



Staff Report for Council Public Meeting

Date of Meeting: February 1, 2023

Report Number: SRPI.23.002

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.23.002 – Request for Comments – Zoning By-law Amendment Application – Bodrington Commercial Developments Limited – City File ZBLA-22-0019**

Owner:

Bodrington Commercial Developments Limited
Fieldgate Developments
5400 Yonge Street, Suite 300
Toronto, ON M2N 5R5

Agent:

Malone Given Parsons Ltd.
140 Renfrew Drive, Suite 201
Markham, Ontario L3R 6B3

Location:

Legal Description: Block 114, Plan 65M-3215
Municipal Address: 13495 Bathurst Street

Purpose:

A request for comments concerning a proposed Zoning By-law Amendment application to expand the list of permitted commercial and retail uses and to reduce the parking rate for the existing commercial plaza on the subject lands.

Recommendation:

- a) **That Staff Report SRPI.23.002 with respect to the Zoning By-law Amendment application submitted by Bodrington Commercial Developments Limited for lands known as Block 114, Plan 65M-3215 (Municipal Address: 13495 Bathurst Street), City File ZBLA-22-0019, be**

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Background Information:

The subject Zoning By-law Amendment application was received by the City on October 17, 2022 and deemed complete on October 24, 2022. The application and supporting materials were 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 at the southeast corner of Bathurst Street and Humberland Drive, south of Bloomington Road (refer to Map 1). The lands have a lot frontage of approximately 66.8 metres (219.16 feet) along Bathurst Street and approximately 83.3 metres (273.29 feet) along Humberland Drive and have a total site area of 0.50 hectares (1.24 acres). The lands presently support an existing one storey commercial plaza with vehicular access from both Bathurst Street and Humberland Drive. The lands abut Humberland Drive to the north, townhouse dwellings to the south and east and Bathurst Street to the west (refer to Map 2).

Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to expand the list of permitted commercial/retail uses to include Restaurant, Fitness Centre, Pet Shop, Clinic, Medical Office and Retail as additional permitted uses on the subject lands. Additionally, the applicant is seeking to reduce the applicable parking standards for the existing commercial plaza on its land holdings (refer to Map 5). No changes are proposed to the existing building at this time. The following is a summary of the pertinent statistics as proposed by the applicant based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.50 hectares (1.24 acres)
- **Existing Gross Floor Area:** 1,066.3 sq. metres (11,477.56 sq. feet)
- **Number of Buildings:** 1
- **Number of Storeys:** 1
- **Existing Parking Standards:** 4.3 spaces per 100 square metres of Gross Leasable Floor Area (GLFA)
11 spaces per 100 square metres of GLFA for restaurants that exceed 10% of the GFLA
5.4 spaces per 100 square metres of GLFA for medical offices and/or clinics that exceed 10% of the GFLA
- **Proposed Parking Standard:** 2.25 spaces per 100 square metres of GLFA

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Supporting Documentation/Reports

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

- Development Application Summary;
- Survey
- Draft Zoning By-law;
- Planning Option Summary Letter;
- Site Plan;
- Development Charge Certificate;
- Parking Study; and,
- Tree Declaration.

Zoning By-law Amendment Application

The subject lands are currently zoned **Local Commercial (LC) Zone** under Zoning By-law 313-96, as amended (refer to Map 4). The permitted uses of the **LC Zone** include a bake shop, convenience retail store, day nursery, dry cleaning depot, financial institution, personal service shop, a video establishment and a commercial school. The applicant is seeking to expand the list of permitted commercial/retail uses to attract a more broad range of businesses to the existing neighbourhood commercial plaza. The decrease in parking standards is proposed to accommodate the additional uses, more particularly, a restaurant use.

The additional land uses proposed by the subject Zoning By-law Amendment application are not currently permitted by the **LC Zone** and the proposed minimum parking standards do not comply with Zoning By-law 313-96, as amended. As such, the applicant is seeking Council's approval to amend the **LC Zone** provisions to add a site specific exemption to expand the list of permitted uses and to permit a reduction in the minimum parking standards for its land holdings.

The appropriateness of the proposed additional uses and associated reduction in parking standards will continue to be evaluated through the review of the subject applications with regard to policy conformity, compatibility, design and function.

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** on Schedule A2 - Land Use of the City's Official Plan (the "Plan") (refer to Map 3). The **Neighbourhood** designation permits a range of uses including, but not limited to, low to medium density residential uses, Neighbourhood Commercial Uses in accordance with **Section 4.9.1.3** and Community Uses in accordance with **Section 4.1** of the Plan.

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The Plan identifies that Neighbourhood Commercial Uses are intended to serve resident's day-to-day needs and activities within the surrounding neighbourhood. Uses permitted within the Neighbourhood Commercial designation include small-scale retail, commercial, office, community uses and live-work units. **Section 7.1.15** of the Plan states that permitted uses identified in the policies of this Plan are intended to illustrate the range of activities in each respective land use designation and do not denote a complete list of permitted uses. A list of specific uses are intended to be defined in the Zoning By-law. In this regard, staff acknowledge that the proposed uses will support the needs of the community and meet the general intent and is consistent with the policies of the **Neighbourhood** designation of the Plan.

City 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.

Building Services Division – Zoning Section

The City's Zoning Section has advised that the proposed uses may need to be refined to ensure that each use and accessory use are appropriately defined and captured in the draft amending by-law, should Council approve the applicant's Zoning By-law Amendment application. In this regard, the development proposal and the draft by-law submitted in support of the proposed development will continue to be reviewed by staff (refer to Appendix "A").

Community Services Division – Energy and Waste Section

Waste Management staff has advised that the subject lands are not eligible for municipal waste collection and will require private collection service. Waste Services staff has also provided requirements for internal waste storage and waste collection vehicles.

Development Planning Division

Development Planning staff has undertaken 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 which are relevant to the review and assessment of the proposed development, staff provides the following preliminary comments:

- the proposed expanded list of permitted commercial/retail uses is consistent with the permitted uses contemplated in the Neighbourhood designation;
- no alterations to the existing building and site are proposed to accommodate the proposed uses at this time;
- the proposed reduced parking standards will need to be reviewed by the City's Transportation Planning Division;

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- 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 proposal, including the appropriateness of the proposed expanded list of permitted uses and the reduced parking standards; 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 Park and Natural Heritage Planning Section, Urban Design and Heritage Section, Waste Management Section and Zoning Section, in addition to the Regional Municipality of York, the Toronto and Region Conservation Authority, Alectra Utilities, Enbridge Gas Distribution and Rogers Communication. These City departments and external agencies have no objections to the application 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, Financial Services Division and Fire and Emergency Services Division, in addition to Canada Post and Bell Canada.

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 recommendation of this report does not have any direct implications with respect to Council's Strategic Priorities. An overview of how the subject application is aligned with the Strategic Priorities 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 expand the list of permitted commercial/retail uses and to permit a reduction of the applicable parking standards for the existing commercial plaza located on its land holdings. The purpose of this report is to provide Council and the public with an

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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.

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Site Plan
- Appendix “A”, Memo from the Building Services Division – Zoning Section dated December 21, 2022

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Report Approval Details

Document Title:	SRPI.23.002 - Request for Comments ZBLA 13495 Bathurst St.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - SRPI.23.002 ZBLA-22-0019 13495 Bathurst.pdf- SRPI.23.002 - Map 1 - Aerial Photograph.docx- SRPI.23.002 - Map 2 - Neighbourhood Context.docx- SRPI.23.002 - Map 3 - Official Plan Designation.docx- SRPI.23.002 - Map 4 - Existing Zoning.docx- SRPI.23.002 - Map 5 - Site Plan.docx
Final Approval Date:	Jan 11, 2023

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

Gus Galanis - Jan 10, 2023 - 4:42 PM

Kelvin Kwan - Jan 11, 2023 - 8:16 AM

Darlene Joslin - Jan 11, 2023 - 3:51 PM