



Staff Report for Council

Date of Meeting: November 25, 2020

Report Number: SRPI.20.018

Department: Planning and Infrastructure Department

Division: Development Planning

Subject: SRPI.20.018 – Request for Approval – Zoning By-law Amendment Application – Unicorr Limited – City File D02-19003 (Related File D06-19024)

Owner:

Unicorr Limited
68 Leek Crescent
Richmond Hill, Ontario
L4B 1H1

Agent:

Martin Rendl
35 Delburn Drive
Toronto, Ontario
M1V 1A8

Location:

Legal Description: Part of Blocks 8 and 9, Registered Plan 65M-2202 and Part of Lot 13, Concession 3, E.Y.S.

Municipal Address: 68 Leek Crescent

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to permit the expansion of the existing parking lot located on the subject lands.

Recommendations:

- a) That the Zoning By-law Amendment application submitted by Unicorr Limited for the lands known as Part of Blocks 8 and 9, Registered Plan 65M-2202 and Part of Lot 13, Concession 3, E.Y.S. (Municipal Address: 68 Leek Crescent), City File D02-19003, be approved, subject to the following:

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- (i) that the zoning provisions for the portion of the subject lands zoned Flood (F) Zone under By-law 150-80, as amended, be amended to include the site specific provisions outlined in Staff Report SRPI.20.018 and as set out in Appendix B hereto ; and,
- (ii) that the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.

Contact Person:

Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

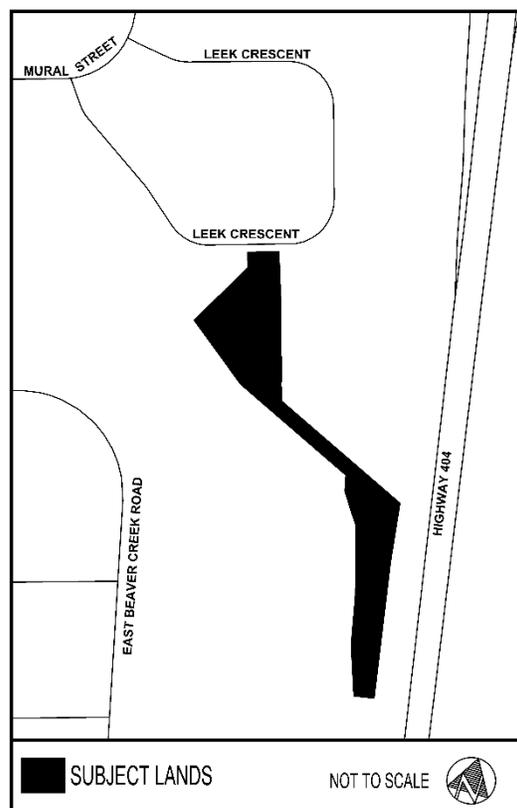
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

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:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on June 5, 2019 wherein Council received Staff Report SRPRS.19.099 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). No members of Council or the public spoke to the application. The purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment application.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Leek Crescent in the City’s Beaver Creek Business Park (refer to Map 1). The lands are irregular in shape, with a frontage of 46.72 metres (153.28 feet) on Leek Crescent and a total site area of 3.687 hectares (9.11 acres). The lands support two industrial buildings, as well as several surface parking areas. Uses surrounding the property include industrial uses to the north, Highway 404 to the east, a watercourse (Beaver Creek) and industrial uses to the south and west (refer to Map 2). It is noted that the lands fall within the Toronto and Region Conservation Authority’s (TRCA) regulated area.

Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to amend the provisions of the **Flood (F) Zone** category under By-Law 150-80, as amended to permit the expansion of the existing parking area located on its land holdings. The following is a summary outlining the relevant statistics of the applicant’s development proposal based on the plans and drawings submitted for its entire land holdings.

- **Lot Frontage:** 46.72 metres (153.28 feet)
- **Lot Area:** 3.687 hectares (9.11 acres)
- **Existing Buildings on Site:** 2
- **Existing Lot Coverage:** 34.08%
- **Existing Parking:** 232 (includes 31 spaces existing within Ministry of Transportation setback)
- **Total Proposed Parking:** 264 (32 proposed new spaces are to be located within Ministry of Transportation setback)

It should be noted that the applicant has refined the limits of the development compared to the limits of the proposed parking lot expansion previously presented at the Council Public Meeting in order to address the protection of surrounding Key Natural Heritage Features (KNHFs) and Key Hydrological Features (KHF) and to address concerns related to Hazardous Lands. Accordingly, the proposal now contemplates a parking lot expansion that would comprise an area of approximately 11.80 metres (38.71 feet) in width and 88 metres (288.71 feet) in length along the eastern boundary of the site

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abutting Highway 404 to accommodate an additional 32 parking spaces within the required 14 metre (45.93 feet) Ministry of Transportation setback (refer to Map 6).

A related Site Plan application (D06-19024) has been submitted in conjunction with the subject Zoning By-law Amendment application to facilitate the parking lot expansion as proposed. The parking lot expansion is proposed to be constructed with a permeable surface and to implement measures to limit the impacts of flooding in accordance with TRCA comments, including the implementation of appropriate signage and an Emergency Response Plan which outlines the protocols to be put in place and followed prior to, during, and after a flood event.

Land Use Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Employment Area** and **Natural Core** in accordance with Schedule A2 (Land Use Plan) of the City's Official Plan (the "Plan") (refer to Map 3). The proposed parking lot expansion is accessory to an existing permitted use within the **Employment Area** designation and is permitted in the **Employment Area** designation. With respect to the portions of the parking lot expansion that are proposed within the **Natural Core** designation, the applicant has submitted a Natural Heritage Evaluation (NHE) which has been reviewed and accepted by City and TRCA staff demonstrating that the proposed minor parking lot expansion will not adversely affect the ecological or hydrological integrity of the **Greenlands System**, and that the restoration plantings proposed on site will enhance these areas.

Further to the above, the southerly portion of the subject lands are also identified as part of the **Floodplain Regulation Area** (TRCA Regulation Limit) on Schedule A7 (Floodplain Regulation Areas, Special Policy Areas and Flood Vulnerable Areas) of the Plan (refer to Map 5). Through the detailed review of the applications, the TRCA has provided the City with updated floodplain modeling and mapping for this area, which now identifies the entire site, including the area in which the parking lot is proposed, to be located as being within the floodplain.

Typically, development is generally directed away from lands subject to natural hazards such as flooding as a matter of public safety and security. In accordance with **Policy 3.2.2.3.5**, the Plan prohibits development and site alteration within the floodplain subject to Conservation Authority regulations and the natural hazard policies of the *Provincial Policy Statement* (PPS). Further, **Policy 3.2.2.3.7** of the Plan requires that a minimum protection zone or (or buffer) of 10 metres (32.8 feet) be provided and enhanced from the outer limits of Hazardous Lands and Hazardous Sites, as defined by the City and the TRCA. **Policy 3.2.2.3.8** of the Plan requires that where appropriate, Hazardous Lands and Hazardous Sites shall be dedicated to public agencies through the development process.

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Although the applicant’s development proposal is now entirely located within the floodplain, the proposal has been revised to reduce the limits of the development to address the protection of surrounding KNHFs and KHF’s in accordance with the approved NHE and to the satisfaction of the TRCA and the natural hazard policies of the PPS. This includes, amongst others, refining the limits of the proposed parking lot to a specific area with limited ponding and limiting permissions to allow for a surface parking lot only, with no overnight parking permitted. Further, to the preceding, the proposed parking lot expansion is located to the rear of the existing buildings on the southern portion of the site in accordance with **Policy 3.4.1.51** of the Plan.

Based on the foregoing, staff is of the opinion that the Zoning By-law Amendment application conforms with the applicable policies of the Plan.

Zoning By-law Amendment

The subject lands are zoned **High Performance Commercial Industrial (MC-1) Zone** and **Flood (F) Zone** under Zoning By-law 150-80, as amended (refer to Map 4). The **High Performance Commercial Industrial Zone** permits a variety of industrial and commercial uses, including associated accessory parking. Uses permitted in the **Flood Zone** are restricted to public and private parks, and buildings or structures intended for flood or erosion control.

The applicant is seeking Council’s approval to amend the provisions of the **Flood (F) Zone** applicable to the lands with site specific permissions to permit the proposed parking lot expansion. The proposed zoning would allow for the development of the proposed parking lot expansion on the southern portion of the site within an area acceptable to the TRCA and in accordance with the TRCA’s updated floodplain modeling and mapping for this area. Below is a summary of the specific zoning provisions under By-law 150-80 that are proposed to be amended to facilitate the development proposal:

Development Standard	Flood (F) Zone Standard By-law 150-80, as amended	Proposed Site Specific Standard
Permitted Uses	A Public or Private Park and Buildings or Structures intended for flood or erosion control	Limited to a Parking Lot with no overnight parking
Minimum Landscaped Open Space	6.0 metres (19.69 feet) abutting a street line	Not required
Screening for a Parking Lot abutting a road	Screening to be provided at a height no less than 1.5 metres (4.92 feet)	Not required

Planning staff has reviewed the applicant’s Zoning By-law Amendment application and are of the opinion that the proposal to rezone a portion of the subject lands to **Flood (F) Zone** with site specific permissions under By-law 150-80, as amended, to permit the expansion of the existing surface parking lot is consistent with the policy direction provided by the Plan. The proposal represents a minor expansion to an existing parking area and use that has been accepted by the TRCA and does not conflict with the

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natural hazard policies of the PPS. Accordingly, the proposed amendment is considered to constitute good planning and appropriate for the existing development on the lands.

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. Technical comments provided through the review of this application will be addressed as part of the finalization of the Site Plan review 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 the related Site Plan application. The applicant's Sustainability Performance Metrics submission is currently in draft form and proposes to achieve a point score of 21, which falls below the City's targeted "good" performance level of 32 to 45 points for Site Plan applications.

Notwithstanding, it is recognized that the nature of the development proposal as a parking lot expansion has limited opportunities to achieve the minimum metrics score which primarily targets the construction of new buildings and is therefore considered to be acceptable. 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 recommendations of this report are aligned with **Goal Four – Wise Management of Resources in Richmond Hill** by using land responsibly.

Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the expansion of the existing parking area located on the subject lands to permit an additional 32 parking spaces on its land holdings. Staff 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, it is recommended that Council approve the subject Zoning By-law Amendment application in accordance with the direction outlined in this report.

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Attachments:

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

- Appendix A - Extract of Council Public Meeting C#25-19 held June 5, 2019
- Appendix B - Draft Zoning By-law 140-20
- Map 1 - Aerial Photograph
- Map 2 - Neighbourhood Context
- Map 3 - Existing Official Plan Designation
- Map 4 - Existing Zoning
- Map 5 - Existing Flood Plain Regulated Area
- Map 6 - Proposed Site Plan

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Report Approval Details

Document Title:	SRPRI.20.018 - Request for Approval- Zoning By-law Amendment - 68 Leek Crescent - City File D02-19003.docx
Attachments:	<ul style="list-style-type: none">- SRPI.20.018_Appendix A - CPM Council Extract.pdf- SRPI.20.018 - Appendix B - Draft Zoning By-law 140-20.pdf- SRPI.20.018_MAP_1_AERIAL_PHOTOGRAPH.pdf- SRPI.20.018_MAP_2_NEIGHBOURHOOD_CONTEXT.pdf- SRPI.20.018_MAP_3_OFFICIAL_PLAN_2010_DESIGNATION.pdf- SRPI.20.018_MAP_4_EXISTING_ZONING.pdf-SRPI.20.018_MAP_5_EXISTING_FLOODPLAIN_REGULATION_AREA.pdf- SRPI.20.018_MAP_6_PROPOSED_DRAFT_SITE_PLAN.pdf
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 - 5:15 PM

Kelvin Kwan - Nov 4, 2020 - 7:56 AM

MaryAnne Dempster - Nov 4, 2020 - 9:35 AM