



## **Staff Report for Council Meeting**

**Date of Meeting:** November 25, 2020

**Report Number:** SRPI.20.017

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** SRPI.20.017 – Request for Approval – Zoning  
By-law Amendment Application – Brookside  
Castle Corporation – City File D02-14031  
(Related File: D06-19061)

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### **Owner:**

Brookside Castle Corporation  
5 Long Hill Drive  
Richmond Hill, Ontario  
L4C 9B9

### **Agent:**

Adil Abood c/o Waterton Engineering Management Ltd.  
41 Dunvegan Drive  
Richmond Hill, Ontario  
L4C 9P8

### **Location:**

Legal Description: Part of Lot 3 and Part of Block A, Plan 1642  
Municipal Address: 24 Brookside Road

### **Purpose:**

A request for approval regarding a Zoning By-law Amendment application to permit the construction of a five storey medical office building with ground floor retail uses on the subject lands.

### **Recommendations:**

- a) That the Zoning By-law Amendment application submitted by Brookside Castle Corporation for the lands known as Part of Lot 3 and Part of Block A, Plan 1642 (Municipal Address: 24 Brookside Road, City File D02-14031, be approved, subject to the following:
  - (i) that the subject lands be rezoned to establish site specific development standards as outlined in Staff Report SRPI.20.017;

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- (ii) that pursuant to Section 34(17) of the Planning Act, Council deem that no further notice be required with respect to any necessary modifications to the draft amending Zoning By-law to implement the proposed development on the subject lands; and,
  - (iii) that prior to forwarding the final amending Zoning By-law to Council for consideration and enactment, the applicant pay the applicable processing fee in accordance with the City's Tariff of Fees By-law 108-19.
- b) That all comments concerning the applicant's related Site Plan application (City File D06-19061) be referred back to staff.

### Contact Person:

Amanda Dunn, Planner II – Site Plans, phone number 905- 747-6480 and/or  
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

### Report Approval:

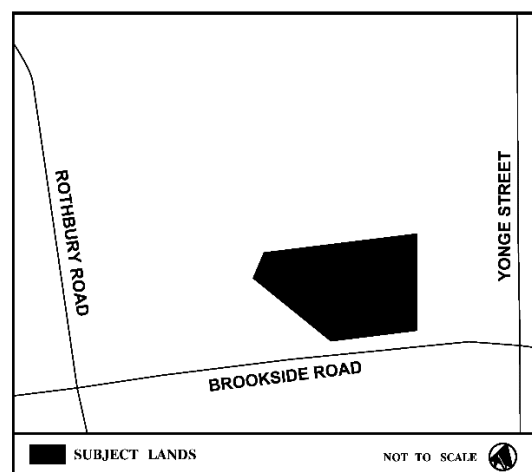
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Infrastructure

**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 please call person listed under "Contact Person" above.



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### **Background:**

The subject Zoning By-law Amendment application was originally considered at a statutory Council Public Meeting held on June 17, 2015 wherein Council received Staff Report SRPRS.15.124 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix A). The applicant's initial development proposal contemplated a four storey medical office building with at-grade retail uses on the subject lands. The principle issues identified by the public at the Council Public Meeting included pedestrian safety, flooding, protection of the abutting natural heritage features and hydrological features, parking, and building size.

In response to the concerns raised with respect to its development proposal, the applicant submitted a revised proposal in July 2017 to permit a seven storey commercial office/medical building with ground related retail and a combination of surface parking and one level of underground parking. The proposed development was to be accommodated on a reduced developable site area. A Council Public Meeting was held on June 21, 2017 regarding the revised proposal (refer to Appendix B) wherein further concerns were raised by the public with respect to the adequacy of the proposed parking supply and traffic impacts.

The applicant subsequently filed a further revised proposal and an associated Site Plan Application (City File D06-19061) on January 29, 2020, seeking approval to permit a five storey medical office building with ground related retail, the details of which are outlined later in this report.

The applicant has satisfactorily addressed the comments provided by circulated City departments and external agencies with respect to its Zoning By-law Amendment application. Accordingly, the purpose of this report is to seek Council's approval of the applicant's Zoning By-law Amendment application to facilitate its revised development proposal.

### **Summary Analysis:**

#### **Site Location and Adjacent Uses**

The subject lands are located on the north side Brookside Road, west of Yonge Street and have a total lot area of approximately 0.59 hectares (1.46 acres) (refer to Map 1). The lands are presently vacant. A creek (a tributary of the Rouge River) and associated valleyland traverse the property. The lands abut existing commercial uses to the north and east, Brookside Road to the south and a creek (Rouge River tributary) with associated valleylands to the west (refer to Maps 1 and 2).

#### **Revised Development Proposal**

The applicant is seeking Council's approval of its revised Zoning By-law Amendment application to permit the construction of a five storey medical office building with ground floor retail uses on its land holdings. Vehicular access to the site is to be provided from Brookside Road and parking is to be provided both at grade (partially under the first floor of the building) and on one level of underground parking (refer to Map 5 and 6). The following is a summary table outlining the relevant statistics from the applicant's

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previous development submissions and the current revised proposal based on the plans and drawings submitted to the City:

| Development Standard          | Submission # 1<br>November, 2014                | Submission #2<br>January, 2017                  | Revised Submission<br>January, 2020               |
|-------------------------------|---|---|---|
| <b>Lot Area</b>               | 0.59 hectares (1.46 acres)                      | 0.59 hectares (1.46 acres)                      | 0.59 hectares (1.46 acres)                        |
| <b>Valley Land Area</b>       | 0.28 hectares (0.69 acres)                      | 0.35 hectares (0.88 acres)                      | 0.35 hectares (0.88 acres)                        |
| <b>Developable Area</b>       | 0.31 hectares (0.77 acres)                      | 0.24 hectares (0.58 acres)                      | 0.24 hectares (0.58 acres)                        |
| <b>Gross Floor Area</b>       | 1,892.0 square metres<br>(20,366.0 square feet) | 3,048.0 square metres<br>(32,809.5 square feet) | 2,284.08 square metres<br>(24,585.63 square feet) |
| <b>Floor Area Ratio (FSI)</b> | 0.61<br>*included valley lands                  | 1.29  | 0.97  |
| <b>Lot Coverage</b>           | 16%<br>*includes valley lands                   | 28%   | 28%   |
| <b>Height</b>                 | 4 storeys                                       | 7 storeys                                       | 5 storeys   |
| <b>Proposed Parking</b>       | 60 spaces (at grade)                            | 88 spaces (48 at grade and<br>40 below grade)   | 68 spaces (30 at grade and<br>38 below grade)     |

Key changes to the development proposal relative to the applicant's 2017 development proposal includes:

- a reduction in the proposed building height from seven storeys to five storeys;
- a reduction in the proposed gross floor area from 3,048 square metres (32,809.5 square feet) to 2,284.08 square metres (24, 585.63 square feet); and,
- various site layout changes to accommodate the required number of parking spaces.

A related Site Plan application (City File D06-19061) has been submitted in conjunction with the subject Zoning By-law Amendment application to facilitate the proposed development. The ground floor of the proposed building is to consist of a building area of approximately 620.22 square metres (2,034.84 square feet) to be comprised of a lobby and a pharmacy. The remainder of the ground floor of the building is to accommodate vehicular access to both a ramp for underground parking, at grade parking and a through-way to a drop off area to the lobby of the building or the pharmacy. The upper four floors are to include medical and/or general office space. A fully enclosed accessory structure is to be provided at the northeast corner of the site for waste and recycling storage (refer to Map 5 and 6).

## Planning Analysis:

### City of Richmond Hill Official Plan

The subject lands are designated **Regional Mixed Use Corridor** and **Natural Core** in accordance with Schedule A2 - Land Use of the City's Official Plan (the "Plan") (refer to Map 3). The lands are also located within the **Settlement Area** designation in accordance with Schedule A3 of the Plan and are partially located within an area of High Aquifer Vulnerability as shown on Schedule A5 of the Plan. Uses permitted within the **Regional Mixed Use Corridor** includes offices and commercial uses as contemplated by the subject application. **Sections 3.3.3.2.3** and **3.3.3.2.4** of the Plan direct office, commercial and street related retail uses to be encouraged and directed towards the areas of the City identified as Centres and Corridors. As such, the

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proposed medical office and accessory retail use (pharmacy) is consistent with the applicable policies of the Plan.

Further, in accordance with **Sections 4.6.1.10** and **4.6.1.8**, development is permitted to have a maximum of eight storeys and a density of 2.0 Floor Space Index (FSI). The applicant's revised development proposal contemplates a five story building with a density of 0.97 FSI, which are below the maximum height and density provisions as set out in the Plan for this area of the City. As such, the revised application conforms with the applicable policies of the Plan.

In addition to the preceding, development within the centres and corridors are also required to incorporate a variety of compatible materials, fenestration and canopies to avoid repetition along building facades and should create visual interest to the public realm as per **Section 3.4.1.40** of the Plan. Further **Section 3.4.1.42.b)** identifies that development should provide pedestrian oriented experiences through decorative street furnishings such as light fixtures, bicycle racks and coordinated transit shelter designs.

The design of the proposed medical office provides a break in the ground floor to allow for vehicular access beneath the second storey of the building. The through-way for vehicular access is proposed to have exterior soffit lighting. Planters, benches as well as six bicycle parking spaces are proposed along the western perimeter of the building. The building façade will consist of a red brick style finish, tinted reflective glass and insulated glazing. Staff is satisfied that the proposed built form complies with the design policies of the **Regional Mixed Use Corridor** designation.

The revised proposal is also consistent with the **Natural Core** designation and **Greenway System (Policies 4.10.5.1 and 3.2.1)** of the Plan that apply to the western portion of the subject lands containing the tributary of the Rouge River which forms part of the Rouge River watershed, which includes *key natural heritage features*, *key hydrological features* and related minimum buffers/vegetation protection zones (**Section 4.10.5** of the Plan).

The western portion of the lands also contain valleylands and a significant woodlot that is contiguous to the Rouge River tributary. These features and associated buffers comprise an area of approximately 3,520.62 square metres (37,895.63 square feet), of which a 34 metre (111.55 feet) buffer is to be provided from the centerline of the existing tributary to the proposed development. Additionally, the lands containing the tributary and its environmental features are to be conveyed into public ownership to ensure the protection of natural heritage and hydrological features for the long term in accordance with **Policies 3.2.1.8** and **3.2.2.3.8** of the Plan, resulting in approximately 60% of the total site being conveyed to a public authority.

The development limits of the subject lands and required minimum vegetation protection zones (buffers) to the *key natural heritage features/key hydrological features* (significant woodlot, valleyland and watercourse) have been established in accordance with the provisions of the *Provincial Policy Statement*, the *Oak Ridges Moraine Conservation Plan* (ORMCP), the Regional Official Plan, the Plan and the City's Urban Master Environmental Servicing Plan (MESP) through the submission of a Natural Heritage Evaluation (NHE) which has been reviewed and deemed acceptable by both the City and the TRCA. The submitted NHE proposes an average 10 metre setback to the edge

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of the significant woodland (the greater of the natural features), which will result in a net gain to the woodland edge (approximately 941 square metres (10,128.83 square feet)).

The submitted NHE proposes mitigation measures which will also be implemented and includes vegetation replanting that will enhance and extend the woodland and vegetation cover within the valley corridor (29 trees are proposed to be removed from the site, and 87 native trees are proposed to be planted on the site). City and TRCA staff has reviewed the proposed development limits and are satisfied that the proposal provides an overall benefit to the identified key natural heritage features/key hydrological features, and respects the requisite setbacks to the staked feature limits

Given all of the above, staff is of the opinion that the applicant's revised development proposal conforms with the applicable policies of the Plan.

## Zoning By-law Amendment

The subject lands are currently dual zoned. The eastern portion of the lands are zoned "**General Commercial One (GC1) Zone**" under Zoning By-law 190-87, as amended, whereas the western portion of the lands are zoned "**Flood (F) Zone**" under Zoning By-law 2523, as amended (refer to Map 4). The proposed medical office is to be developed on the portion of the site that is zoned **GC1**. While the **GC1 Zone** permits a range of commercial uses, including professional offices and medical offices, retail uses such as the proposed pharmacy is not permitted. Accordingly, retail uses are proposed to be added to the permitted uses of the **GC1 Zone** in order to facilitate the development.

Uses permitted in the **Flood Zone** are restricted to conservation, forestry, agriculture, horticultural nursery, recreational uses and Private Parks. No part of the proposed development is to be situated on the portion of the lands zoned **Flood**. Through the environmental review of the development proposal, and in accordance with the applicable policies of the Plan, the boundary of the **Flood Zone** will be expanded from the current zone boundary to protect for the identified natural heritage features and buffers on the western limits of the property. The permitted uses for the **Flood Zone** will be restricted to conservation and forestry uses only (refer to Map 4 and Appendix C – Schedule A). Also, for greater clarity, the existing **Flood (F) Zone lands** within By-law 2523, as amended, will be removed and included within Zoning By-law 190-87, as amended, similar to the **GC1** zoned portion of the lands, so that the entire site is zoned under the same parent By-law.

The following table provides a summary of the applicable development standards of the **GC1 Zone** to facilitate the proposed medical office development, including site specific development standards in bold as proposed by the applicant:

| Development Standard                            | GC1 Zone, By-law 190-87 as amended | Proposed Development Standard      |
|---|------------------------------------|------------------------------------|
| Minimum Lot Area                                | 0.4 hectares (0.98 acres)          | <b>0.236 hectares (0.58 acres)</b> |
| Minimum Lot Frontage                            | 30 metres (98.42 feet)             | <b>14.60 metres (47.9 feet)</b>    |
| Minimum Front Yard                              | 15 metres (49.2 feet)              | complies                           |
| Minimum Front Yard Setback from Brookside Road: | 9 metres                           | complies                           |
| Minimum Side Yard Setback (west):               | 6 metres (19.68 feet)              | <b>1.0 metre (3.28 feet)</b>       |

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|   |   |   |
|---|---|---|
| Minimum Side Yard Setback to Garbage enclosure: | 6 metres (19.68 feet)   | <b>0.7 metres (2.3 feet)</b>  |
| Minimum Flankage Yard                           | 6 metres (19.68 feet)   | N/A   |
| Minimum Rear Yard                               | 12 metres (39.4 feet)   | <b>8.4 metres (27.6 feet)</b>   |
| Minimum Rear Yard Setback to Garbage Enclosure: | 12 metres (39.4 feet)   | <b>0.7 metres (2.3 feet)</b>  |
| Maximum Height                                  | 7.5 metres (24.6 feet)  | <b>19.8 metres (64.9 feet)<br/>5 storeys</b>  |
| Minimum Floor Area Ratio                        | N/A   | <b>0.97</b>   |
| Lot Coverage                                    | N/A   | <b>28%</b>  |
| Parking   | <ul style="list-style-type: none"> <li>Medical Office – 5.4 parking spaces per 100 square metres of GFA</li> <li>Office – 3.2 parking spaces per 100 square metres of GFA</li> <li>Commercial (Retail Store) – 3.2 parking spaces per 100 square metres of GFA</li> </ul> | <ul style="list-style-type: none"> <li>Medical Office – 5.4 parking spaces per 100 square metres of GFA</li> <li><b>Office – 2 parking spaces per 100 square metres of GFA</b></li> <li><b>Commercial (Retail Store) – 2.3 parking spaces per 100 square metres of GFA</b></li> </ul> |
| Minimum Aisle Width                             | 7.01 metres (23 feet)   | <ul style="list-style-type: none"> <li><b>6.0 metres (19.7 feet) for two-way</b></li> <li><b>4.3 metres (14.10 feet) for one-way</b></li> </ul>   |
| Maximum Gross Leasable Floor Area               | 600 square metres (6,458.35 square feet)  | <b>1,544.04 square metres (16,619.58 square feet)</b>   |

Planning staff has undertaken a comprehensive review of the applicant's development proposal and is satisfied that the proposed site-specific development standards are supportable on the basis of the following:

- the reduced minimum lot area is a result of the valleylands being conveyed to a public authority as a means to protect the significant woodland that is associated with the valleyland and associated buffers;
- the side yard setback (west property limit) of 1.0 metres (3.28 feet) is only to the portion of the proposed building which contains the main lobby. It should also be noted that the natural feature buffers are adjacent to the western property limits;
- staff notes that the proposed land use, height and density provisions are consistent with the policies of the Plan; and,
- the proposed reduced parking rates, minimum driveway aisle widths for both one-way and two-way drive aisles have been reviewed by the City's Development Engineering Division and have been determined to be appropriate.

Based on the preceding, planning staff is satisfied that the applicant's revised development proposal, the related site specific development standards for the **General Commercial One (GC1) Zone** and the enlargement of the **Flood (F) Zone** boundaries under By-law 190-87 as amended, conform with the applicable policies of the Plan and are appropriate in consideration of the overall design and function of the applicant's development proposal.

## Site Plan Application

As noted previously, the applicant has submitted a Site Plan application to facilitate its revised development proposal (refer to Map 6). This application remains under review

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with respect to various technical matters that must be addressed to the satisfaction of City staff prior to the issuance of Site Plan approval. At the time of writing of this report, a revised submission which is intended to address the remaining outstanding technical issues has been received by the City and is under review by relevant departments and agencies. Notwithstanding the preceding, and on the basis of the comments that remain to be addressed through the Site Plan approval process to date, staff is satisfied that the review of the related Site Plan application has advanced to a stage that substantial changes to the proposed form of development are not anticipated and will not impact the zoning of the property.

### City Department and External Agency Comments:

Comments received through the circulation of the applicant's Zoning By-law Amendment application from City departments and external agencies have been satisfactorily addressed. City departments and external agencies have no further comments or objections with respect to the Zoning By-law Amendment application. Technical comments provided through the review of this application will be addressed through the remaining Site Plan review process, including the dedication of KNHF and KHF's and their associated MVPZs in accordance with the policies of the Plan.

### Development Planning Division

Planning staff has completed a review of the applicant's revised development proposal and recommends that Council approve the applicant's Zoning By-law Amendment application on the basis of the following:

- the proposed medical office and associated retail, building height of five storeys and density of 0.97 FSI comply with the policies of the **Regional Mixed Use Corridor** designation of the Plan;
- the proposed built form, design and site layout provides for appropriate height, massing, parking supply and protection of natural features in consideration of the policies of the **Regional Mixed Use Corridor** and **Natural Core** designations;
- the expansion of the existing **Flood Zone** boundary along with the imposition of restricted uses and establishment of site specific zoning standards to facilitate the proposed development are considered to be appropriate;
- staff is of the opinion that the averaged 10 metre buffer, in conjunction with the proposed mitigation measures, will result in an overall benefit to the woodlot and associated valley system. Further, staff will ensure that the identified KNHF and KHF's and their associated MVPZs will be conveyed to the appropriate public agency through the Site Plan approval process; and,
- the applicant has satisfactorily addressed the comments raised through the circulations of the application as it relates to the Zoning By-law Amendment application. The applicant will be required to address the outstanding comments identified through the remaining outstanding technical matters through the Site Plan approval process.

### Interim Growth Management Strategy

The applicant has submitted a Sustainability Performance Metrics Tool for consideration by the City as part of its review and approval of its related Site Plan application. The



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applicant's Sustainability Performance Metrics submission is currently in draft form and proposes to achieve a point score of 32 which falls within the City's targeted "good" performance level of 32 to 45 points for Site Plan applications. The Sustainability Performance Metrics submission remains under review by staff. The applicant's commitments to the Sustainability Performance Metrics submission will be secured through a future Site Plan agreement as part of the processing of the related Site Plan application.

### Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staff or other implications.

### Relationship to the Strategic Plan:

The applicant's development proposal would align with **Goal Two – Better Choice in Richmond Hill** in that it would contribute to facilitating business development along the Yonge Street corridor. The recommendations of this report are aligned with **Goal Four – Wise Management of Resources in Richmond Hill** in utilizing available land responsibly.

### Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit its revised proposal to permit construction of a five storey medical office building with ground related retail uses on the subject lands. Staff has undertaken a comprehensive review and evaluation of the applicant's development proposal and is of the opinion that the submitted application conforms to the policies of the Plan and represents good planning. On the basis of the preceding, staff recommends that Council approve the subject Zoning By-law Amendment application in accordance with the direction outlined in this report.

### Attachments:

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

- Appendix A – Extract of Council Public Meeting C#31-15 held June 17, 2015
- Appendix B – Extract of Council Public Meeting C#23-17 held June 21, 2017
- Appendix C – Draft Zoning By-law 134-20
- Map 1 – Aerial Photograph
- Map 2 – Neighbourhood Context
- Map 3 – Existing Official Plan Designation
- Map 4 – Existing Zoning
- Map 5 – Proposed Site Plan
- Map 6 – Proposed Elevations

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### Report Approval Details

|                      |   |
|----------------------|---|
| Document Title:      | SRPI.20.017 - Request for Approval - Zoning By-law Amendment - 24 Brookside.docx  |
| Attachments:         | <ul style="list-style-type: none"><li>- SRPI.20.017_Appendix A_CPM061715.pdf</li><li>- SRPI.20.017_Appendix B_CPM062117.pdf</li><li>- SRPI.20.017_Appendix C_Bylaw.pdf</li><li>- SRPI.20.017_Appendix C_Schedule A ZBA.pdf</li><li>- SRPI.20.017_MAP_1_AERIAL_PHOTOGRAPH.pdf</li><li>- SRPI.20.017_MAP_2_NEIGHBOURHOOD_CONTEXT.pdf</li><li>- SRPI.20.017_MAP_3_OFFICIAL_PLAN_DESIGNATION.pdf</li><li>- SRPI.20.017_MAP_4_EXISTING_ZONING.pdf</li><li>- SRPI.20.017_MAP_5_PROPOSED_SITE_PLAN.pdf</li><li>- SRPI.20.017_MAP_6_PROPOSED_ELEVATIONS.pdf</li></ul> |
| Final Approval Date: | Nov 4, 2020   |

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

**Gus Galanis - Nov 3, 2020 - 5:30 PM**

**Kelvin Kwan - Nov 4, 2020 - 7:55 AM**

**MaryAnne Dempster - Nov 4, 2020 - 9:32 AM**