



Staff Report for Special Council Public Meeting

Date of Meeting: June 29, 2020

Report Number: SRPRS.20.097

Department: Planning and Regulatory Services

Division: Policy Planning

Subject: Employment Area Conversions - Official Plan Amendments 18.1 (Automotive Uses in Employment Lands) and 18.2 (Leslie Street Institutional Area)

Purpose:

In accordance with Section 26 of the *Planning Act*, the City is in the process of updating its Official Plan. The purpose of this report is to seek feedback on proposed amendments to the Official Plan related to conversion of employment areas. Two amendments are proposed: Official Plan Amendment (OPA) 18.1 proposes to permit automotive related uses, including sales, within areas designated for employment uses (Appendix A), and OPA 18.2 proposes to redesignate certain lands from “Employment Area” to “Leslie Street Institutional Area” in order to permit new and expanded institutional, office and small scale retail and commercial uses (Appendix B). Location information is provided below.

Recommendation:

- a) That staff report SRPRS.20.097 with respect to the municipally initiated amendments to the Official Plan to permit employment area conversions (OPA 18.1 and 18.2), City Files D01-20005 and D01-20006, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Sybelle von Kursell, Manager, Policy, phone number 905-771-2472

Brian DeFreitas, Senior Planner, phone number 905-771-5431 (Re: OPA 18.2)

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Report Approval:

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

Approved by: Mary-Anne Dempster, City Manager

Page 2

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.

Proposal:

Two Official Plan amendments are proposed, as follows:

OPA 18.1 “Automotive Uses in Employment Lands” – to amend the Official Plan to permit automotive uses (including dealerships) in areas designated as “Employment Area”, “Employment Corridor” and “Office” (see Appendix A).

OPA 18.2 “Conversion of Employment Area to permit new and/or expansion of existing institutional, office and small scale commercial and retail uses” – to amend the Official Plan to redesignate certain lands from “Employment Area” to “Leslie Street Institutional Area” to permit new or expanded institutional, office and small scale retail and commercial uses within lands located south of Major Mackenzie Drive East and fronting on the east side of Leslie Street (see Appendix B).

Location Map:

OPA 18.1 pertains to all lands designated “Employment Area”, “Employment Corridor” and “Office” within the City of Richmond Hill’s Official Plan. OPA 18.2 pertains to lands presently designated “Employment Area” located south of Major Mackenzie Drive East and fronting on the east side of Leslie Street. Below are maps displaying the areas affected by the proposed amendments. Should you require an alternative format, please call the person listed under the “Contact Person” above.

OPA 18.1 Automotive Uses

OPA 18.2 Leslie Street Institutional Area



Page 3

Background Information:

Impetus for the Proposed Official Plan Amendments

At the February 26, 2020 Council meeting, Council considered the recommendations of staff report [SRPRS.20.003](#) regarding the Region of York's Municipal Comprehensive Review and requests for employment land conversions that have been made to the Region in specific. This staff report is in relation to two employment area conversion requests made to the Region by proponents of auto retail and service centres, At that February Council meeting, Council directed as follows:

“13.9 (b) That the Region consider staff report SRPRS.20.003 as local municipal input into the Region's evaluation process, and that City Council advise the Region of the following:

- v) That City Council supports the proposed permissions for automobile dealerships to locate on employment lands as requested by Orlando Corporation (refer to ID#88 on Map 1 of staff report SRPRS.20.003), however, staff recommend that rather than facilitating the request through an employment lands conversion, staff work with the applicant to facilitate the applicant's request through the best available alternative means;
- vii) That City Council supports the proposed permissions for automobile dealerships to locate on employment lands as requested by Richmond Hill Honda (non-geographic request), however, staff recommend that rather than facilitating the request through an employment lands conversion, staff work with the applicant to facilitate the applicant's request through the best available alternative means;”

And, in relation to a conversion request made to the Region by the City and a proponent of a long-term care facility proposed to be located at 9893 Leslie Street:

“13.9 (f) That the Region be advised of Council's interest in considering a municipally initiated conversion of employment lands for the lands located on the east side of Leslie Street and south of Major Mackenzie Drive in the Headford Business Park (refer to MIC-Area #3 on Map 1 of staff report SRPRS.20.003) for the principle reasons set out in staff report SRPRS.20.003 and in doing so are also supportive of the conversion request submitted by Carefirst Seniors and Community Services Association (refer to ID# 153 on Map 1 of staff report SRPRS.20.003)”.

Page 4

Furthermore, at the [February 27, 2020 Regional Council meeting](#), pursuant to a motion moved by Mayor Barrow, Regional Council resolved that it supports the conversion of 9893 Leslie Street to permit a Long-Term Care facility at this site (see excerpt of minutes in Appendix C). To that end, Regional staff provided a letter to the City dated March 2, 2020 to facilitate the conversion expeditiously (see Appendix D). Additionally, on March 12, 2020, Regional Committee of the Whole supported Regional staff's recommendation to exclude twenty of the Region's 71 requests for site-specific conversion from proposed employment area mapping in the Regional Official Plan (ROP). These areas were determined to be appropriate for non-employment uses through application of the Region's conversion criteria and based on locational context. This recommendation includes both Carefirst's site-specific conversion request and the City's larger area proposed along the east side of Leslie Street and south of Major Mackenzie Drive East (the area identified for OPA 18.2). The Committee also supported Regional staff recommendations related to automotive conversion requests. Regional staff noted that redesignation of lands to permit automotive uses should not be permitted, but recognizing that some local official plans presently permit these uses in certain employment designations, deferred to local official plans to determine the range of automotive related uses that should or should not be permitted within employment areas.

In accordance with the City's Official Plan, a redesignation of land that is specifically designated for employment use, such as "Employment Area" or "Employment Corridor" to another designation, or a change in land use permission within these designations is considered to be a "conversion." In the case of such a conversion, the Official Plan requires that the conversion be considered in the context of a "municipal comprehensive review", which is defined in the Official Plan as "an official plan review initiated by a municipality that comprehensively reviews the policies and schedules of this Plan in accordance with the requirement of the *Planning Act*." The *Planning Act* requirements referred to in this definition include those provided in Section 26 of the *Planning Act*, which is specific to the updating of an Official Plan. As such, these amendments must be considered in the context of the City's Official Plan Update, and staff are proceeding to do so, as outlined below.

Status of Official Plan Update in General

In November 2019, Council approved the recommendations of staff report [SRPRS.19.053](#) to initiate the process of updating the City's Official Plan. Since that time:

- the Official Plan Update Committee (OPUC) has been established (in accordance with the terms of reference and recommendations provided in staff report [SRPRS.19.181](#));
- an OPUC meeting was held on February 25, 2020;
- Council considered the recommendations of staff reports [SRPRS.20.003](#) and [SRPRS.20.004](#) regarding the Region of York's Municipal Comprehensive Review and its impact on the City's Official Plan update; and

Page 5

- a public launch event for the City Plan 2041 (the Official Plan update) had been scheduled for the evening of March 26, 2020.

As Council is aware, in response to COVID 19 emergency measures, the launch event was cancelled. Staff will continue to undertake engagement activities with various stakeholders in an electronic format as much as practicable. A broader in-person public launch will take place when possible. In an effort to advance the directions of Council from the February 26, 2020 Council meeting, staff are bringing forward amendments to the Official Plan related to automotive uses in Employment areas as well as a redesignation of lands on Leslie Street to provide for new and expanded institutional and small scale commercial uses.

Planning Act Requirements related to the Official Plan Update

Section 26 of the *Planning Act* provides specific directions related to the updating of an Official Plan. The Act requires that the update occur no less frequently than 10 years after the approval of the Official Plan; and that the update ensures that the Official Plan is revised to: (a) conform with provincial plans; (b) have regard to matters of provincial interest listed in Section 2 of the Act; and (c) be consistent with the Provincial Policy Statement.

With respect to public consultation and the adoption of official plan related amendments, Section 26 is to be read in conjunction with Section 17 of the *Planning Act*, which provides direction related to the adoption of an Official Plan and all municipally initiated amendments to it. Section 17 of the *Act* requires that Council hold at least one public meeting, and in the case of a Section 26 amendment to hold at least one public open house in advance of the public meeting. Section 26 also provides direction regarding the timing of giving notice of a special meeting of Council wherein the public is provided the opportunity to speak to council with respect to proposed revisions to the official plan (i.e. a public meeting). In accordance with those provisions of the *Act*, and in compliance with emergency orders related to COVID 19, the City gave notice of a virtual open house and Special Council meeting on May 21 and May 28, 2020 via the Liberal (see Appendix E), and also updated the City's [Official Plan Update](#) webpage and the City's calendar with these events. The notices explained that the purpose of the open house was to provide information about the proposed amendments and the purpose of the Special Council Meeting was to notify the public and receive comments on the proposed amendments to the official plan.

Also in accordance with the *Planning Act*, on June 9, 2020 the City posted prescribed information, including copies of the draft amendments, on the OP Update webpage and sent the material to all prescribed bodies, including the Region of York, who is the approval authority for these amendments (20 days in advance of the this Special Council Public Meeting). Please note that details of the public and stakeholder consultation related to these municipally initiated Official Plan amendments will be provided in a future report, since at the time of preparing this report that consultation has not yet been undertaken.

Page 6

Private Applications

In addition to the conversion requests that have been made to the Region by Richmond Hill Honda, Orlando Corporation and Carefirst Seniors and Community Services Association referred to in the February 26, 2020 Council report, two of these proponents have also filed development applications with the City of Richmond Hill for consideration. Details of these applications are provided in staff reports SRPRS.20.098 (Quarre Properties Inc., 0 Brodie Drive), and SRPRS.20.099 (Richmond Hill Honda, 0 Ultimate Drive). As is noted in those staff reports, these applications will be considered concurrently with the municipally initiated OPAs. While there may seem to be a redundancy of process given that these applications generally align with the proposed OPA 18.1 and OPA 18.2, it is necessary that the City undertake these “conversions” through municipally initiated amendments at the time of the Region’s and City’s municipal comprehensive reviews, and that they be done in accordance with Section 26 of the *Planning Act*.

Background Research

Prior to drafting the proposed Official Plan Amendments, staff undertook some background research, which includes a jurisdictional scan of other municipal official plans, some trends analysis, and site visits. Furthermore, two studies are underway in support of the City’s Comprehensive Zoning By-law related to community uses (including long-term care facilities) and automotive uses. The findings of these studies will continue to inform the finalization of the proposed OPAs.

Provincial Policy Considerations:

Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the “PPS”) sets the policy foundation for land use planning in the Province of Ontario. The PPS provides policy direction across the province on land use planning and development, and on matters that are of a Provincial interest (as listed in Section 2 of the *Planning Act*). The new PPS came into effect on May 1, 2020. When developing Official Plan policy and evaluating planning applications, staff must ensure that advice to Council is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the “Growth Plan”) came into effect on May 16, 2019. It builds upon the policy foundation provided by the PPS by providing more detailed land use planning policies for the Greater Golden Horseshoe. The Growth Plan requires that all advice to Council and all decisions made by an authority on or after May 16, 2019, which affects a planning matter must conform to the Plan.

In support of the implementation of the Growth Plan, the Province provides additional guidance material. Especially relevant to the proposed Official Plan Amendments is the

Page 7

Province's delineation of Provincially Significant Employment Zones (PSEZ). These will be discussed in greater detail below. Appendix F provides an excerpt of the PSEZ mapping for lands in Richmond Hill.

Regional Policy Considerations:

As noted above, the Region is undertaking a municipal comprehensive review (MCR) process. The Region's MCR will culminate in an update of the ROP to ensure conformity to the Provincial Plans and consistency with the Provincial Policy Statement. In support of its MCR, several key background studies and supporting documents have been undertaken to support the review and ROP update.

The May 9, 2019 "[Planning for Employment Background](#)" Report provides background analysis on employment trends throughout the Region and forms the basis for consultation on a proposed employment framework to update the ROP. Through this background report, the research showed that, among other trends, employment areas continue to evolve and offer a range of sites for small and large businesses. Most notably, employment areas have evolved over time to support a wide range of uses including major office and institutional uses. The MCR process recognizes recent policies in the Growth Plan 2019 that require the Region to designate and map employment areas within the Regional Official Plan. (This was a responsibility previously assumed by local municipalities, but is now a key responsibility for the Region, as a means of protecting employment areas.) As part of the process to designate employment areas in the updated ROP, the Region undertook an analysis of employment designations in each of the nine local municipalities and found that there is a lack of consistency across the Region in the way in which local municipalities designate employment areas and that there is a broad range of policy permissions within them. Based on the work the Region has undertaken to date, which includes a [Future Employment Trends Study](#) prepared by Hemson Consulting and Lorus and Associates, there is a move towards updating planning policy to be more responsive to trends within the economic sector related to operations and land needs to support a thriving and resilient economy.

While this report recognizes that the Region is in the midst of revising its employment area related policies, the analysis of the proposed OPAs will largely rely on the Region's in force Official Plan policies. The following sections of this report will identify relevant Provincial and Regional policies to consider in relation to the individual proposed Official Plan Amendments.

Planning Analysis – OPA 18.1 Automotive Uses:

Provincial Policy

Section 1.0 of the PPS deals with "Building Strong Healthy Communities". The PPS provides the following policy direction that is relevant to the proposed Official Plan Amendment:

Page 8

- Accommodate an appropriate range and mix of employment (including industrial and commercial) (1.1.1(b));
- Provide for an appropriate mix and range of employment uses to meet long-term needs (1.3.1(a));
- Take into account the needs of existing and future businesses by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses (1.3.1(b));
- Facilitate the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seek to address potential barriers to investment (1.3.1(c));
- Protect and preserve employment areas for current and future uses (1.3.2.1); and
- Prohibit or limit residential and other sensitive land uses in employment areas, and include appropriate transition from employment areas to adjacent non-employment areas (1.3.2.2, 1.3.2.3).

Policy 1.3.2.4 states that conversion of lands within employment areas to non-employment uses may only be done through a comprehensive review, and policy 1.3.2.2 states that at the time of an official plan review or update, planning authorities should assess employment areas to ensure that their designation is appropriate to the planned function of the employment area. As York Region is currently undertaking its Municipal Comprehensive Review and Richmond Hill is beginning its own Official Plan Update, this is the appropriate time to consider changes to employment policies.

Section 2.2.5 of the Growth Plan 2019 deals with Employment uses. Through its policies, the Growth Plan encourages planning of employment areas and uses to:

- Make more efficient use of existing employment areas and vacant and underutilized employment lands (2.2.5.1(a));
- Ensure the availability of sufficient land for a variety of employment uses (2.2.5.1(b));
- Retain and attract investment (2.2.5.1(d));
- Direct major office and appropriate major institutional development to areas with frequent transit service (2.2.5.2);
- Minimize surface parking in employment areas (2.2.5.4);
- Designate and preserve lands within settlement areas located adjacent to highways and highway interchanges as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities (2.2.5.5); and

Page 9

- Promote compact built form and intensification of retail and service uses and areas (2.2.5.15).

Additionally, the Growth Plan prohibits residential uses in designated employment areas. The Growth Plan also prohibits major retail uses, or provides municipalities with the option to identify a size or scale threshold wherein a major retail use may be permitted. The Growth Plan defines major retail as: “large-scale or large-format stand-alone retail stores or retail centres that have the primary purpose of commercial activities.” Presently, the Richmond Hill Official Plan prohibits major retail in its employment areas and defines major retail as: “large format retail facility (or facilities), such as retail big box stores, retail warehouses, and shopping centres which has a gross floor area of 10,000 square metres or greater.”

Regional Policy

Chapter 4 of the York Region Official Plan is on “Economic Vitality”. Policies in this chapter that are relevant to the Official Plan Amendment include:

- Create high-quality employment opportunities for residents (4.1.2);
- Create vibrant and healthy communities that attract quality employers (4.1.3);
- Create a business friendly environment that includes a diverse range, size and mix of available employment lands (4.1.5(a));
- Ensure a sufficient supply of employment lands to be maintained (4.3.2);
- Recognize that employment lands are strategic and vital to the Regional economy and are major drivers of economic activity (4.3.3);
- Require local municipalities to designate and protect employment lands (4.3.4);
- Protect, maintain and enhance the long term viability of all designated employment lands (4.3.5);
- Not permit the conversion of designated employment lands to non-employment uses, such as residential, major retail, and non-ancillary retail or commercial uses (4.3.8) except at the time of a municipal comprehensive review (4.3.9);
- Require local municipalities to include official plan policies to allow only employment and ancillary uses on Local Corridors and major streets within employment lands (4.3.13);
- Require development on employment lands be compact (4.3.16); and
- Not permit major retail on designated or strategic employment lands (4.4.6).

Local Policy and Context

Automobile dealerships are considered a commercial use under the current Richmond Hill Official Plan, which are directed towards the Centres and Corridors. Historically, automobile dealerships in Richmond Hill have located primarily along Yonge Street, and numerous dealerships continue to operate along the corridor today. As the Centres and

Page 10

Corridors are expected to intensify with high-rise buildings, commercial uses will need to integrate into the base of mixed-use buildings; this will require automobile dealerships to shift to a less land-intensive form if they remain in these areas.

Limited forms of automotive-related uses are currently permitted by the Official Plan within the Employment Area and Employment Corridor designations; these uses are restricted to auto body repair shops and garages within a portion of the Newkirk Business Park, and automotive service commercial uses (gas and service stations) at the corner of an arterial street and an arterial or collector street.

At the meeting on February 26, 2020, Council adopted a motion supporting two requests by Orlando Corporation and Richmond Hill Honda to accommodate automobile dealerships within the City's employment lands, as part of the City's response to Employment Area Conversions requested as part of York Region's Municipal Comprehensive Review. The motion also recommended that these requests be facilitated through alternative means rather than a full employment conversion. OPA 18.1 is intended to facilitate these requests. While the addition of new permissions within the Employment Area, Employment Corridor, and Office designations does constitute a conversion in accordance with the policies of the Official Plan, this permission would not require redesignating the lands to another land use and would ensure that these areas continue to be used for employment purposes, fostering economic growth for the City, Region and Province.

Intent and Rationale

The proposed OPA 18.1 will add a wider permission to allow automobile dealerships containing sales, repair and service uses within employment designations within the City of Richmond Hill.

In addition to areas designated as Centres and Corridors, the intent of OPA 18.1 is to permit automotive sales, repair and service uses on lands designated Employment, Employment Corridor and Office on sites along arterial streets or 400-series highways, which have high visibility and easy access from surrounding areas. In order to ensure that the designated employment areas continue to function as areas for high-performance industrial uses, warehousing, and office uses, stand-alone retail of automobiles would not be permitted by this OPA. As such, the proposed policies of the OPA require that a repair/service component must accompany the retail component of a dealership. Furthermore, a stand-alone repair/service facility continues to only be permitted within a portion of the Newkirk Business Park to maintain that area as a cluster for such businesses, and to ensure that the balance of employment areas are preserved for high-performance industrial uses, warehousing, and office uses, given the City's finite supply of designated employment lands.

Other than within parts of the Newkirk Business Park, outdoor display and storage is not permitted in employment lands by the City's Official Plan. Accordingly, inventory of vehicles for sale are encouraged to be accommodated indoors and/or in a compact

Page 11

format wherever possible; this could include underground, multi-level, or stacked parking technologies, such as using lifts. Examples of these types of compact dealerships are found in various areas within the GTA, demonstrating that the industry is able to adapt to a more compact form than what is currently being experienced in Richmond Hill. Notwithstanding the foregoing, outdoor inventory and display vehicles are proposed to be permitted provided that such inventory is located in non-prominent visual locations and that adequate screening is provided where necessary.

Urban design policies specific to automotive uses are being proposed, which will require these uses to be designed to a high standard, fitting with the nature of Richmond Hill's business parks. These design policies include incorporating low-impact development features into any outdoor parking areas, and including landscaping buffers to streets and neighbouring residential properties.

Planning Analysis – OPA 18.2 Institutional:

Provincial Policy

Section 1.0 of the Provincial Policy Statement 2020 deals with “Building Strong Healthy Communities”. The PPS provides the following policy direction that is relevant to the proposed Official Plan Amendment:

- Promotion of efficient development and land use patterns;
- Integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to optimize transit investments and minimize land consumption and servicing costs;
- Promotion of land use patterns within settlement areas that are based on densities and a mix of land uses that are transit-supportive and which efficiently use infrastructure and public service facilities;
- Direction for compact form, mix of uses and densities for new development taking place in designated growth areas and adjacent to existing built up areas;
- Direction for sensitive land uses (e.g. buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminate discharges generated by a nearby major facility) to be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants and to minimize risk to public health and safety;
- Direction for municipalities to provide for an appropriate mix and range of employment, institutional and broader mix of uses to meet long term needs;
- Direction to prohibit residential and limiting other sensitive land uses in employment areas that are not ancillary to primary employment uses to maintain land use compatibility;

Page 12

- Direction to allow planning authorities to permit the conversion of lands within employment areas to non-employment uses through a comprehensive review only where it has been demonstrated that the land is not required for employment purposes over the long term and there is a need for the conversion;
- Direction for public service facilities (e.g. provision of programs and services provided or subsidized by a government or other body such as social assistance, recreation, police and fire, health and educational programs) be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation;
- Promotion of land use patterns, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation; and
- Promotion of opportunities for economic development and community investment-readiness.

Section 2.0 of the PPS deals with the “Wise Use and Management of Resources”. Through these policies, the PPS provides the following policy direction that is relevant to the proposed Official Plan Amendment:

- Direction to conserve significant built heritage resources and significant cultural heritage landscapes; and
- Restrictions on development and site alteration on lands adjacent to protected heritage properties to ensure cultural heritage resources are preserved except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Section 3.0 of the PPS deals with “Protecting Public Health and Safety”. Through these policies, the PPS provides the following policy direction that is relevant to the proposed Official Plan Amendment:

- Restrictions on development to locate in hazardous lands and hazardous sites where the use is an institutional use (e.g. hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, daycares and schools), essential emergency services, and uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

The Growth Plan 2019 provides the following policy direction that is relevant to the proposed amendment:

Section 2.0 of the Growth Plan entitled “Where and How to Grow”:

- Directs for the prioritization of planning and investment in infrastructure and public service facilities that will support intensification;

Page 13

- Supports the achievement of complete communities that feature a diverse mix of land uses, including residential, employment uses and convenient access to local stores, services and public service facilities. Public service facilities include programs and services provided by or subsidized by a government body such as social assistance, recreation, police and fire protection, health and educational programs and cultural services;
- Promotes economic development and competitiveness by integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment;
- Directs retail and office uses to locations that support active transportation and which have existing or planned transit;
- Requires municipalities to plan for all employment area by prohibiting major retail and residential uses and other sensitive land uses in employment areas that are not ancillary to employment uses. Sensitive land uses are defined as: “Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by nearby major facilities. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities. (PPS, 2014)”;
- Requires that an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility;
- Directs development of sensitive land uses, major retail uses or major office uses will avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment in accordance with provincial guidelines;
- Allows for the conversion of lands within employment areas to non-employment uses through a municipal comprehensive review;
- Allows for the conversion of lands within employment areas to non-employment uses until the time of the next municipal comprehensive review provided the conversion satisfies the policies set out in the Growth Plan and the proposed conversion maintains a significant numbers of jobs on the site and no part of the lands designated for employment are identified as provincially significant employment zone;
- Directs that for lands outside of employment areas, development criteria be established to ensure that redevelopment of any employment lands retain space for a similar number of jobs to remain accommodated on site; and
- Requires the retail sector to promote compact built form and intensification of retail and service uses and areas and encouraging those uses to integrate with other land uses to support the achievement of complete communities.

Page 14

Section 3.0 of the Growth Plan entitled “Infrastructure to Support Growth”:

- Directs that planning for public service facilities, land use planning and investment in public service facilities will be coordinated to implement the Growth Plan;
- Directs that public service facilities and public services to be co-located in community hubs and integrated to promote cost-effectiveness;
- Requires that municipalities collaborate and consult with service planning, funding, and delivery sectors to facilitate the coordination and planning of community hubs and other public service facilities; and
- Requires that new public service facilities such as hospitals and schools be located in settlement areas and preference should be given to sites that are easily accessible by active transportation and transit, where the service is available.

Section 4.0 of the Growth Plan entitled “Protecting What is Valuable”:

- Recognizes that planning must be done in a way that protects and maximizes the benefits of cultural heritage resources so as to make communities unique and attractive places to live;
- Directs that cultural heritage resources will be conserved in order to foster a sense of place;
- Encourages municipalities to prepare archaeological management plans and municipal cultural plans and consider them in their decision making; and
- Requires improvements and protection to air quality through reduction in emissions from municipal, commercial, industrial, and residential sources.

Provincially Significant Employment Zones

As noted above, the recent updates to the Growth Plan 2019 introduced Provincially Significant Employment Zones (PSEZ's). In the short term, PSEZ's protect key employment areas by requiring the conversion of lands identified as a PSEZ and any employment areas within them to occur through a municipal comprehensive review and by also requiring Provincial approval. At the time of writing this report, Provincial PSEZ mapping continues to be in draft, and a final determination is yet to be issued. Nonetheless, the Growth Plan does permit consideration of converting some or parts of these areas for non-employment uses at the time of a MCR.

Under the Growth Plan, PSEZ's are defined as:

“Areas defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development. Provincially significant employment zones can consist of employment areas as well as mixed-use areas that contain a significant number of jobs.”

Page 15

The City's municipally-initiated Official Plan Amendment 18.2 for the Leslie Street Institutional Area is an area that is located within the Province's PSEZ mapping. Accordingly, before these lands can be converted from the "Employment Area" designation to the "Leslie Street Institutional Area" designation, they must first be approved for conversion through a Regional MCR and approved by the Province. City staff will engage with Regional and Provincial staff to determine how best this matter can be addressed, as we move through the approval process.

Regional Policy

Chapter 3 of the ROP deals with "Healthy Communities". Policies in this chapter that are relevant to the Official Plan Amendment include:

- That health, environmental and cumulative air quality impact studies be required that assess the impact on human health for development with significant known or potential air emission levels near sensitive uses such as schools, daycares and seniors' facilities (3.2.5);
- That sensitive uses such as schools, daycares and seniors' facilities not be located near significant known air emissions sources such as controlled access provincial 400-series highways (3.2.6);
- That services such as healthcare, education, community and social services, and transit have a significant impact on the quality of life of York Region's residents and workers and these services be accessible and responsive (3.3);
- That co-location or campusing of human services be encouraged with other uses such as recreational, public buildings and arts and cultural facilities (3.3.4);
- That the delivery of human services respect the diverse needs of residents and workers (3.3.10);
- That local municipalities adopt official plan policies to conserve significant cultural heritage resources (3.4.3); and
- That local municipalities adopt official plan policies to conserve significant cultural heritage resources and ensure that development and site alteration on adjacent lands to protected heritage properties will conserve the heritage attributes of the protected heritage property (3.4.11).

Chapter 4 of the ROP deals with "Economic Vitality". Policies in this chapter that are relevant to the Official Plan Amendment include:

- That local municipalities to create a business friendly environment that includes a range of quality human services facilities and programs (4.1.5d).

As noted earlier, York Region is currently in the process of undertaking a municipal comprehensive review. Through the Region's MCR, Regional Council has indicated support to exclude the lands proposed for amendment under OPA 18.2 from being

Page 16

identified as part of the Region's upcoming employment lands designation. Exclusion of these lands from the Region's employment area mapping facilitates the conversion of the employment lands in the amendment area to occur at the local level, and if so converted to permit non-employment uses.

As noted above, this staff report has identified relevant Provincial and Regional policies to consider in the development of the two proposed OPAs. A subsequent staff report recommending adoption of these amendments will be presented to Council and will provide a fulsome analysis of how the amendments are in conformity and are consistent with the overarching policies.

Local Policy and Context

The proposed amendment area encompasses the area along Leslie Street, south of Major Mackenzie Drive East, and affects the properties municipally known as 9843, 9853, 9861, 9875, 9893, 9901 and 9947 Leslie Street (refer to Appendix B). The area occupies a total land area of approximately 3.0 hectares. Property sizes in this area range from 0.2 to 0.9 hectares.

The area's historic development dates back to the late 1800s and several properties in the proposed amendment area have been identified as potential built heritage resources on the City's inventory of buildings of architectural and historical importance. This area was once part of the Headford Hamlet area and contains a few of its original buildings, now identified under the City's cultural heritage inventory and contributes to the area's unique context.

From an urban structure perspective, the City's Official Plan identifies the area as part of the City's designated employment lands in the Headford Business Park, which are situated between Leslie Street and Highway 404. With respect to land use, the City's OP presently designates the area as "Employment Area". Leslie Street is also designated in the City's OP as an arterial street, and as a "Future Rapid Transit" corridor from south of Highway 7 to Major Mackenzie Drive. The identification of Leslie Street as a rapid transit corridor is consistent with the York Region OP, which designates this segment of Leslie Street as a "Regional Rapid Transit Corridor", and the Province's Regional Transportation Plan 2041 which identifies the segment as a future BRT corridor for the "Don Mills / Leslie Street BRT" under the Province's Frequent Rapid Transit Network.

Despite its designation as an employment area in the City's OP, the proposed Official Plan Amendment area presently functions as a mixed-use area with a range and mix of commercial, retail, office and institutional uses. Under the current site-specific zoning permissions, industrial uses are permitted as well as small-scale commercial, retail, office and institutional uses. While the commercial and retail uses listed under the current Zoning By-law are generally permitted in the City's OP as "ancillary uses" to a primary employment use, the existing institutional uses in the area (i.e. private schools, Montessori's, seniors healthcare, and places of worship) are not permitted. Many of the

Page 17

institutional uses in the area are well-established and form a coherent cluster of institutional development.

It is important to note that institutional uses are considered community uses under the City's OP policy framework. Section 4.1 of the OP sets out broad permissions for community uses within the City's urban structure, which include allowance for public, private and not-for-profit institutions, facilities and services that support the health, educational, recreational and socio-cultural needs of the City. The broadest range of community uses are directed to the centres and corridors. Meanwhile, employment areas only permit government facilities (e.g. government offices, fire and emergency services, other public facilities, and day nurseries accessory to a major office development), to ensure that the viability and planned function of employment areas are maintained.

OP Policies Respecting Employment Land Protection

Section 3.3.1 of the City's OP sets out policies for the protection of employment lands from conversion. These policies are intended to ensure that the City's economy is well-served by its employment lands and that they are protected from pressure to convert to non-employment uses. Once employment lands are lost through the process of conversion, they are lost indefinitely. This is particularly important for the City given its finite supply of employment lands. Accordingly, the policies of Section 3.3.1 of the OP restrict the conversion of employment lands until the time of a municipal comprehensive review by the City and the Region, and subject to the application for conversion demonstrating conformity to conversion criteria set out in the OP. These criteria generally mirror the conversion criteria set out in the Growth Plan.

As identified earlier in this report, in early March 2020 Regional Council supported a recommendation to exclude the area identified in the municipally-initiated conversion along the east side of Leslie Street and south of Major Mackenzie Drive East, which correlates with the proposed amendment area for OPA 18.2. Accordingly, the process to convert the lands to non-employment uses requires the City to establish an appropriate policy framework for the Carefirst site and the surrounding lands, to facilitate development in a manner that is consistent with the City's vision for the area over the long-term. The eventual adoption of OPA 18.2 will establish the vision for this area.

Private Development Application

At the time of writing this report, there are no active development applications in the proposed Official Plan Amendment area. City Staff note, however, that Carefirst Seniors and Community Services Association has been an active party in pursuing permissions for a future community care hub with a long-term care facility on their landholdings. To convey and facilitate their future development aspirations on their site, Carefirst submitted correspondence to the Region in November 2019 indicating their desire to develop their lands for the aforementioned uses (refer to Appendix D). Subsequent to that, City Staff met with representatives of Carefirst on January 22, 2020 and Regional

Page 18

Staff as part of the Region's coordinated meetings with landowners who were seeking employment land conversions.

On April 2020 City Staff attended a pre-submission meeting with representatives from Carefirst to discuss their development aspirations. To date however, no formal development applications have been submitted for the lands.

OPA Intent and Rationale

The intent of the proposed Official Plan Amendment is to:

- recognize the current function of this area and to intensify this area for a mix and range of institutional and business land uses, in a context that respects the cultural heritage resources of this area;
- provide a hub for institutional uses that are not otherwise permitted in the Employment Area; and
- provide compatible land uses to the south and west of the area.

Through the Region's MCR process and City Staff's assessment of the site-specific employment land conversion request submitted by Carefirst Seniors and Community Services Association, the lands within the proposed amendment area were identified in staff report SRPRS.20.003 as an area appropriate for conversion to allow for non-employment uses. The City's review of these lands found that despite their designation as "Employment" under the City's Official Plan, given their size and the existing mix of uses in the area, traditional employment uses are unlikely to be developed over the long term. As noted above, these findings were confirmed by City and Regional Council in February and March of 2020. Accordingly, City Staff are proposing an Official Plan Amendment for the area to redesignate the lands from "Employment Area" to "Leslie Street Institutional Area."

A copy of the proposed Official Plan Amendment 18.2 is attached to this report as Appendix B. By way of summary, OPA 18.2 proposes to:

- Establish a new land use designation entitled "Leslie Street Institutional Area" and include with it area-specific land use and design policies that apply within the amendment area;
- Provide policy direction to direct that the predominant use of the land within the Leslie Street Institutional Area shall be for a mix of office, retail and institutional development that is compatible with the surrounding area;
- Provide policy direction that limits the size and scale of retail and commercial uses to ensure they are small-scale and serve the immediate function of the area and not a broader regional function. The proposed policy limits large-format retail and commercial development and is generally consistent with existing zoning permissions for this area and ensures that the commercial and retail uses do not

Page 19

dominate or reduce opportunity for new or expanding office and institutional uses in the area;

- Provide policy direction to limit building heights to a maximum height of 10 storeys, similar to what is permitted on lands south of this designation that are designated Employment Area;
- Limit residential uses in the amendment area, to those that are accessory to long-term care facilities; recognizing that some such facilities operate on a continuum of care model that would include some self-contained units for high-functioning seniors who may, in the future, require more specialized long term care services;
- Provide policy direction to ensure that sensitive land uses shall not be permitted to locate near a significant known air emission source and that development of such uses demonstrate compliance with the Province's land use compatibility guidelines in response to the proposed amendment area's proximity to designated employment lands to the south;
- Provide policy direction requiring that development recognize and be sensitive to the cultural heritage resources that exist within the amendment area, in accordance with the in-force policies of the City's Official Plan; and
- Include appropriate design policies to require that applications for development adhere to the City's Urban Design Guidelines and promote the character and function of the area through such matters as incorporating heritage buildings into the design of new developments and protecting the Greenway System.

In addition to the foregoing, City Staff are also proposing a number of complimentary amendments to the policies and schedules set out in the City's Part I Official Plan.

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 proposed amendments to the Official Plan are aligned with the Strategic Plan will be included in a future recommendation report to Council.

Next Steps:

As noted above, public consultation regarding the proposed OPAs commenced in May 2020 with the issuance of notification indicating the City's intent to amend the Official Plan. A virtual Public Open House was held on June 22, 2020 and this Special Council Public Meeting is an opportunity for the public to provide comments regarding the

Page 20

proposed amendments. Over the summer, staff will continue to receive public comment through the OPUpdate@richmondhill.ca e-mail address. Staff will also hold meetings with area landowners, stakeholders, and relevant prescribed bodies, including York Region and Provincial staff.

In the fall, staff will post any proposed changes to the draft amendments resulting from the consultation on the [Official Plan Update website](#) at least 20 days in advance of bringing forward a report to Council with recommendations to adopt the proposed amendments. At a minimum, notification of the proposed changes and the date of Council meeting wherein they will be presented to Council will be issued to all prescribed bodies and persons who have requested to be notified of this matter via e-mail.

While this staff report has identified relevant Provincial and Regional policies to consider in the development of the two proposed OPAs, the staff report recommending adoption of these amendments will provide a fulsome analysis of how the amendments are in conformity and are consistent with those policies.

In accordance with the Regional Official Plan, following Council adoption of each Official Plan Amendment, the OPA and its associated record will be provided to York Region, who is responsible for issuing approval of the Council adopted amendment. Notification of Council's decision to adopt the OPAs will also be issued to all prescribed bodies and to those who have requested notification. The Region has authority to approve, modify and approve, or refuse Council's adopted amendment(s). The Region will then issue notice of its decision.

Following the Region's issuance of notice of decision(s), there is a 20-day period within which the Region's decision(s) can be appealed to the Local Planning Appeal Tribunal.

Conclusion:

The City initiated its Official Plan update in November 2019. Due to emergency measures related to the COVID 19 pandemic, City staff are proposing incremental, easily digestible, changes to the Official Plan that are responsive to Provincial, Regional and Council direction. Amendments 18.1 and 18.2 relate to matters that were first addressed by Council at its meeting on February 26, 2020 and also relate to private applications that are with the City for its consideration.

The purpose of this report is to provide Council and the public with an overview of the proposed Official Plan amendments and to discuss the policy and 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 consideration.

Page 21

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.

- Appendix A Draft Official Plan Amendment 18.1 – Automotive Uses in Employment Lands
- Appendix B Draft Official Plan Amendment 18.2 – Leslie Street Institutional Area
- Appendix C Excerpt of Minutes from Regional Council Meeting on February 27, 2020
- Appendix D Correspondence from York Region in relation to Care First Conversion Request
- Appendix E Notice of Open House and Special Council Meeting issued May 22 and May 28, 2020 in the Liberal
- Appendix F Excerpt of Provincially Significant Employment Zone Mapping for lands in Richmond Hill

Page 22

Report Approval Details

Document Title:	SRPRS.20.097 - Employment Land Conversions - OPA 18.1_Automotive Uses and OPA 18.2_Leslie Street Institutional Area.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.20.097 Appendix A - Draft OPA 18.1_Automotive Uses in Employment Lands.pdf- SRPRS.20.097 Appendix B - Draft OPA 18.2_Leslie Street Institutional Area.pdf- SRPRS.20.097 Appendix C - Excerpt of Minutes_Regional_Council_February_27_2020.pdf- SRPRS.20.097 Appendix D - Correspondence from York Region_RE_Carefirst Seniors.pdf- SRPRS.20.097 Appendix E - Liberal Ad Notice of Open House and SCM.pdf- SRPRS.20.097 Appendix F - Excerpt of PSEZ.pdf
Final Approval Date:	Jun 11, 2020

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

Patrick Lee - Jun 9, 2020 - 5:00 PM

Kelvin Kwan - Jun 10, 2020 - 5:29 PM

MaryAnne Dempster - Jun 11, 2020 - 12:34 PM