



Staff Report for Council Public Meeting

Date of Meeting: June 29, 2020

Report Number: SRPRS.20.099

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.20.099 - Request for Comments –
Official Plan Amendment Application – JPD
Properties Inc. & JPD Properties Rivermede Inc.
City File D01-20007**

Owner:

JPD Properties Inc. and JPD Properties Rivermede Inc.
7 Sir Williams Lane
Etobicoke, Ontario
M9A 1T8

Agent:

Richmond Hill Honda
77 16th Avenue, Richmond Hill, ON
L4C 7A5

Agent:

Malone Given Parsons
140 Renfrew Drive, Suite 201
Markham ON
L3R 6B3

Location:

Legal Description: Part of Block 3, Plan 65M-4146 (Parts 5-20, 65R-37982)
Municipal Address: 0 Ultimate Drive

Purpose:

A request for comments concerning a proposed Official Plan Amendment application to permit an automobile sales establishment on the subject lands.

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Recommendation:

- a) That Staff Report SRPRS.20.099 with respect to the Official Plan Amendment application submitted by JPD Properties Inc. & JPD Properties Rivermede Inc. for the lands known as Block 9, Plan 65M-4146 (Municipal Address: 0 Ultimate Drive), City File D01-20007, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Doris Cheng, Senior Planner – Site Plans, phone number 905-771-5563 and/or Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542.

Report Approval:

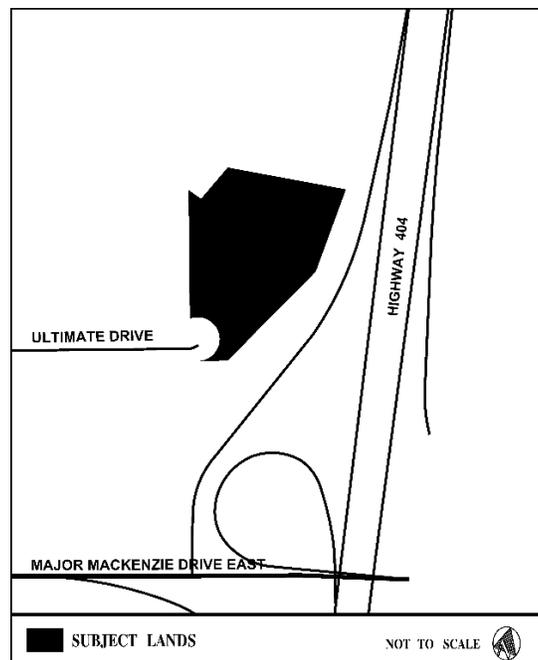
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Mary-Anne Dempster, Interim 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:

The subject Official Plan Amendment (OPA) application was received by the City and deemed complete on May 20, 2020. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

At the Council meeting of February 26, 2020, Council considered Staff Report, SRPRS.20.003 entitled “*York Region’s Municipal Comprehensive Review (Part 1): Requests for Employment Area Conversions*”. The staff report outlined the Regional Municipal Comprehensive Review (MCR) Process currently underway to respond to evolving employment land trends within the Region as well as emerging policy changes to be considered as part of the update to York Region’s Official Plan (the “ROP”). The report considered a number of employment land conversion requests received by the City and the Region among which was Richmond Hill Honda’s request to permit automobile dealerships in the City’s **Employment Area**. Council adopted the staff recommendation that the Region consider SRPRS.20.003 as local municipal input into the MCR and the employment land conversion evaluation process. As part of the recommendation, City Council advised the Region of their support to permit automobile dealerships in employment land areas; however through this staff recommendation, rather than facilitating the request through an employment lands conversion, staff were directed to work with the applicant to facilitate their request through the best available alternative means (refer to Appendix A).

To facilitate the above recommendations of Council and explore alternative means, City staff is undertaking a municipally initiated Official Plan Amendment (OPA 18.1) as outlined in Staff Report SRPRS.20.097 to expand the list of permitted uses to include automobile sales, repair and service within **Employment Area** designations. This report is to be considered at a Special Council Meeting to be held on June 29, 2020. With respect to public consultation and the adoption of an Official Plan and all municipally initiated amendments, the applicable sections of the *Planning Act* require Council to hold at least one Public Open House in advance of a Public Meeting. In accordance with these provisions, the Public Open House is scheduled on June 22, 2020, and following the Open House, the above noted Special Council Meeting will be held on June 29, 2020 to receive comments on the proposed amendments to the municipally initiated OPA 18.1.

Furthermore, Richmond Hill Honda has submitted an OPA application to permit a site specific exception for the lands municipally known as 0 Ultimate Drive within the City’s **Employment Area** lands located in the Barker Business Park. This application is to be considered in advance of the MCR process and concurrently with the municipally initiated OPA.

The purpose of this report is to seek comments from Council and the public with respect to the applicant’s site specific development proposal, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

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Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on a private driveway which extends north of the easterly termination of Ultimate Drive. Ultimate Drive is located north of Major Mackenzie Drive East and east of Leslie Street within the City's Barker Business Park (refer to Map 1). The lands are vacant with the exception of a temporary stormwater management pond.

The lands abut a natural heritage system containing a tributary of the Rouge River Watershed to the north and west of the site, the York Region Southeast District Road Maintenance Facility and Highway 404 interchange and Major Mackenzie Drive to the south, Highway 404 to the east, and vacant employment lands to the west.

Development Proposal

The applicant is seeking Council's approval of its OPA application to permit a two-storey automobile dealership, comprised of motor vehicle sales, a showroom, office space and service repair facilities on the subject lands (refer to Map 5).

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

- **Total Lot Area:** 1.69 hectares (4.18 acres)
- **Total Lot Frontage:** 73 metres (239.5 feet)
- **Total GFA** 3,720 square metres (40,000 square feet)
- **Building Height** 2 storeys
- **Total Parking Spaces** 220

The applicant's proposal contemplates vehicular access from the municipal right-of-way of Ultimate Drive and from the private extension of Ultimate Drive through the property. The main entrance of the building is oriented onto the private driveway north of Ultimate Drive, with loading and service areas located at the rear of the building.

At the time of preparation of this report, associated Zoning By-law Amendment and Site Plan applications had not been submitted in support of the subject OPA application.

Supporting Documentation/Reports

The applicant has submitted the following documents/information to the City in support of the proposed development:

- Planning Justification Report;
- Draft Official Plan Amendment;
- Plan of Survey; and,
- Conceptual Site Plan.

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Official Plan Amendment Application

The subject lands are designated **Employment Area** on Schedule “A2: - Land Use” of the City’s Official Plan (the ‘Plan’) (refer to Map 3), and are located in the City’s Barker Business Park. Permitted uses within the **Employment Area** designation includes a range of high performance industrial and office uses, including high-tech industries, knowledge-based businesses, manufacturing plants, corporate headquarters and research and development facilities. Within the **Employment Area, Policy 4.8.1** of the Plan permits secondary uses provided the use is secondary to and integrated with the primary use. This includes accessory retail uses (up to 15% of the GFA) with limited sales of goods which have been manufactured on the premises, day nurseries, and ancillary commercial uses to serve the primary use.

Given that the **Employment Area policies** do not permit retail and commercial uses as the primary use as proposed by the subject application, the applicant has submitted a site specific OPA application to permit an automobile dealership consisting of retail, commercial and ancillary uses within the **Employment Area** designation.

Planning Analysis:

Staff has undertaken a preliminary review of the applicant’s development proposal based on the policy framework contained within the *Provincial Policy Statement (2020)* (the “PPS”), the *Growth Plan for the Greater Golden Horseshoe (2017)* (the “Growth Plan”), the Regional Official Plan (2010), and the City’s Official Plan. Staff notes that the City’s in-force Plan is consistent with the PPS, and conforms to the Growth Plan, and the ROP that were in-force at the time of approval. Since the Plan’s approval, the PPS and the Growth Plan have been updated. Below is an outline of the proposal relative to Provincial Policy, the ROP and the Plan.

Provincial Policy Regime

The *Provincial Policy Statement (2020)* sets the policy foundation for land use planning in the Province of Ontario. It is complemented by the *Growth Plan for the Greater Golden Horseshoe*, which focuses on development challenges and opportunities. Through these policies, the documents provide direction on growth management, transportation, infrastructure, urban form, housing, natural heritage and resource protection. Municipalities are responsible for implementing the Provincial Policy framework at the local level. A more detailed review and evaluation of the applicable Provincial policies will be brought forward (as appropriate) as part of a future recommendation report.

York Region Official Plan

The subject lands are designated **Urban Area** in accordance with Map 1 (Regional Structures) of the ROP. Lands designated **Urban Area** are intended to support a wide range and mix of uses to accommodate a significant portion of planned growth areas within the Region.

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As noted previously and in Staff Report SRPRS.20.003, the Region of York are undertaking a comprehensive update to the 2010 ROP to reflect a number of Provincial policy updates affecting population and employment projections and forecasted density targets. The objective of the ROP update is to provide revised policies to manage growth for an extended planning horizon to 2041. As such, to understand the evolving employment trends, York Region released a report on May 9, 2019 assessing employment trends throughout the Region, including the growth in professional and service based industries, the impacts of automation, the changing nature of employment, and the need to provide increased flexibility within employment areas.

Based on the Regional Assessment and Evaluation Criteria established to evaluate conversion requests, the Region is considering these requests in two phases. Staff Report SRPRS.20.003 addresses Council's position with respect to the 12 conversion requests received by the City. Once the Region has considered all employment land conversion requests, recommendations will be provided in a further staff report and the updated ROP which will be presented to Regional Council for adoption.

While the conversion request is under consideration with respect to the MCR process, the subject site specific OPA application has been circulated to the Region of York for review; however, comments had yet to be received from the Region at the time of preparation of this report. A more detailed review and evaluation of the proposed amendments in the context of the applicable policies in the ROP will form part of the future recommendation report to City Council.

City of Richmond Hill Official Plan

As noted previously, the subject lands are designated **Employment Area** on Schedule "A2: - Land Use" of the Plan (refer to Map 3). The **Employment Area** designation permits a range of high performance industrial and office uses, including high-tech industries, knowledge-based businesses, manufacturing plants, corporate headquarters and research and development facilities. While the designation also permits automotive service commercial and automotive repair uses, such uses are presently restricted to the Newkirk Business Park Area and therefore the proposed automobile dealership is not permitted on the subject lands.

As noted previously, City staff is currently undertaking a municipally initiated OPA as outlined in Staff Report SRPRS.20.097 which to be considered by Council. The proposed OPA intends to expand the list of permitted uses to include automobile sales, repair and service facilities within **Employment Area** designations, subject to specific criteria. As part of the municipally initiated OPA, City staff will also provide additional clarity for automobile repair and service facilities without a retail component, continuing to restrict these uses to the Newkirk Business Park west of the Canadian National Railway (CNR).

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Zoning

The subject lands are zoned **High Performance Commercial Industrial (MC-1) Zone** under By-law 150-80, as amended (refer to Map 4). This zone category allows for the warehousing, assembly and manufacturing of goods and materials, research and development facilities, data processing centres, ancillary retail sales, banks and financial establishments, technical and commercial schools, restaurants, parking garages, business and professional offices, and hotels (subject to site specific standards). Retail sales and the associated uses of the proposed automobile sales dealership (i.e. sales of parts and servicing) proposed by the subject application, are not permitted within this zone category, however 10% of the floor area may be permitted for the retail sale of good manufactured or assembled on the premises.

Based on preceding, should Council endorse the proposed automobile dealership use on the lands, the applicant will be required to submit a Zoning By-law Amendment and Site Plan applications to facilitate the proposed use within the existing **High Performance Commercial Industrial (MC-1) Zone** under Zoning By-law 150-80, as amended.

Department and External Agency Comments:

The subject OPA application and the associated report and information submitted in support of the 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 Section

Development Planning staff has undertaken a preliminary review of the applicant's proposal. In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the subject lands are designated **Employment Area** and are specifically located within the Barker Business Park;
- in accordance with **Policy 4.8.1** of the Plan, the **Employment Area** designation does not permit retail commercial uses as a primary use as proposed by the subject application;
- the applicant has submitted a request for consideration by York Region to permit automobile dealerships as part of the Regional MCR process;
- the City is undertaking a municipally initiated OPA to permit automobile dealerships in **Employment Areas**, as part of the City's MCR process;
- while the **Employment Area** land use designation permits automotive service commercial and automotive repair uses, **Policy 4.8.1.1.2 (h)** geographically restricts these uses to the Newkirk Business Park, west of the CN Rail corridor. For all **Employment Areas**, automobile dealerships, automotive repair and service uses are not permitted. It should be noted that the proposed OPA does not contemplate

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amending the designation, but proposes a site specific amendment to permit the use;

- the lands are subject to the updated Master Environmental Servicing Plan (MESP) for the Bayview Northeast Business Park Secondary Plan Area. The future Zoning Amendment and Site Plan applications will be evaluated based on the recommendations of the MESP with respect to environmental and water resources, transportation and servicing;
- the subject lands abut a natural heritage system. The limits of development are addressed in Section 6 – Environmental Constraints Summary of the updated MESP, which the proposed development must to have regard for;
- the applicant must satisfactorily address comments and/or requirements identified by City departments and external agencies that have been requested to review the proposed development. In this regard, it is noted that the applications are still under review by a number of City departments and external agencies;
- the application will be reviewed in the context of the municipally initiated Section 26 OPA 18.1, and should Council adopt this amendment, the requested land use permissions will be considered. The comments received for the site specific applications will inform the recommendations to Council with respect to OPA 18.1.
- staff will continue to work with the applicant through the review of the form, content and appropriateness of the proposed draft OPA; and,
- should Council endorse the subject OPA, the applicant will be required to submit a Zoning By-law Amendment application to permit the proposed development. Furthermore, a Site Plan application will be required to inform the contents of the future site specific By-law.

A comprehensive review of the OPA application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public. This detailed review will be completed in advance of and addressed as part of a recommendation report to be prepared for a future Council meeting.

Outstanding City Departments and External Agency Comments

As of the writing of this report, comments remain outstanding from all City Departments and external agencies. A comprehensive review of the subject OPA application will be conducted following receipt of comments and feedback from City departments, external agencies, Council and members of the public.

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 application are aligned with the

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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 Official Plan Amendment application to permit a two-storey automobile dealerships, comprised of a vehicle sales establishment, show room, office space, and service and repair facilities. The purpose of this report is to provide Council and the public with an overview of the development proposal and to discuss the regulatory regime 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 final consideration.

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 the contact person listed in this document.

- Map 1: Aerial Photograph
- Map 2: Neighbourhood Context
- Map 3: Official Plan Land Use Schedule
- Map 4: Existing Zoning
- Map 5: Proposed Site Plan
- Appendix 'A' – February 26, 2020 Council Extract

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Report Approval Details

Document Title:	SRPRS.20.099 - Request for Comments - Official Plan Amendment 0 Ultimate Drive.docx
Attachments:	<ul style="list-style-type: none">- MAP_1_AERIAL PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT.pdf- MAP_3_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_4_EXISTING_ZONING.pdf- MAP_5_PROPOSED SITE PLAN.pdf- Appendix A - Council Extract re SRPRS.20.003.pdf
Final Approval Date:	Jun 9, 2020

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

Gus Galanis - Jun 8, 2020 - 9:44 AM

Kelvin Kwan - Jun 8, 2020 - 11:11 AM

MaryAnne Dempster - Jun 9, 2020 - 10:05 AM