measurable competitive impact on existing commercial development in the surrounding area. In addition, the proposed development provides adequate on-site parking, access and circulation to support the proposed development.

Given the above, Planning staff is of the opinion that the subject Zoning By-law Amendment application conforms to the Plan.

Zoning By-law Amendment Application

The subject lands are zoned **Residential Single Family Two (R2) Zone** and **Residential Single Family Four (R4) Zone** under By-law 184-87, as amended (refer to Map 4). These zone categories generally permit single detached dwellings, with associated uses such as home occupations or a private home daycare. However, they do not permit the proposed commercial building. Accordingly, the applicant is seeking Council’s approval to rezone the subject lands to **Neighbourhood Commercial (NC)**

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Zone under By-law 184-87, as amended, with site specific development standards to facilitate the proposed development. In addition, the applicant is seeking to permit a clinic and a medical office as additional permitted uses.

The following table provides a summary of the applicable development standards within the **NC Zone** under By-law 184-87, as amended, including site specific provisions proposed by the applicant. Please refer to Appendix B for a complete list of the applicant’s site specific provisions.

Development Standard	NC Zone Standards, By-law 184-87, as amended	Proposed Development Standards
Minimum Lot Frontage	30 metres (98.43 feet)	29.71 metres (97.47 feet)
Minimum Lot Area	0.4 hectares (0.99 acres)	0.248 hectares (0.613 acres)
Minimum Front Yard	15 metres (49.21 feet)	3.09 metres (10.14 feet)
Minimum Side Yard	6 metres (19.69 feet)	6 metres (19.69 feet)
Minimum Flankage Yard	6 metres (19.69 feet)	2.1 metres (6.89 feet)
Minimum Rear Yard	12 metres (39.37 feet)	7.85 metres (25.75 feet)
Maximum Building Height	7.5 metres (24.61 feet)	14.33 metres (47.01 feet)

Planning staff has reviewed the applicant’s Zoning By-law Amendment application and find that the proposal to rezone the subject lands to **Neighbourhood Commercial (NC) Zone** under By-law 184-87, as amended, is considered appropriate. The proposed clinic and a medical office uses are compatible with the existing uses permitted under the **NC Zone** and the surrounding land uses. Furthermore, Planning staff can advise that the proposed site-specific development standards are contextually appropriate in consideration of the overall design of the development proposal.

Accordingly, staff are of the opinion that the development as proposed constitutes proper and orderly planning. On the basis of the preceding, it is recommended that the applicant’s Zoning By-law Amendment application be approved.

Public Meeting Comments:

As noted previously, concerns were raised at the Council Public Meeting held on January 20, 2016 regarding the subject application wherein a number of residents appeared and provided comments. These comments are outlined below along with staff’s responses as follows:

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- **Increased traffic and noise**

The City's Development Engineering staff has reviewed the applicant's Traffic Impact Statement and Noise Feasibility Study in support of its Zoning By-law Amendment application and has advised that they have no objections with the proposed development as it is not expected to generate adverse traffic or noise impacts. In this regard, the proposed parking supply of 104 spaces is considered acceptable. Further, it is important to note that the draft amending by-law limits medical office uses to the lesser of 58.8% of total gross floor area or a maximum of 1,462.9 square metres (15,746.52 square feet) in order to ensure that adequate parking is provided on the site (refer to Appendix B).

- **Pedestrian connection to Zippora Court**

The applicant has revised its development proposal to eliminate the proposed pedestrian connection to Zippora Court. Staff will continue to work with the applicant through the Site Plan approval process to ensure that appropriate landscaping is provided to ensure that there is no access to the subject lands from Zippora Court.

City Department and External Agency Comments:

Development Planning Division

Planning staff has carefully reviewed the applicant's development proposal and is of the opinion that it has appropriate regard for and is consistent with the broader policy direction for this part of the City as outlined in the Plan. On this basis, it is recommended that the Zoning By-law Amendment application be approved for the following reasons:

- the proposed development is consistent with the applicable **Neighbourhood** designation policies of the Plan, with respect to the locational criteria for new commercial sites, maximum height, maximum density and maximum gross leasable area;
- the applicant has satisfactorily addressed the issues raised by Council and the public at the statutory Council Public Meeting held in consideration of the proposed development;
- no adverse competitive impact is expected as a result of the subject development proposal as confirmed by the peer reviewed Commercial Needs Assessment submitted by the applicant;
- the **Neighbourhood Commercial (NC) Zone** under By-law 184-87, as amended, with the site specific development standards as outlined in this report, are considered appropriate to facilitate the development proposal;
- circulated City departments and external agencies have no further concerns or comments regarding the subject Zoning By-law Amendment application; and,
- a future Site Plan application will be required to facilitate the proposed development.

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Relationship to the Strategic Plan:

The applicant's development proposal would align with **Goal Two - Better Choice in Richmond Hill**, in that the proposed Zoning By-law Amendment would contribute to ensuring better commercial use choices are available for residents of Richmond Hill and by providing better options for working and doing business in Richmond Hill. The proposal would further align with **Goal Four - Wise Management of Resources in Richmond Hill** - by creating increased opportunities for live/work balance within the Town and by using land responsibly and utilizing existing infrastructures.

Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment application to facilitate the construction of a three (3) storey commercial building on its land holding. The applicant has satisfactorily addressed the comments raised during the circulation of the proposal. Further, the development proposal is consistent with the policy direction of the Plan. Accordingly, staff are of the opinion that the proposed development is appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application in accordance with the recommendations outlined in this report.

Attachments:

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

- Appendix A, Extract from Council Public Meeting C #01-16 held January 20, 2016
- Appendix B, Draft Zoning By-law Amendment
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Official Plan Designation
- Map 4 Existing Zoning
- Map 5 Proposed Site Plan
- Map 6 Proposed Elevation Plan

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Report Approval Details

Document Title:	SRPRS.19.065 - Request for Approval - Zoning By-law Amendment - 0 Yonge Street.docx
Attachments:	<ul style="list-style-type: none">- Appendix A, Extract from CPM C01-16.pdf- Appendix B, Draft Zoning By-law.pdf- 2_15021A.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S215021A_19.065.pdf- MAP_3_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_4_EXISTING_ZONING_S215021A_19.065.pdf- MAP_5_PROPOSED_SITE_PLAN.pdf- MAP_6_PROPOSED_ELEVATION_PLAN.pdf
Final Approval Date:	May 8, 2019

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

Gus Galanis - May 8, 2019 - 3:07 PM

Kelvin Kwan - May 8, 2019 - 3:23 PM

Neil Garbe - May 8, 2019 - 3:41 PM