



## **Staff Report for Council Public Meeting**

**Date of Meeting:** September 9, 2020

**Report Number:** SRPRS.20.112

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.20.112 – Request for Comments –  
Zoning By-law Amendment Application -  
Vomano Valley Developments Inc. City File D02-  
20012**

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### **Owner:**

Vomano Valley Developments Inc.  
137 Bowes Road  
Concord, Ontario  
L4K 1H3

### **Agent:**

Brutto Consulting  
999 Edgeley Boulevard, Unit 6  
Vaughan, Ontario  
L4K 5Z4

### **Location:**

Legal Description: Block 1, Plan 65M-4416  
Municipal Addresses: 12955A and 12955B Bathurst Street

### **Purpose:**

A request for comments concerning a Zoning By-law Amendment application to add additional office and commercial uses with site specific parking standards on the subject lands.

### **Recommendation:**

- a) **That Staff Report SRPRS.20.112 with respect to Zoning By-law Amendment Application submitted by Vomano Valley Developments Inc. for the lands known as Block 1 on Plan 65M-4416 (Municipal Addresses: 12955A and 12955B Bathurst Street), City File D02-20012, be received for information purposes only and that all comments be referred back to staff**

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### 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:

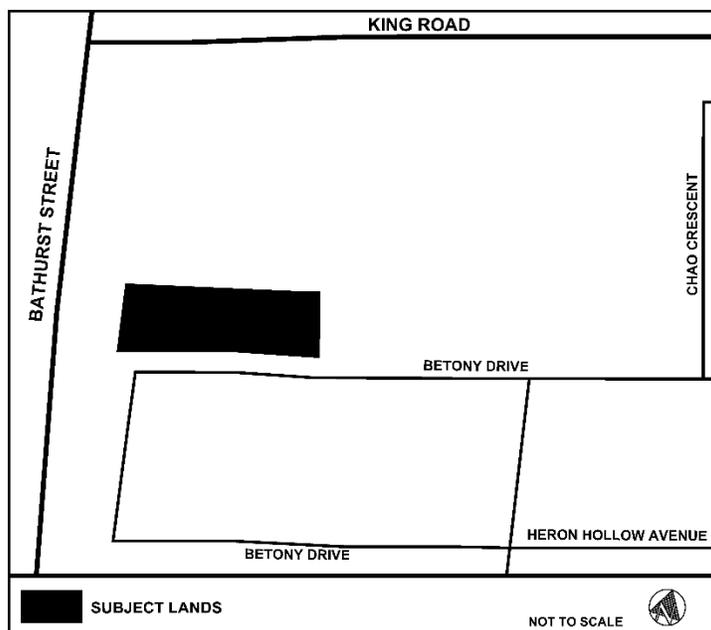
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Mary-Anne Dempster, 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 Zoning By-law Amendment application was submitted and deemed complete by the City on June 24, 2020. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

A Site Plan Application, (City File D06-19029) was recently approved for a commercial development consisting of two single storey buildings on the subject lands. One of the buildings is to contain four commercial units and the other is intended as a stand-alone day care use. A Site Plan Agreement between the City, the Region of York and the owner was executed on March 31, 2020 and the building is currently under construction. No changes to the approved Site Plan are contemplated to facilitate the subject application.

Further to the above, a Minor Variance application was approved at the Committee of Adjustment (City File: A064/19) at its November 21, 2019 meeting in order to facilitate the development of the subject lands as approved. Approval was granted to permit reduced minimum lot frontage and lot area (as a result of a Regional road widening requirement along Bathurst Street), reduced front and side yard setbacks, increased building height, and a reduction in the landscape buffer requirements.

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 are located on the east side of Bathurst Street, south of King Road, and north of Betony Drive. The surrounding land uses include low density residential to the east and south, commercial/service uses (comprised of a gas station, car wash and convenience store) to the north, a stormwater management pond to the northeast, and low density residential homes and farmland to the west in the Township of King.

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment Application to add additional office and commercial uses with site specific parking standards to the approved commercial development on the subject lands. The additional uses proposed include medical offices, business and professional offices, artist or photographic studio, private club and laundry and dry cleaning establishments (refer to Map 5).

The following is a summary outlining the relevant statistics of the applicant's approved development, which is currently under construction:

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- **Total Lot Area:** 0.24 hectares (0.59 acres)
- **Total Lot Frontage:** 83.61 metres (274.31 feet)
- **Total GFA:** 662.84 square metres (7,134.75 square feet)
- **Number of Buildings:** 2
- **Building Height:** 1 storey
- **Total Parking Spaces:** 25 (inclusive of 2 accessible spaces)

As noted previously, there are no contemplated changes to the approved Site Plan in order to facilitate the proposed additional uses or site specific parking standard on the subject lands.

### Supporting Documentation/Reports

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

- Site Plan;
- Draft Zoning By-law Amendment;
- Parking Justification Review Letter;
- Planning Justification Statement;
- Adjacent Property Plan; and,
- Plan of Survey.

### Zoning By-law Amendment Application

The subject lands are presently zoned **Local Commercial (LC) Zone** under By-law 313-96, as amended (refer to Map 4). The applicant is seeking approval to amend the **LC Zone** to add medical offices, business and professional offices, artist or photographic studio, private club and laundry and dry cleaning establishments as additional permitted uses on the subject lands. The applicant is also proposing a site specific parking requirement of a total of eight parking spaces for the proposed dental clinic (with two dental practitioners) and a minimum parking rate of 3.2 spaces per 100 square metres of gross floor area for all other commercial uses. In this regard, the applicant proposes that the current parking supply of 25 spaces remain unchanged.

### Planning Analysis:

#### City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** on Schedule “A2: - Land Use” of the Plan (refer to Map 3). The **Neighbourhood** designation includes (but is not limited to) low and medium density residential uses, neighbourhood commercial plazas and community uses, day nurseries, places of worship and park and open spaces. The proposed development is consistent with the **Neighbourhood** designation.

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### Zoning

As noted previously, the subject lands are zoned **Local Commercial (LC) Zone** under By-law 313-96, as amended (refer to Map 4). The **LC Zone** allows for a limited range of commercial uses such as a bake shop, convenience retail store, day nursery, dry cleaning depot, financial institutions, personal service shop and video establishment. The applicant is proposing to expand the range of commercial uses that are currently not permitted under the **LC Zone**, and as such, the subject Zoning By-law Amendment is required.

Earlier this year, a Site Plan was approved subject to the parking rates established in Bylaw 313-96, as amended. The rate was calculated based on gross floor area of the development. With the proposed addition of a medical office use, the parking requirements pursuant to By-law 313-96, as amended, require five parking spaces for the first medical practitioner and three additional spaces for each additional practitioner. Since the approved Site Plan based the parking requirements on the gross floor area of the buildings contemplated in the applicant's original development proposal, introducing another parking rate which is based on the number of practitioners as opposed to the gross floor area of the unit may result in a potential parking deficiency.

In this regard, the applicant has submitted a Parking Justification Letter in support of the proposed Zoning By-law Amendment to demonstrate the amount of parking to be provided on site (25 spaces, inclusive of 2 handicapped spaces) is sufficient to accommodate the proposed additional uses. Notwithstanding this, the applicant is also proposing to amend the site specific development standards to establish the minimum number of parking spaces required on this site. The City's Transportation Planning staff have reviewed the Parking Justification Letter and their comments are outlined in the following section of this report.

The appropriateness of the proposed additional uses and the parking restrictions continue to be evaluated through the review of the application with regard to compatibility and function.

### Department and External Agency Comments:

The subject Zoning By-law Amendment application and the supporting 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

Development Planning staff have undertaken a preliminary review of the applicant's proposed Zoning By-law Amendment and have the following comments:

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- based on the current list of permitted uses, the approved Site Plan provides 25 parking spaces, of which 2 of the spaces are for accessible parking; and,
- the applicant's draft by-law proposes a site specific parking standard of 3.2 spaces per 100 square metres of gross floor area to be applied to the additional commercial uses proposed by the subject application namely, an Artist or Photographic Studio, Private Club and Laundry and Dry Cleaning Establishment. However, staff are of the opinion that this provision is unnecessary as Table 5.14 of By-law 313-96, as amended, applies this parking rate to all other commercial uses, which would include the proposed uses. Should the subject application be approved, subject to the findings of the Parking Study, the parking would comply with the By-law as interpreted by the Zoning and Building Division.

A comprehensive review of the subject Zoning By-law Amendment application will be conducted following the receipt of comments and feedback from all 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.

### **Transportation Planning Section**

Transportation Planning staff have requested additional information, including but not limited to, details regarding the operational logistics of the proposed dental clinic, the need to provide examples of dental offices on sites similar in context and scale and the requirement of a scoped TDM monitoring program to address parking issues which may arise as a result of the proposed parking supply.

### **Other City Department and External Agency Comments**

At the time of writing this report, comments have been received from the City's Financial Services Division, Urban Design Division, Park and Natural Heritage Division, Zoning and Building Division, and Development Engineering Division (Site Servicing, Grading and Stormwater Management). Many of the internal departments have no objections to the proposed Zoning By-law Amendment application and note their concerns were addressed through the recently approved Site Plan application (D06-190209).

As of the date of writing this report, comments have also been received from a number of external agencies including Alectra Utilities, Enbridge Gas Inc., the TRCA and the Region of York. These external agencies also have no objection to the applications as their concerns were addressed through the Site Plan application.

### **Financial/Staffing/Other Implications:**

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

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### **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 is 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 add office and commercial uses with site specific parking standards as additional permitted uses on the subject lands. 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 this planning application. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for 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 Designation
- Map 4: Zoning
- Map 5: Existing Site Plan

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### Report Approval Details

Document Title:	SRPRS.20.112 - Request for Comments - ZBL Amendment Application - Vomano Valley Developments Inc. - City File D02-20012.docx
Attachments:	- MAP_1_AERIAL PHOTOGRAPH.pdf - MAP_2_NEIGHBOURHOOD_CONTEXT.pdf - MAP_3_OFFICIAL_PLAN_DESIGNATION.pdf - MAP_4_EXISTING ZONING.pdf - MAP_5_SITE PLAN.pdf
Final Approval Date:	Aug 17, 2020

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

**Gus Galanis - Aug 17, 2020 - 9:37 AM**

**Kelvin Kwan - Aug 17, 2020 - 11:27 AM**

**MaryAnne Dempster - Aug 17, 2020 - 11:30 AM**