



Staff Report for Council Public Meeting

Date of Meeting: April 20, 2022

Report Number: SRPI.22.042

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.042 – Request for Comments – Zoning By-law Amendment Application – Weins Canada Inc. – City File D02-22007 (Related File: D06-21051)

Owner:

Weins Canada Inc.
3120 Steeles Avenue East
Markham, ON
L3R 1G9

Agent:

Macaulay Shiomi Howson Ltd.
#202, 520 Industrial Parkway South
Aurora, ON
L4G 6W8

Location:

Legal Description: Part of Lot 56, Concession 1, W.Y.S.
Municipal Address: 0 Gamble Road

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to permit the construction of an automobile sales dealership on the subject lands.

Recommendation:

- a) That Staff Report SRPI.22.042 with respect to the Zoning By-law Amendment application submitted by Weins Canada Inc. for lands known as Part of Lot 56, Concession 1, W.Y.S. (Municipal Address: 0 Gamble Road), City File D02-22007 (Related File D06-21051), be received for information purposes only and that all comments be referred back to staff.

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Contact Person:

Simone Fiore, Senior Planner – Site Plans, phone number 905-771-2479 and/or
Deborah Giannetta, Manager of Development Site Plans, phone number 905-771-5542

Report Approval:

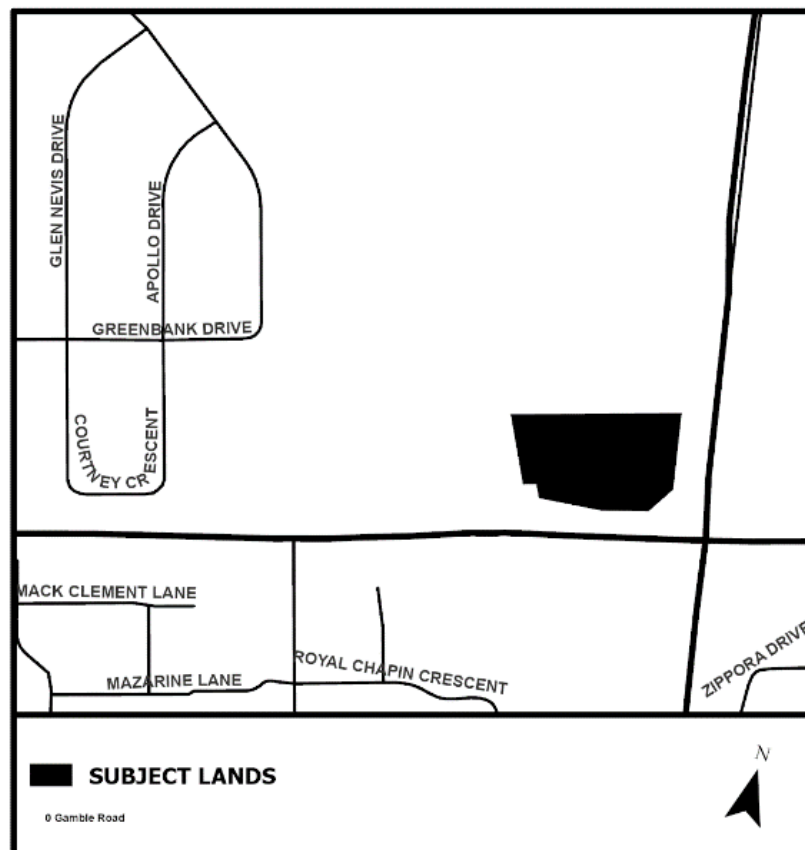
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, Interim 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 March 13, 2022. The application and supporting material was subsequently circulated to relevant City departments and external agencies for review and comment.

The lands are also the subject of unrelated Zoning By-law Amendment application City File D02-16014 that sought approvals to permit a mixed-use residential/commercial development to be comprised of four buildings ranging in height from four to six storeys on the subject lands. The development contemplated 78 residential units as well as commercial uses at grade within the two buildings to front onto Yonge Street (refer to Map 6). The application was appealed to the former Local Planning Appeal Tribunal (LPAT) now Ontario Land Tribunal (OLT) on November 14, 2017 on the basis that the City had failed to make a decision respecting same within the statutory timelines as outlined in the *Planning Act* (Case Number PL171284). The appeal is currently being held in abeyance by the Tribunal at the request of the applicant.

Staff notes that the applicant has confirmed that they do not wish to pursue approvals for the previous development application under appeal at this time. In this regard, staff has advised the applicant that the disposition of said appeal must be addressed prior to the finalization of the subject Zoning By-law Amendment application.

Accordingly, 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 at the northwest corner of Yonge Street and Gamble Road having a frontage of approximately 52 metres (170.60 feet) along Yonge Street and a total site area of 0.66 hectares (1.64 acres). The lands are presently vacant and abut an existing new car dealership to the north (Lexus), Yonge Street to the east, the Rouge River valley corridor to the west, and Gamble Road to the south (refer to Map 1).

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit an automobile sales dealership (Lexus Pre-Owned sales centre) in association with the existing Lexus car dealership to the north of its land holdings (refer to Maps 4 and 5). Vehicular access to the lands is to be provided from Gamble Road as well as two interconnections to the property to the north. It should be noted that the subject lands and the lands to the north are under the same ownership. 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:

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- **Total Lot Area:** 0.66 hectares (1.63 acres)
 - **Net Lot Area:** 0.64 hectares (1.58 acres)
- **Total Gross Floor Area:** 1,179.49 square metres (12,695.92 square feet)
 - **Service Area:** 538.46 square metres (5,795.94 square feet)
 - **Sales Area:** 368.08 square metres (3,961.98 square feet)
 - **Administration Area:** 272.92 square metres (2,937.69 square feet)
- **Lot Coverage:** 13.66%
- **Number of Buildings:** 1
- **Building Height:** 7.3 metres (23.95 feet) or 2 storeys
- **Parking Spaces:** 90 spaces (including 2 accessible spaces)

The applicant has submitted a Site Plan application (City File D06-21051) in conjunction with the subject Zoning By-law Amendment application to facilitate the proposed development. The Site Plan application is currently under review by City staff and external agencies.

Supporting Documentation/Reports

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

- Draft Zoning By-law;
- Planning Justification Report;
- Site Plan;
- Floor Plans;
- Elevation Plans;
- Topographic Survey;
- Arborist Report;
- Geotechnical Investigation Report;
- Natural Heritage Evaluation and Addendum;
- Geomorphic Assessment;
- Functional Servicing and Stormwater Management Report;
- Hydrogeological Assessment;
- Site Servicing Plan;
- Grading Plan;
- Cross Sections;
- Siltation Control Plan;
- Exterior Lighting Plans;
- Landscape Plans; and,
- Phase One Environmental Site Assessment.

Zoning By-law Amendment Application

The subject lands are currently zoned **Agricultural (A) Zone** under Zoning By-law 2523, as amended (see Map 3). This zoning category permits agricultural and

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agricultural related uses and does not permit the proposed automobile sales dealership. Accordingly, the applicant is seeking to rezone the subject lands to **General Commercial (GC) Zone** under By-law 235-97, as amended, with site specific development standards to facilitate the proposed automobile sales dealership on its land holdings.

Outlined below is a comparison of the proposed development standards relative to those of the **GC Zone**, with the requested and required site specific exceptions highlighted in bold text:

| Development Standard | GC Zone Standards, By-law 235-97, as amended | Proposed Development Standards |
|----------------------------------|--|--------------------------------|
| Minimum Lot Frontage | 30 metres (98.43 feet) | 52 metres (170.6 feet) |
| Minimum Lot Area | 0.4 hectares (0.99 acres) | 0.66 hectares (1.63 acres) |
| Minimum Front Yard | 15 metres (49.21 feet) | 23 metres (75.46 feet) |
| Minimum Side Yard | 6 metres (19.69 feet) | 11.9 metres (39.04 feet) |
| Minimum Flankage Yard | 6 metres (19.69 feet) | 20 metres (65.62 feet) |
| Minimum Rear Yard | 12 metres (39.37 feet) | 12.3 metres (40.35 feet) |
| Maximum Height | 12 metres (39.37 feet) | 7.3 metres (23.95 feet) |
| Maximum Lot Coverage | 50% | 13.66% |
| Minimum Number of Loading Spaces | 2 spaces | 1 space |
| Minimum Number of Parking Spaces | 48 spaces | 90 spaces |

As part of the review of the subject applications, staff will review, among other matters, the appropriateness of the proposed **GC Zone** category in terms of the proposed uses, development standards and definitions to be applied to the subject lands.

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Regional Mixed-Use Corridor** in accordance with Schedule - A2 of the Plan (refer to Map 2). Yonge Street is further identified as a Regional Rapid Transit Corridor on Appendix – A5 of the Plan. The **Regional Mixed-Use Corridor** designation supports a broad range and mix of land uses and activities in

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a compact, pedestrian-friendly and transit-oriented built form. Further, development within the **Regional Mixed-Use Corridor** is encouraged to provide a mix of uses within the same building or separate buildings integrated on the same site.

Further to the above, the maximum permitted density within this portion of the **Regional Mixed-Use Corridor** is 2.0 FSI and the building height permitted for development on Yonge Street between Bernard Avenue and Townwood Drive is between two to eight storeys. Based on a preliminary review of the proposed development relative to the **Regional Mixed-Use Corridor** policies of the Plan, the subject proposal is generally consistent with respect to land use, building height and density.

The subject lands are also situated within the **Settlement Area** of the Oak Ridges Moraine, in accordance with the *Oak Ridges Moraine Conservation Plan* (ORMCP). In this regard, **Section 3.2.1.1.18** of the Plan stipulates that all uses which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area** and permitted uses shall be subject to the requirements of Sections 19(3) and 31(4) of the ORMCP and **Section 3.2.1.1** of the Plan, which further requires the establishment of Minimum Vegetation Protection Zones to provide for appropriate buffer distances to Key Natural Heritage and Key Hydrological Features in accordance with **Policy 3.2.1.1.21**. Pursuant to **Policy 3.2.1.8**, the City will require dedication of these features and their associated buffers into public ownership, where appropriate. The applicant has submitted a Natural Heritage Evaluation (NHE) for the valley corridor to the west of the lands to identify any Key Natural Heritage and Key Hydrological Features and their associated Minimum Vegetation Protection Zones. The NHE is currently under review as part of the evaluation of the proposed development.

Department and External Agency Comments:

The subject Zoning By-law Amendment application and the associated background 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.

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has reviewed the subject application and has provided technical comments with respect to the development limits of the lands, the submitted NHE, Tree Preservation Plan and Landscape Plan (refer to Appendix "A").

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the applicant's Zoning By-law Amendment application and has advised that the subject property is located along the valley corridor of the Rouge River and that approximately the western third of the property is located along the valley wall. As such, a significant portion of the property is located within an area regulated by the TRCA under Ontario Regulation

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166/06, as amended, and therefore, a TRCA permit is required for the proposed development. In addition, TRCA has provided technical comments in relation to the developable limits, NHE, stormwater management, water balance, erosion and sediment control, geotechnical investigation, landscaping and functional servicing (refer to Appendix “B”).

Development Planning Division

In consideration of the policies of the Plan which are relevant to the consideration of the proposed development, staff provides the following preliminary comments:

- the proposed land use, building height and density are consistent with the **Regional Mixed Use Corridor** policies of the Plan. The subject application will continue to be reviewed with respect to the **Regional Mixed Use Corridor** policies;
- once the limits of the natural heritage system and/or the natural hazards including the required buffer is determined, this portion of the subject lands shall be required to be zoned under a protective zone category such as **Environmental Protection Two (EPA2) Zone** and must be conveyed into public ownership;
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment required to facilitate the proposed development;
- as noted previously in this report, the disposition of the existing OLT appeal applicable to the subject lands (City File D02-16014 and OLT Case Number PL171284) must be addressed prior to the finalization of the subject application;
- the proposed development is subject to Site Plan Control and therefore will be assessed on the basis of the City-wide Urban Design Guidelines; and,
- the applicant must satisfactorily address issues and requirements identified by the City departments and external agencies that have been requested to review the applicant’s development proposal.

Further to the above, a comprehensive review of the subject Zoning By-law Amendment application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public.

Other City Department and External Agency Comments

Comments have been received from the City’s Finance Department, Urban Design and Heritage Section, Fire and Emergency Services Division, Waste Management Section, Building Services Division, Zoning Section, the Regional Municipality of York, Rogers Communication, and Bell Canada. These City departments and external agencies have no objections to the applications and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. All of the comments have been forwarded to the applicant for consideration but have not been appended to this report.

The development proposal is still under review by the City’s Development Engineering Division, Canada Post, and Enbridge Gas Distribution.

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Financial/Staffing/Other Implications:

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

Relationship to Council's Strategic Priorities 2020-2022:

The recommendations of this report do not have any direct implications with respect to Council's Strategic Priorities. 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 its Zoning By-law Amendment application to permit an automobile sales dealership on its land holdings. 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. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix A, Memorandum from Park and Natural Heritage Planning, dated March 25, 2022
- Appendix B, Memorandum from Toronto and Region Conservation Authority, dated March 25, 2022
- Map 1 Aerial Photograph
- Map 2 Official Plan Designation
- Map 3 Existing Zoning
- Map 4 Proposed Site Plan
- Map 5 Proposed Elevation Plans
- Map 6 Proposed Site Plan for City File D02-16014

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Report Approval Details

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|----------------------|---|
| Document Title: | SRPI.22.042 - Request for Comments - 0 Gamble Road - City File D02-22007.docx |
| Attachments: | <ul style="list-style-type: none">- Appendix A, PNHP Comment Memo.pdf- Appendix B, TRCA Comment Memo.pdf- Map 1 - Aerial Photograph.docx- Map 2 - Official Plan Designation.docx- Map 3 - Existing Zoning.docx- Map 4 - Proposed Site Plan.docx- Map 5 - Proposed Elevations.docx- Map 6 - Proposed Site Plan for City File D02-16014.docx |
| Final Approval Date: | Mar 30, 2022 |

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

Gus Galanis - Mar 30, 2022 - 10:57 AM

Kelvin Kwan - Mar 30, 2022 - 11:04 AM

Darlene Joslin - Mar 30, 2022 - 11:52 AM