



Staff Report for Council Public Meeting

Date of Meeting: November 4, 2020

Report Number: SRPI.20.005

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.20.005 – Request for Comments – Zoning By-law Amendment Application – 1355314 Ontario Inc. – City File D02-20020 (Related File D06-20044)**

Owner:

1355314 Ontario Inc.
8569 Bayview Avenue
Richmond Hill, Ontario
L4B 3M7

Agent:

Humphries Planning Group Inc.
190 Phippen Road, Suite A
Vaughan, Ontario
L4K 4X9

Location:

Legal Description: Part of Lots 39, 40, 45 and 46, Plan 2766

Municipal Address: 93 Edward Avenue

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment to facilitate the conversion of an existing building to a private school use on the subject lands.

Recommendation:

- a) **That Staff Report SRPI.20.005 with respect to the Zoning By-law Amendment application submitted by 1355314 Ontario Inc., for lands known as Part of Lots 39, 40, 45 and 46, Plan 2766 (Municipal Address: 93 Edward Avenue), City File D02-20020, be received for information purposes only and that all comments be referred back to staff.**

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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 Infrastructure

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 received and deemed complete by the City on September 21, 2020. The application was subsequently circulated to relevant City departments and external agencies for review and comment. 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 Edward Avenue, north of Elgin Mills Road West in the Newkirk Business Park, and have a total lot area of 0.77 hectares (1.9 hectares) (refer to Map 1). The lands currently support a one-storey building which is used as storage and an associated pavement and gravel parking areas for the purpose of school bus storage/parking. The lands are predominantly surrounded by industrial uses save and except the lands immediately abutting the site to the south that supports the existing Toronto Montessori School (TMS) Elgin Mills Campus and low density residential uses to the east.

Development Proposal

The applicant is seeking Council's approval to facilitate the conversion of the existing one-storey building to be used for a private school use (associated with the adjacent TMS Elgin Mills Campus) for a temporary period on the subject lands (refer to Maps 4 and 5). The following is a summary of the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.77 hectares (1.9 acres)
- **Existing Gross Floor Area:** 516 square metres (5,554.18 square feet)
- **Existing Lot Coverage:** 14.92%
- **Existing Building Height:** 4.45 metres (14.6 feet) or one storey
- **Parking Spaces:** 19 spaces (including 2 accessible spaces)

Vehicular access to the subject lands will be maintained from Edward Avenue using the existing driveway access.

The applicant has submitted a Site Plan application (City File D06-20044) in conjunction with the subject Zoning By-law Amendment application to facilitate the site works associated with the subject application which includes reconfiguring the parking area to allow for an asphalt parking area, and the provision of a sodded area for the students.

Supporting Documentation/Reports

- Draft Zoning By-law;
- Planning Justification Report;

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- Survey;
- Tree Preservation Plan and Arborist Report;
- Proposed Site Plan;
- Existing Floor Plan;
- Proposed Floor Plan;
- Existing/Proposed Elevations;
- Existing Coloured Elevations;
- Stormwater Management Report;
- Flood Spill Study;
- Existing Conditions and Removals Plan;
- Site Grading and Erosion and Sediment Control Plan;
- Site Servicing Plan;
- Notes and Details Plan;
- Site Lighting – Electrical and Details;
- Site Service Plan – Electrical;
- Landscape Plan;
- Sustainability Metrics; and,
- Parking and On-Site Circulation Review.

Zoning By-law Amendment Application

The subject lands are zoned **High Performance Industrial (M1) Zone** under By-law 184-87, as amended. Permitted uses include a range of warehousing and manufacturing uses, as well as printing establishments, research and development and accessory office uses and does not include a private school as proposed by the subject application (refer to Map 3). Accordingly, the applicant is seeking to amend By-law 184-87, as amended, to permit a private school as a temporary use on its land holdings. The applicant is requesting the temporary use be permitted for a period not exceeding three years from the date of the enactment of the by-law

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Employment Area** in accordance with Schedule A2 – Land Use of the City’s Official Plan (the “Plan”) (refer to Map 2). Uses permitted within the **Employment Area** designation include predominantly high performance industrial uses (which include activities such as manufacturing, assembling, processing, fabricating, wholesaling, and employee training facilities), office and major office uses. Community uses, such as a private school, are not permitted. Notwithstanding the above, Section 5.10 of the Plan sets out policies concerning the enactment of a Temporary Use By-law as requested by the subject application. The policies require the proposal to be:

- in conformity with the general intent of the policies of this Plan and maintains the long term viability of the lands for the uses permitted (Section 5.10 a);

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- compatible with adjacent land uses; and
- that the proposed use must be suitable for the site (5.10.2.c)

A detailed review and evaluation of the subject proposal relative to the above noted policies of the Plan will be completed following the receipt of comments from Council, the public, and City departments and external agencies.

Department and External Agency Comments:

The subject Zoning By-law Amendment application and associated 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 this report.

Development Planning Division

Planning staff has completed a preliminary review of the applicant's development proposal, including plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan that are relevant to the consideration of the proposed development, staff provides the following preliminary comments:

- the proposed private school use is not permitted by the **Employment Area** designation of the Plan. As such, the proposed temporary use of the lands shall be assessed relative to the policies of Section 5.10 Temporary Use By-law of the Plan to facilitate the proposed private school use as an interim use of the lands;
- the existing building was used for industrial type uses and as such, through the Site Plan approval process the applicant will be required to ensure that all *Ontario Building Code* requirements related to the building conversion for a more sensitive use are being met;
- the applicant shall address the development proposal's compliance with the Ministry of the Environment, Conservation and Parks' Land Use Compatibility Guidelines to ensure that the proposed private school which is considered a sensitive land use, has appropriate separation distance to prevent adverse effects from existing land uses;
- the applicant must satisfactorily address any comments/issues identified by City departments and external agencies as part of the review of the subject development proposal; and,
- staff will continue to work with the applicant with respect to the suitability of the converting the existing building for the proposed temporary use as well as the proposed site layout.

A comprehensive review of the Zoning By-law Amendment application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public. The detailed review will be completed in advance of and addresses as part of a recommendation report to be prepared for a future Council meeting.

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Other City Department and External Agency Comments

Comments have been received from Canada Post, Enbridge Gas, Alectra Utilities, the City's Financial Services Division, the City's Waste Management Division, and the Regional Municipality of York. These external agencies have no objections to the application and/or have provided comments to be considered by the applicant during a more detailed implementation stage of the approval process.

The development proposal is still under review by the City's Development Engineering Division, Park and Natural Heritage Planning Section, Urban Design and Heritage Section, Building Services Division – Zoning Section, Fire and Emergency Services Division, the Toronto and Region Conservation Authority, Bell Canada, and Rogers Communication.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

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

Conclusion:

The applicant is seeking Council's approval of a Temporary Use Zoning By-law Amendment to facilitate the conversion of an existing building to a private school (associated with the abutting TMS Elgin Mills Campus). 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 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, Existing Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Proposed Site Plan
- Map 5, Proposed Elevations

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Report Approval Details

Document Title:	SRPI.20.005 - Request for Comments - Zoning By-law Amendment Application - D02-20020 - 93 Edward Avenue.docx
Attachments:	- MAP_1_AERIAL_PHOTOGRAPH.pdf - MAP_2_OFFICIAL_PLAN_DESIGNATION.pdf - MAP_3_EXISTING_ZONING.pdf - MAP_4_PROPOSED_SITE_PLAN.pdf - MAP_5_PROPOSED_ELEVATIONS.pdf
Final Approval Date:	Oct 15, 2020

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

Task assigned to Gus Galanis was completed by delegate Denis Beaulieu

Denis Beaulieu on behalf of Gus Galanis - Oct 15, 2020 - 10:33 AM

Kelvin Kwan - Oct 15, 2020 - 10:38 AM

MaryAnne Dempster - Oct 15, 2020 - 10:39 AM