



Staff Report for Committee of the Whole Meeting

Date of Meeting: December 4, 2017

Report Number: SRPRS.17.199

Department: Planning and Regulatory Services

Division: Development Planning

Subject: Request for Approval – Zoning By-law
Amendment – 1730917 Ontario Inc. – Town File
D02-16020 (Related File D06-16058)
(SRPRS.17.199)

Owner:

1730917 Ontario Inc.
432 Elmwood Avenue
Richmond Hill, Ontario
L4C 1M4

Agent:

Evans Planning Inc.
8481 Keele Street, Unit 12
Vaughan, Ontario
L4K 1Z7

Location:

Legal Description: Block 21, Registered Plan 65M-3146
Municipal Address: 11384 Yonge Street

Purpose:

A request for approval concerning a Zoning By-law Amendment application to permit additional commercial uses, and facilitate the construction of a mezzanine addition and parking lot expansion for the existing commercial development located on the subject lands.

Recommendation:

1. That the Zoning By-law Amendment application submitted by 1730917 Ontario Inc. for lands known as Block 21, Registered Plan 65M-3146 (Municipal Address: 11384 Yonge Street) Town File D02-16020 (Related File: D06-16058), be approved subject to the following:

- a) That Council approve the draft Zoning By-law as set out in Appendix “B” to Staff Report SRPRS.17.199 and that said by-law be brought forward to a regular meeting of Council for consideration and enactment.

Contact Person:

Katherine Faria, Planner II - Subdivisions, phone number 905-771-5543 and/or Deborah Giannetta, Acting Manager of Development - Site Plans, phone number 905-771-5542

Report Approval:

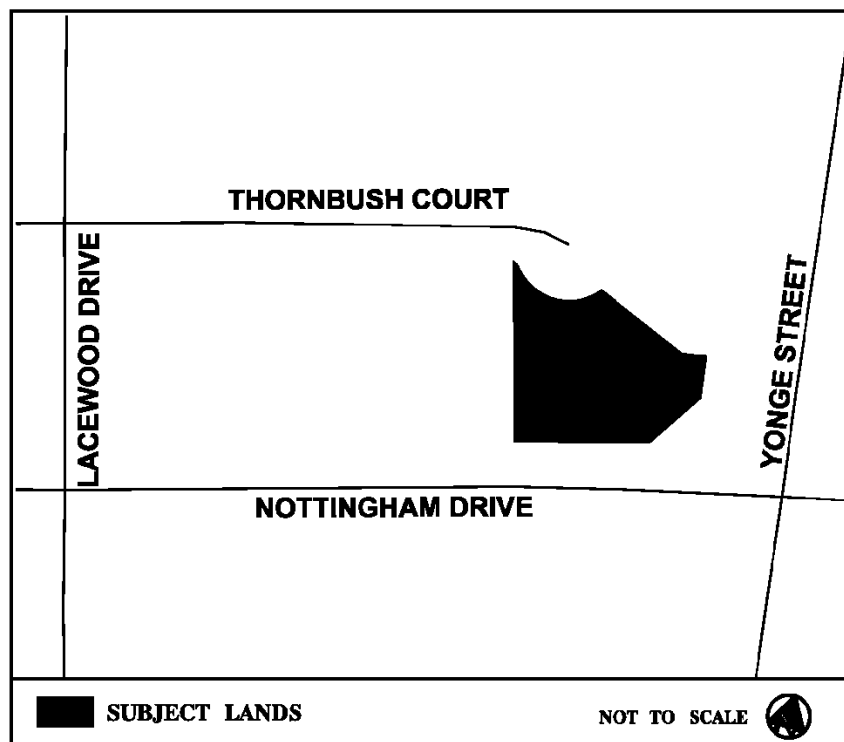
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call the person listed under “Contact Person” above.



Background

The subject Zoning By-law Amendment application and related Site Plan Amendment application were received on August 25, 2016 and deemed complete by the Town on September 6, 2016. The applications were subsequently circulated to relevant Town departments and external agencies for review and comment.

A Council Public Meeting was held on December 7, 2016 in accordance with the statutory Public Meeting requirements of the *Planning Act* to consider the applicant's Zoning By-law Amendment application wherein Council received Staff Report SRPRS.16.187 for information purposes and directed that all comments be referred back to staff (refer to Appendix "A").

A number of concerns were raised by Council and members of the public at the Council Public Meeting with respect to the applicant's development proposal. More specifically, concerns identified included the impacts on the adjacent neighbourhood, potential parking issues and increased traffic activity as a result of the proposed expansion and additional uses proposed on the subject lands. Following a comprehensive review of the proposal by Town staff and in response to concerns voiced at the Council Public Meeting, the applicant has revised their development proposal to reflect a reduction in the proposed additional gross floor area and a cap on the maximum permitted space devoted to retail and other commercial uses. These matters will be addressed in greater detail in the later sections of this report.

The purpose of this report is to seek Council's approval of the applicant's Zoning By-law Amendment application in accordance with the recommendations as set out in Staff Report SRPRS.17.199.

Summary Analysis

Site Location and Adjacent Uses

The subject lands are located at the northwest corner of Yonge Street and Nottingham Drive and have a total lot area of 0.26 hectares (0.64 acres). The site presently supports a single storey commercial building and abuts Yonge Street to the east, Nottingham Drive to the south, residential uses to the west and residential uses and Thornbush Court to the north. The existing development has vehicular access to Nottingham Drive and a pedestrian access from the lands is provided to Nottingham Drive, Yonge Street and Thornbush Court (refer to Map 1).

Development Proposal

The applicant is seeking Council's approval of its request to amend Zoning By-law 190-87, as amended, to permit additional commercial uses and site-specific provisions to facilitate the construction of a mezzanine addition and parking area expansion for the existing commercial development located on the subject lands.

The applicant's original development proposal contemplated an increase in parking spaces from 22 spaces to 26 spaces and a total gross floor area of 1,052.6 square metres (11,330.09 square feet), including a mezzanine addition equivalent to 400 square metres (4,305.56 square feet). In response to comments received at the Council Public Meeting and through staff's review its proposal, the applicant has submitted a revised proposal that provides for a reduced mezzanine addition and a reduction in the number of parking spaces to be provided on the lands to 25 spaces. The following summary outlines the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

Statistic	Existing Commercial Development	Initial Development Proposal	Revised Development Proposal
Lot Area	0.26 hectares (0.64 acres)	No Change	No Change
Total Gross Floor Area (GFA)	652.6 sq. metres (7,024.53 sq. feet)	1052.6 sq. metres (11,330.09 sq. feet)	1000 sq. metres (10,763.91 sq. feet)
Ground Floor GFA	652.6 sq. metres (7,024.53 sq. feet)	No Change	No Change
Mezzanine GFA	N/A	400 sq. metres (4,305.56 sq. feet)	347.4 sq. metres (3,739.38 sq. feet)
Total Parking Supply	22 spaces	26 spaces (including 2 barrier free spaces)	25 spaces (including 2 barrier free spaces)
Building Height	6.8 metres (22.31 feet)	No Change	No Change
Number of Storeys	1	1 plus mezzanine	1 plus mezzanine

A Site Plan Amendment application has been submitted in conjunction with the subject Zoning By-law Amendment application which is discussed later in this report.

Planning Analysis

Town of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2-Land Use of the Town's Official Plan (the "Plan") (refer to Map 3). The predominant land use permitted within the **Neighbourhood** designation is low rise residential. In addition, medium density residential, neighbourhood commercial and community uses, parks and open spaces, and automotive services commercial uses are permitted within the **Neighbourhood** designation subject to specific policy criteria as defined in Chapter 4 of the Plan. The subject lands are identified as an existing neighbourhood commercial site as shown on Appendix 7 – Existing Neighbourhood Commercial Sites (refer to Map 4). In accordance with Section 4.9.1.3 of the Plan, small-scale retail, commercial, office and

community uses are generally permitted within existing neighbourhood commercial sites to serve the commercial needs of the neighbourhood and shall not exceed a maximum gross leasable floor area of 5,575 square metres (60,000 square feet). Development within the **Neighbourhood** designation shall be compatible with the character of the adjacent and surrounding area and shall be limited to a maximum building height of 4 storeys on an arterial street.

The subject lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan*. In accordance with Policy 3.2.1.1 (18) of the Plan, all uses including the creation of new lots which are otherwise permitted under the Plan and applicable Secondary Plans as amended from time to time shall be permitted within the **Settlement Area**. It should be noted that no key natural heritage features or key hydrological features have been identified on or adjacent to the subject lands.

Based on the aforementioned, staff is satisfied that the applicant's development proposal conforms to the land use and design policies of the Plan.

Proposed Zoning By-law Amendment

The subject lands are zoned **Local Commercial (LC) Zone** under Zoning By-law 190-87, as amended (refer to Map 2). The current zoning category permits a convenience retail store, personal service shop, day nursery, laundromat and laundry and dry cleaning establishment. The applicant is seeking Council's approval to add "retail store" and "business or professional offices" as additional permitted uses and to implement site-specific provisions under the present zoning to facilitate the construction of a mezzanine addition within the existing commercial building located on the subject lands. It should be noted that the proposal does not contemplate a change in zone category from the **Local Commercial (LC) Zone** under Zoning By-law 190-87, as amended.

As noted previously in this report, the applicant initially proposed an addition that would have increased the total gross floor area of the existing commercial building to 1,052.6 square metres (11,330.09 square feet), which included a mezzanine addition and an increase in the parking supply from 22 to 26 spaces. In an effort to address comments from the public and Council as well as technical matters identified with respect to on-site vehicular movements, the applicant has submitted a revised proposal wherein the parking supply was reduced from 26 to 25 parking stalls and the total proposed gross floor area was reduced to 1,000 square metres (10,763.91 square feet).

The applicant is seeking approval for a proposed site-specific parking rate of 2.5 spaces per 100 square metres (1,076.39 square feet) of gross floor area. Whereas, in accordance with By-law 190-87, as amended, a parking rate of 4.3 spaces per 100 square metres (1,076.39 square feet) of gross leasable floor area applies to a shopping centre that is less than or equal to 37,000 square metres and would be applicable to the subject lands. The parking rate for offices and commercial uses not otherwise specified in By-law 190-87, as amended, is generally calculated at 3.2 parking spaces per 100 square metres (1,076.39 square feet) of gross floor area. It should be noted that the

standard shopping centre parking rate required in accordance with By-law 190-87, as amended, applies to a range of commercial uses and may encompass uses not contemplated for the subject lands.

The proposed Zoning By-law Amendment also contains site-specific provisions with respect to maximum permitted gross floor area, minimum bicycle and vehicle parking requirements, and minimum landscaped areas. In accordance with Section 7.2 (2) of By-law 190-87, as amended, a maximum gross leasable floor area of 300 square metres (3,229.17 square feet) is permitted for any single use and a maximum gross leasable floor area of 600 square metres (6,458.35 square feet) is permitted for all uses combined. To allow for the proposed increase in commercial gross floor area, the applicant has requested that Section 7.2 (2) no longer apply to the subject lands. The proposed Zoning By-law Amendment also provides for reduced landscaping requirements adjacent to street lines to accommodate the proposed parking expansion.

The following table provides a summary of the applicable development standards within the **Local Commercial (LC) Zone** under By-law 190-87, as amended, including site-specific provisions proposed by the applicant:

Statistic	Permitted Standards (LC) Zone	Proposed Site-Specific Provisions (LC) Zone
Minimum Lot Area	0.2 hectares (0.49 acres)	No Change
Minimum Lot Frontage	30.0 metres (98.43 feet)	No Change
Minimum Front Yard	6.0 metres (19.69 feet) or 9.0 metres (29.53 feet) to an Arterial Road (Commercial Use)	No Change
Minimum Side Yard	6.0 metres (19.69 feet), abutting a residential zone	No Change
Minimum Landscape Strip	6.0 metres (19.69 feet), abutting all street lines	3.0 metres (9.84 feet)
Minimum Landscaped Buffer	3.0 metres (9.84 feet)	No Change
Minimum Rear Yard	7.5 metres (24.61 feet)	No Change
Maximum Height	7.5 metres (24.61 feet)	No Change
Maximum GLFA for single use	300.0 square metres (3,229.17 square feet)	Shall not apply to the lands
Maximum GLFA for uses combined	600.0 square metres (6,458.35 square feet)	1,000.0 square metres (10,763.91 square feet) GFA
Minimum Parking Supply	4.3 spaces per 100 square metres GLFA (approximately 35 spaces)	2.5 spaces per 100 square metres GFA (25 spaces)

Proposed Site Plan Amendment Application

A revised Site Plan Application, Town File D06-16058, was submitted concurrently with the applicant's Zoning By-law Amendment application to facilitate the proposed physical changes to the site. Town staff and external agencies have reviewed this application and have no technical objections to the applicant's revised proposal. Subject to Council's approval of the Zoning By-law Amendment as outlined in this report, Town staff will continue to work with the applicant towards the finalization and execution of an amending Site Plan Agreement.

Department and External Agency Comments

The subject Zoning By-law Amendment and related Site Plan Amendment applications, including the associated background studies and reports submitted in support of same have been circulated to various Town departments and external agencies for their review and comment. In response to concerns raised and comments provided on the applicant's initial submission, revised submission packages were provided to the Town and subsequently circulated to relevant Town staff and external agencies for review. The following is a summary of comments received as of the time of writing of this report, including a brief discussion on how concerns and issues have been addressed by the applicant.

Development Planning Section

Following a comprehensive review of the applicant's request, Planning staff recommends approval of the proposed Zoning By-law Amendment application on the basis of the following considerations:

- the subject lands are designated as an existing commercial site as shown on Appendix 7 of the Plan. In accordance with Policy 4.9.1.3 (1) of the Plan, existing neighbourhood commercial sites shall be retained to serve the commercial needs of the neighbourhood;
- the proposed additional uses, including a retail store and business or professional offices are generally permitted on lands designated as existing neighbourhood commercial sites;
- the proposed expansion to the existing commercial development complies with the maximum permitted gross leasable floor area of 5,575 square metres (60,000 square feet) for an existing neighbourhood commercial site in accordance with Section 4.9.1.3 of the Plan;
- the applicant's development proposal does not contemplate an increase in height or massing of the existing building. In this regard, the proposed Zoning By-law Amendment and modifications to the existing structure are generally compatible with the character of surrounding lands and are appropriate in consideration of the adjacent residential uses;
- as noted previously in this report, concerns were raised at the Council Public Meeting with regard to impacts on the abutting residential neighbourhood, namely the increased parking demand and traffic generated by the proposed expansion and additional uses. The Town's Development Engineering staff has reviewed the

applicant's revised proposal and has advised that the proposed parking is considered appropriate for the site, subject to the implementation of various traffic demand management measures including the provision of onsite bicycle parking. In this regard, the proposed Zoning By-law Amendment provides for a bicycle parking rate of 0.8 bicycle parking spaces per 100 square metres (1,076.39 square feet) gross floor area. Additionally, the draft Zoning By-law Amendment includes a limit for retail and other commercial uses to a maximum of 65% of the gross floor area to ensure that there are no adverse traffic and parking impacts as a result of the subject application; and,

- a Site Plan Amendment application has been submitted to the Town reflecting the proposed alterations to the site. In this regard, technical matters with respect to parking supply, vehicular turnaround, servicing, grading and stormwater management, traffic demand management, the Ontario Building Code, and planting and landscaping have been addressed to the satisfaction of Town staff.

Building Services Division

Building Services staff has reviewed the applicant's development proposal and has provided comments with respect Ontario Building Code compliance, including the location of exits, the number of storeys, spatial separation, barrier-free design, and structural adequacy. The applicant has made the necessary revisions and provided additional information as requested to the satisfaction of Building Services staff.

Community Services Department

Community Services staff has reviewed the applicant's development proposal and has advised that the property will have private waste collection. In addition, it has been noted that all waste and recyclables must be stored inside between collection days.

Development Engineering Division

Development Engineering staff provided comments on the applicant's initial submission with respect to transportation and traffic, servicing, grading, and stormwater management. In response to comments from Development Engineering staff, the applicant submitted revised drawings and supporting documentation, including modifications to the applicant's draft Zoning By-law Amendment with respect to vehicle and bicycle parking requirements and maximum gross floor area for retail uses. Development Engineering staff has provided sign-off on the proposal.

Parks Planning and Natural Heritage Planning

Parks Planning and Natural Heritage Planning staff has provided comments with respect to landscaping improvements along the Yonge Street and Nottingham Drive frontages and within the existing planting beds abutting residential uses. Parks staff has reviewed the applicant's revised submission and has provided their sign-off.

Regional Municipality of York

The Regional Municipality of York staff ("the Region") has provided specific conditions to the Owner with respect to the proposed construction occurring within and adjacent to

the Regional road allowance. The Region has also indicated that they will not be a party to the Site Plan Amending Agreement.

Other Departments/External Agencies

Comments have also been received from Canada Post, Enbridge Gas Distribution, the Town's Finance Department, the Town's Fire and Emergency Department, the Town's Urban Design Department, Building Services – Zoning, Powerstream, and the Toronto and Region Conservation Authority. These Town departments and external agencies have no objections to the applications and/or have provided comments or conditions to be addressed by the applicant at a later stage in the approval process.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The proposed development is generally aligned with **Goal Two of the Town's Strategic Plan, Better Choice in Richmond Hill** by facilitating business development along Yonge Street.

Conclusion:

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit additional uses, the construction of a mezzanine addition and a parking lot expansion for the existing commercial development on its land holdings. The applicant has satisfactorily addressed issues and concerns raised by circulated departments and agencies through the circulation of the development proposal. The proposed Zoning By-law Amendment is consistent with the Town's Official Plan and is considered to represent proper and orderly planning. In light of the preceding, it is recommended that the applicant's Zoning By-law Amendment application be approved as 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 contact person listed in this document.

- Appendix A, Council Public Meeting Extract, C#39-16, held December 7, 2016
- Appendix B, Draft Zoning By-law Amendment
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Neighbourhood Commercial Sites
- Map 4, Existing Zoning
- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations

Report Approval Details

Document Title:	SRPRS.17.199.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Extract.pdf- Appendix B - Draft Zoning By-law Amendment and Schedule A.pdf- Map 1.pdf- Map 2.pdf- Map 3.pdf- Map 4.pdf- Map 5.pdf- Map 6.pdf
Final Approval Date:	Nov 23, 2017

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

Gus Galanis - Nov 23, 2017 - 11:10 AM

Kelvin Kwan - Nov 23, 2017 - 11:13 AM

Neil Garbe - Nov 23, 2017 - 12:15 PM