



## Staff Report for Council Public Meeting

Date of Meeting: June 6, 2023

Report Number: SRPI.23.060

Department: Planning and Infrastructure

Division: Development Planning

**Subject: SRPI.23.060 - Request for Comments - Zoning By-law Amendment Application - 802559 Ontario Limited - City File ZBLA-23-0004 (Related Files ZBLA-23-0007 and SP-23-0009)**

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### Owner:

802559 Ontario Limited  
360 Enford Road  
Richmond Hill, ON L4C 3G1

### Agent:

JKO Planning Services Inc.  
27 Fieldflower Crescent  
Richmond Hill, ON L4E 5E9

### Location:

Legal Description: Part of Lot 56, Concession 1, W.Y.S. and Block 283,  
Plan 65M-3465  
Municipal Address: 11592 Yonge Street

### Purpose:

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

### Recommendation:

- a) That Staff Report SRPI.23.060 with respect to the Zoning By-law Amendment application submitted by 802559 Ontario Limited for lands known as Part of Lot 56, Concession 1, W.Y.S. and Block 283, Plan 65M-3465 (Municipal Address: 11592 Yonge Street), City File ZBLA-23-0004 (Related Files ZBLA-23-0007 and SP-23-0009), be received for information purposes only and that all comments be referred back to staff.



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### Background Information:

The subject Zoning By-law Amendment application was received and deemed complete by the City on March 23, 2023. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. Staff notes that a related Zoning By-law Amendment application (Lifting of the Hold (H) Symbol – City File ZBLA-23-0007) and Site Plan application (City File D06-22070) have been submitted by the applicant and are included herein for information purposes only.

By way of background, a Holding ('H') provision was imposed on the easterly (front) portion of the subject lands under By-law 220-04 with a condition that the 'H' can only be lifted when adequate municipal water, sanitary, and storm water management capacity is available to service any development of the land. Accordingly, the applicant has submitted the related Zoning By-law Amendment application to remove the Holding ('H') provision to facilitate the development of its entire landholding as proposed.

The purpose of this report is to seek comments from Council and the public with respect to the applicant's development proposal 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 on the west side Yonge Street, north of Gamble Road and south of Tower Hill Road. The lands are irregular in shape and have an area of approximately 0.84 hectares (2.09 acres) and a lot frontage of approximately 30.45 metres (75.24 feet) along Yonge Street (refer to Map 1). The lands are presently vacant and abut a one storey motel to the north (Hotel Richmond Hill ON North) beyond which is a low-rise commercial strip-mall (Jefferson Square Mall), an institutional use to the south (Richland Academy) beyond which is an automobile dealership (Lexus of Richmond Hill), Yonge Street to the east beyond which is a mid-rise residential building with ground floor commercial uses, and open space and a low density residential neighbourhood to the west.

#### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit the development of a two storey 2,821.36 square metre automobile dealership (Honda) and related parking area on the subject lands. Vehicular access to the lands is to be provided from Yonge Street.

The following is a summary table outlining the relevant statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

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- **Total Lot Area:** 0.84 hectares (2.09 acres)
  - **Easterly Portion:** 0.44 hectares (1.08 acres)
  - **Westerly Portion:** 0.41 hectares (1.01 acres)
- **Total Lot Frontage:** 30.45 metres (75.24 feet)
- **Total Gross Floor Area (GFA):** 2,821.36 sq. m. (30,368.87 sq. ft.)
- **Lot Coverage:** 16.9%
- **Number of Buildings:** 1
- **Building Height:** 11.84 metres (38.85 feet) or 2 storeys
- **Parking Spaces:** 86 spaces (including 5 accessible spaces)
- **Bicycle Parking:** 15 spaces

### Supporting Documentation/Reports

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

- Planning Justification Report;
- Development Application Summary;
- Survey;
- Site Plan;
- Site Plan Details;
- Site Photometry;
- Elevation Plans;
- Renderings;
- Draft Zoning Bylaw;
- Sustainability Metrics Summary;
- Site Servicing and Grading Plan;
- Erosion and Sediment Control Plan;
- Tree Inventory and Arborist Report;
- Tree Protection and Removals Plan;
- Landscape Plan and Details;
- Natural Heritage Evaluation;
- Geotechnical Investigation and Slope Stability Assessment Report;
- Waste Management Plan;
- Recyclable and Mixed Waste Collection Plan;
- Stage 1 and 2 Archaeological Assessment;
- Servicing and Stormwater Management Report;
- Truck Route Plan;
- Traffic Impact Study; and,
- Noise Assessment.

### Zoning By-law Amendment Application

The subject Zoning By-law Amendment application seeks approval to rezone the westerly (rear) portion of the subject lands from **Agricultural (A) Zone** under By-law 2523, as amended, to **General Commercial (GC) Zone** under By-law 235-97, as

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amended in order to facilitate the development of a parking area associated with the proposed automobile dealership (refer to Map 3). Additionally, the application seeks site specific exceptions to facilitate the proposed development which shall be considered and refined through the detailed application review process.

A related Zoning By-law Amendment application (City File ZBLA-23-0007) has been submitted to the City to remove the Holding ('H') provision from the easterly portion of the subject lands. The fulfillment of the conditions of the 'H' provision will be reviewed and considered through the detailed application review process and in consideration of the subject development. As previously noted, the removal of the 'H' provision is not subject to the statutory public meeting requirements of the *Planning Act* and has been included in this report for information purposes only.

### 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 of Richmond Hill Official Plan (the "Plan") (refer to Map 2). Yonge Street is further identified as a Regional Rapid Transit Corridor on Appendix – A5 of the Plan.

The easterly portion of the lands are designated **Regional Mixed Use Corridor** which supports a broad range and mix of land uses and activities in a compact, pedestrian-friendly and transit-oriented built form. 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 proposed development is generally consistent with the applicable policies of the Plan.

The westerly portion of the subject lands are designated **Natural Core** which is intended to maintain, improve and restore the ecological integrity of natural features and functions outside the central corridor of the Oak Ridges Moraine. Uses permitted within the **Natural Core** designation include fish, wildlife and forest management, conservation projects and flood and erosion control projects other than stormwater management works, essential transportation, infrastructure, low-intensity recreational uses, unserviced parks and uses accessory thereto.

Some refinement of the Natural Core boundaries may be permitted without an amendment to the Plan through the approval of a Natural Heritage Evaluation by both the City and the Toronto and Region Conservation Authority (TRCA), in accordance with **Section 4.10.5.1** of the Plan. In this regard, the applicant has submitted a Natural Heritage Evaluation to determine the ultimate limits of the Natural Core boundaries which remain under review at the time of the writing of this report. Staff notes that should staff and the TRCA determine that the modifications to the Natural Core

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boundary is not considered a “refinement” in accordance with the policies of the Plan, an Official Plan Amendment application may be required. Further to the aforementioned policies, the subject lands are also situated within the **Settlement Area** of the Oak Ridges Moraine, as defined in accordance with the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). In accordance with **Section 3.2.1.1 (18)** of the Plan, all uses which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area**.

A more detailed review and evaluation of the subject application will be undertaken to ensure the proposed development is in keeping with the policies of the ORMCP and the Plan.

### Zoning

As previously noted, the easterly portion of the subject lands are zoned **General Commercial (Holding) (GC(H)) Zone** under By-law 235-97, as amended, which permits a wide range of commercial uses, including automobile dealerships. The westerly portion of the subject lands are zoned **Agricultural (A) Zone** under By-law 2523, as amended, which permits agricultural and agricultural related uses but does not permit the proposed automobile dealership. Accordingly, the applicant is seeking Council’s approval to rezone the westerly portion of the lands to **GC zone** under By-law 235-97, as amended, with site specific development standards to facilitate the proposed development. The following table provides a summary of the pertinent development standards of the current **GC Zone** applicable to the proposed development, 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           |
|---------------------------|--|--------------------------------|
| Minimum Lot Frontage      | 30 metres (98.43 feet)                       | 30.45 metres (99.90 feet)      |
| Minimum Lot Area          | 0.4 hectares                                 | 0.84                           |
| Minimum Front Yard        | 15 metres (49.21 feet)                       | 36.81 (120.77 feet)            |
| Minimum Side Yard (South) | 6 metres (19.69 feet)                        | 8.26 metres (27.10 feet)       |
| Minimum Side Yard (North) | 3 metres (9.84 feet)                         | <b>1.52 metres (4.99 feet)</b> |
| Minimum Rear Yard         | 12 metres (39.37 feet)                       | 34.65 metres (113.69 feet)     |
| Maximum Height            | 12 metres (39.37 feet)                       | 11.84 metres (38.85 feet)      |
| Maximum Coverage (%)      | 50%  | 16.9%                          |
| Minimum Parking           | 91 spaces                                    | <b>86 spaces</b>               |

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The draft Zoning By-law Amendment submitted in support of the applicant's Zoning By-law Amendment application is attached as Appendix "A" hereto. The appropriateness of the proposed **GC Zone** category in terms of the proposed uses, development standards and definitions to be applied to the subject land will continue to be evaluated through the review of the subject application.

### 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 this report.

#### Development Planning Division

Development Planning staff has completed a preliminary review of the applicant's development proposal. In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the automobile dealership and parking area as proposed by the subject application are permitted within the **Regional Mixed Use Corridor** designation of the Plan and within the **Settlement Area** of the ORMCP, but are not permitted within the **Natural Core** designation. While staff acknowledge that a refinement of the Natural Core boundaries may be permitted without an amendment to the Plan through the approval of a Natural Heritage Evaluation by both the City and the TRCA, if the results of the review of the Evaluation determine that the proposed boundary change is not considered a "refinement" in accordance with the policies of the Plan, an Official Plan Amendment application may be required;
- the proposed building height and density are consistent with the **Regional Mixed Use Corridor** policies of the Plan;
- comments from the TRCA and the City's Park and Natural Heritage Planning Section are critical in determining if the adjacent natural features and hazards to the west have any impact on the proposed development and if an Official Plan Amendment is required;
- the proposed development shall be assessed on the basis of the City-wide Urban Design Guidelines; and,
- the applicant must satisfactorily address comments and requirements identified by City departments and external agencies that have been requested to review the applicant's development proposal.

A comprehensive review of the applicant's Zoning By-law Amendment application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public. Staff will continue to review the form, content and appropriateness of the proposed Zoning By-law Amendments, including the site specific uses, standards requested by the applicant. The detailed review will be

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completed in advance of and addresses as part of a recommendation report to be prepared for a future Council meeting.

### **Other City Department and External Agency Comments**

Comments have also been received from the City's Financial Services Division and Enbridge Gas. These City departments and external agencies have no objections to the proposed Zoning By-law Amendment application and/or have provided comments or conditions to be addressed by the applicant during the more detailed implementation stage of the approval process.

At the time of writing this report, the application remains under review by the City's Building Services Division – Zoning Section, Development Engineering Division, Park and Natural Heritage Planning Section, Urban Design Section, Community Services Department – Waste Section and Fire and Emergency Services Division, in addition to the Regional Municipality of York, Alectra Utilities, Rogers, Conseil scolaire Viamonde, the York Catholic District School Board and the York Region District School Board, Toronto and Region Conservation Authority, Canada Post, Bell Canada, and le Conseil Scolaire Catholique MonAvenir.

### **Financial/Staffing/Other Implications:**

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

### **Relationship to Strategic Priorities**

The recommendation of this report does 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 a Zoning By-law Amendment application submitted in support of its proposal to permit the construction of an automobile dealership and related parking area on the subject lands. The purpose of this report is to provide Council and the public with an overview of the applicant's development proposal and to discuss the regulatory regime governing the evaluation of these planning applications. 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.



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- Map 1 Aerial Photograph
- Map 2 Official Plan Designation
- Map 3 Existing Zoning
- Map 4 Proposed Site Plan
- Map 5 Proposed Elevations
- Map 6 Proposed 3D Renderings

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### Report Approval Details

|                      |  |
|----------------------|--|
| Document Title:      | SRPI.23.060 - Request for Comments - ZBLA-23-0004.docx   |
| Attachments:         | - SRPI.23.060 - Map 1 - Aerial Photograph.docx<br>- SRPI.23.060 - Map 2 - Official Plan Designation.docx<br>- SRPI.23.060 - Map 3 - Existing Zoning.docx<br>- SRPI.23.060 - Map 4 - Proposed Site Plan.docx<br>- SRPI.23.060 - Map 5 - Proposed Elevations.docx<br>- SRPI.23.060 - Map 6 - Proposed 3D Renderings.docx |
| Final Approval Date: | May 18, 2023   |

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

**Gus Galanis - May 18, 2023 - 10:32 AM**

**Kelvin Kwan - May 18, 2023 - 10:40 AM**

**Darlene Joslin - May 18, 2023 - 1:06 PM**