



Staff Report for Council Public Meeting

Date of Meeting: February 11, 2025

Report Number: SRPBS.25.008

Department: Planning and Building Services

Division: Development Planning

Subject: **SRPBS.25.008 - Request for Comments - Official Plan Amendment and Zoning By-law Amendment Applications - 1355314 Ontario Inc. and Lauremont School - City Files OPA-24-0006 and ZBLA-24-0012 (Related City File SP-24-0025)**

Owners:

1355314 Ontario Inc. and Lauremont School
8569 Bayview Avenue
Richmond Hill, Ontario
L4B 3M7

Agent:

Rosemarie Humphries
Humphries Planning Group Inc.
190 Pippin Road
Vaughan, Ontario
L4K 4X9

Location:

Legal Description: Part of Lots 39, 40, 45 and 46, Registered Plan 2766 and Part Block 109, Registered Plan 65M-2895

Municipal Addresses: 500 Elgin Mills Road East and 93 Edward Avenue

Purpose:

A request for comments concerning proposed Official Plan and Zoning By-law Amendment applications to permit institutional and recreational uses associated with the existing private school (Lauremont School) located on the subject lands.

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Recommendation(s):

- a) That Staff Report SRPBS.25.008 with respect to the Official Plan and Zoning By-law Amendment applications submitted by 1355314 Ontario Inc. and Lauremont School for lands known as Part of Lots 39, 40, 45 and 46, Registered Plan 2766 and Part Block 109, Registered Plan 65M-2895 (Municipal Addresses: 500 Elgin Mills Road East and 93 Edward Avenue), City Files OPA-24-0006 and ZBLA-24-0012 (Related City File SP-24-0025), be received for information purposes only and that all comments be referred back to staff.

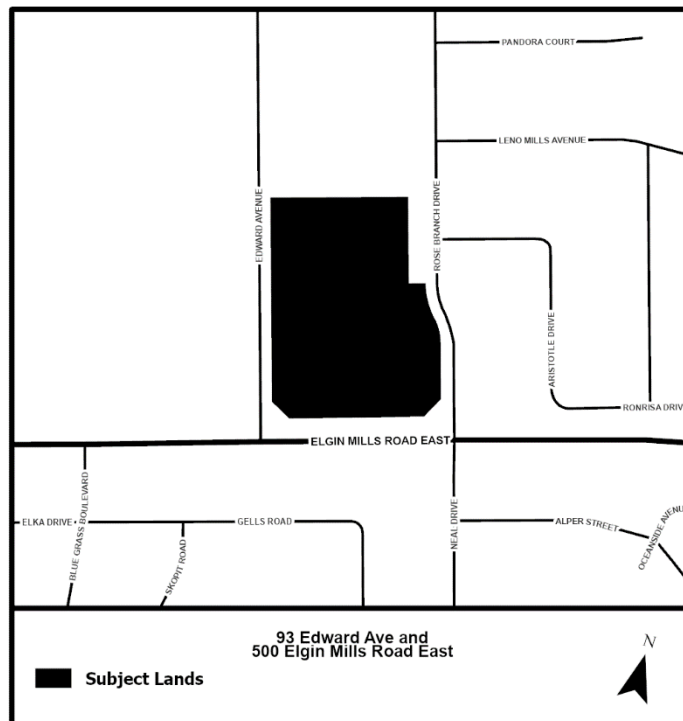
Contact Person(s):

- Samantha Yeung, Planner II, 905-747-6436
- Diana DiGirolamo, Manager of Development Planning, 905-747-6557
- Deborah Giannetta, Director of Development Planning, 905-771- 5542
- Gus Galanis, Commissioner of Planning and Building Services, 905-771-2465

Report Approval:

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 report approval are attached.

Location Map:



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Key Messages:

- The applicant is seeking approval of Official Plan and Zoning By-law Amendment applications to permit institutional and recreational uses associated with an existing private school (Lauremont School) located on the subject lands;
- The proposal is intended to facilitate the construction of a one-story multi-purpose recreational building and an outdoor artificial turf field on the subject lands; and,
- The purpose of this report is to seek comments from Council and the public with respect to the subject Official Plan and Zoning By-law Amendment applications, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Background:

The subject Official Plan and Zoning By-law Amendment applications were received on September 25, 2024, and subsequently deemed complete by the City on October 23, 2024. The applications and supporting materials were 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 applications, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Discussion:

Site Location and Adjacent Uses

The subject lands are located on the north side of Elgin Mills Road East, west of Bayview Avenue and within the Newkirk Business Park (refer to Maps 1 and 2). The subject lands have a frontage of approximately 120 metres (394 feet) along Elgin Mills Road East; 168.4 metres (552.5 feet) along Rose Branch Drive; and 180.4 metres (591.9 feet) along Edward Avenue and have a total lot area of 2.7 hectares (6.67 acres).

The subject lands are comprised of two parcels. The southern parcel (500 Elgin Mills Road East) supports an existing two-storey, private institutional building known as Lauremont School (formerly the Toronto Montessori School (“TMS”)), an associated sports field and a surface parking lot. The northern parcel (93 Edward Avenue) currently supports an existing one-storey building being used as a temporary school facility, an accessory structure for storage and an associated pavement and gravel parking area that was established through Temporary Use By-law 144-20 which will be discussed in further detail later in this report.

The surrounding land uses include industrial uses to the north; Rose Branch Drive and low density residential uses to the east; Elgin Mills Road East and low density residential uses to south; and Edward Avenue, an existing commercial plaza, and industrial uses to the west.

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Development Proposal

The applicant is seeking Council's approval of their Official Plan and Zoning By-law Amendment applications to permit recreational uses on the subject lands to be associated with the existing private school use on the southerly portion of the subject lands. More specifically, the applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit a private school use (to acknowledge the existing private school) and recreational uses on the subject lands. The proposed recreational uses would be focused on the northern property and would include a multi-purpose recreational building and an outdoor artificial turf field on 93 Edward Avenue that is to be associated with the existing private school on the southern portion of the lands (500 Elgin Mills Road East).

The proposed recreational building is to be one (1) storey in height with a gross floor area of 1,024 square metres (11,022.2 square feet) and is to include an indoor gymnasium, weight room, locker rooms and staff support rooms. The associated outdoor sports field would be approximately 4,500 square metres (48,437 square feet) situated on 93 Edward Avenue (refer to Map 5).

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

- **Total Lot Area:** **2.7 hectares (6.67 acres)**
- **Lot Frontage**
 - **Elgin Mills Road East:** **120 metres (394 feet)**
 - **Edward Avenue:** **180.4 metres (591.9 feet)**
 - **Rose Branch Drive** **168.4 metres (552.5 feet)**
- **Proposed Building Height (93 Edward Avenue):** **10.10 metres (33.1 feet)**
- **Proposed Gross Floor Area (93 Edward Avenue):** **1,025 square metres (11,022.2 square feet)**
- **Proposed Maximum Floor Area Ratio (93 Edward Avenue):** **14 %**

It should be noted that a related Site Plan application (City File SP-24-0025) has been submitted in conjunction with the subject Official Plan and Zoning By-law Amendment applications. The purpose of the Site Plan application is to facilitate the construction of above noted proposed recreational building, associated sports field and to construct new pedestrian connections between the existing school site and the lands to the north. At the time of preparation of this report, the Site Plan application is under review by relevant internal departments and external agencies.

Supporting Documentation/Reports

The following documents/information have been submitted to the City in support of the development proposal:

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- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Planning Justification Report;
- Plans of Survey;
- Site Plan;
- Elevation Plans;
- Exterior Material and Colour Schedule;
- Landscape Plan;
- Arborist Report, including Tree Inventory and Tree Protection Plan;
- Site Grading Plan;
- Functional Servicing Report;
- Stormwater Management Report;
- Noise Impact Report;
- Flood Spill Study;
- Photometric Lighting Plans;
- Electrical Plans;
- Transportation Impact Study; and,
- Sustainability Metrics Report.

Official Plan and Zoning By-law Amendment Applications

The applicant is seeking approval of its Official Plan Amendment application to amend the policies of the **Employment Area** designation to permit a private school use and recreational use, whereas the **Employment Area** designation does not permit institutional and recreational uses.

The related Zoning By-law Amendment would amend Zoning By-law 184-87, as amended, to permit a private school use on 500 Elgin Mills Road East and an associated recreational use on 93 Edward Avenue, along with site-specific provisions to facilitate the recreational facilities on site.

It should be noted that the proposed institutional and recreational uses do not have established development standards. As such, the development proposal is being evaluated based on the applicant's proposed zoning (i.e. **M1 Zone** and **MC1 Zone**). The appropriateness of the proposed amendments to the City's Official Plan and applicable Zoning By-law are currently under review. The site-specific permissions sought through the proposed amendments shall be considered, and if required, refined through the detailed application review process.

The following table provides a summary of the existing development standards applicable to the **M1 Zone** and **MC1 Zone** category under By-law 184-87, as amended, and the applicant's requested site-specific exceptions in **bold**:

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Development Standard	M1 Zone Standards under By-law 184-87, as amended	MC1 Zone Standards under By-law 184-87, as amended	Proposed Development
Permitted Uses	A range of industrial uses as required under Section 10.1 of the By-law	A range of industrial uses as required under Section 10.1 of the By-law	Private Institutional Use permitted site specifically and Recreational Use not permitted
Minimum Lot Frontage	30 metres (98.43 feet)	60 metres (196.9 feet)	63.4 metres (206.7 feet) on 93 Edward Ave
Minimum Lot Area	0.4 hectares (0.988 acres)	0.8 hectares (1.98 acres)	2.7 hectares (6.67 acres) on 93 Edward Ave
Minimum Front Yard	12 metres (39.37 feet)	12 metres (39.37 feet)	6 metres (19.69 feet) for 93 Edward Ave
Minimum Side Yard	6 metres (19.69 feet)	6 metres (19.69 feet)	4.2 metres (13.8 feet) for 93 Edward Ave
Minimum Rear Yard	12 metres (39.37 feet)	12 metres (39.37 feet)	95.17 metres (312.3 feet) on 93 Edward Ave
Maximum Building Height	14 metres (45.9 feet) for industrial buildings	14 metres (45.9 feet) for industrial buildings	10.1 metres (33.1 feet) on 93 Edward Ave
	30.5 metres (100 feet) for non-industrial buildings	30.5 metres (100 feet) for non-industrial buildings	
Minimum Parking Spaces	1 parking space per 42 square metres (452.1 square feet) of floor area	1 parking space per 42 square metres (452.1 square feet) of floor area	0 parking spaces for 93 Edward Ave

Planning Analysis:

Staff has undertaken a preliminary review and evaluation of the applicant’s proposal based on the policy framework contained within the *Planning Act, Provincial Planning Statement, 2024* (the “PPS”), the *Regional Official Plan, 2022* (the “ROP”), and the *City’s Official Plan, 2010* (the “Plan”). The following sections provide an overview of the policies relevant to the subject applications.

Provincial Legislative and Policy Framework

On August 20, 2024, the Province of Ontario released the *Provincial Policy Statement 2024* (PPS 2024), to streamline land use planning within the Province by integrating the *Provincial Policy Statement, 2020* (the “PPS 2020”) and the *Growth Plan for the Greater Golden Horseshoe, 2020* (the “Growth Plan”) into a single, cohesive planning

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document. The PPS 2024 came into effect on October 20, 2024, and all municipal planning decisions must be consistent with the PPS 2024 as of that date.

In this regard, the PPS 2024 introduces changes to the policies governing employment lands which continue to emphasize the protection of employment areas and allows flexibility regarding conversion of employment lands processes. **Policy 2.8.2.5** of the PPS 2024 permits planning authorities to remove lands from *employment areas* through alternative processes, such as an Official Plan Amendment subject to a list of criteria, whereas the PPS 2020 required the conversion of employment lands to only be assessed through a Municipal Comprehensive Review process.

In addition, the PPS 2024 updated the definition of “employment areas” as follows:

“those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land described by subsection 1(1.1) of the Planning Act. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above”.

On the basis of the preceding, the proposal shall be further reviewed to ensure conformity with the policies of the PPS 2024 and the applicable provisions of the *Planning Act* in a future recommendation report as required.

York Region Official Plan

In accordance with Bill 185 (*Cutting Red Tape to Build More Homes Act*), effective July 1, 2024, York Region is no longer the approval authority of the City’s Official Plan and its amendments, and the Region of York Official Plan (ROP) is now deemed to be an Official Plan of the City of Richmond Hill.

In this regard, the subject lands are located within the **Urban Area** in accordance with Map 1 – ‘Regional Structure’ of the ROP, and are designated **Employment Area** in accordance with Map 1A – ‘Land Use Designations’ of the ROP. Lands designated **Employment Area** support the Region’s economy and are considered major drivers of economic activity, encouraging the protection of employment lands and ensuring their long-term viability through efficient land use planning. In accordance with **Policy 4.3.15** of the ROP, a list of prohibited uses in the core employment areas which includes institutional uses as proposed by the subject applications. Further, **Policy 4.3.16** of the ROP discourages the expansion of existing institutional uses in employment areas that were established prior to the date the ROP 2022 came into effect. However, the policy also states if an expansion is granted, it shall have regard for existing adjacent employment areas.

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City of Richmond Hill Official Plan

The subject lands are designated **Employment Area** in accordance with Schedule A2 – ‘Land Use’ the City’s Official Plan (the “Plan”) (refer to Map 3). In accordance with **Section 4.8.1** of the Plan, lands designated **Employment Area** are intended to accommodate a range of high performance industrial and office uses, including manufacturing, processing, servicing, warehousing and bulk storage of goods, and wholesaling. The existing private school use and proposed recreational use are not permitted under the **Employment Area** designation of the Plan. Accordingly, the applicant has submitted an Official Plan Amendment application requesting recreational use associated with the private school be permitted on 93 Edward Avenue and institutional use be permitted on 500 Elgin Mills Road East (refer to Appendix “A”).

Notwithstanding the above, it is noted that the private school located on the lands (formerly Toronto Montessori School) has existed at 500 Elgin Mills Road East since 2007 (related City Files D02-06032 and D06-06074), which predated the adoption and approval of the Plan by Council. At the time of the approval of the private school use at 500 Elgin Mills Road East, the lands were designated **Industrial** and were subject to the policies of the City’s 1983 Official Plan which permitted institutional uses including private schools, subject to specific location and site design criteria. Pursuant to the policies of **Section 7.1** of the Plan, specifically **Policies 7.1(16)** and **7.1(33)**, the continuation of legally existing and legally permitted uses of land, buildings and structures that comply with in-force Zoning By-laws that pre-date the adoption and approval of the Plan are permitted. As the existing private school use on 500 Elgin Mills Road East was approved and zoned in 2007, it is deemed to comply with the applicable policies of the Plan.

A more detailed review and evaluation of the proposal in the context of the applicable policies of the Plan will form part of a future recommendation report to Council.

Zoning By-law

93 Edward Avenue is zoned **High Performance Industrial (M1) Zone** and 500 Elgin Mills Road East is zoned **M1 Zone**, **High Performance Industrial Commercial (MC1) Zone** and **Local Commercial (LC) Zone** under Zoning By-law 184-87, as amended (refer to Map 4). The **M1 and MC1 Zones** predominately permit industrial uses and the **LC Zone** permits small scale commercial uses including convenience retail stores.

The site-specific amendments to the **M1 Zone** applicable to 93 Edward Avenue relate to the minimum front yard setback, minimum side yard setback and parking requirements in support of the proposed recreational use. As previously noted, 93 Edward Avenue was historically utilized for industrial purposes until the existing building was converted to a temporary school facility associated with the private school located on 500 Elgin Mills Road East during the COVID-19 pandemic through the enactment of Temporary Use By-law 144-20, which expired in 2023.

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With respect to 500 Elgin Mills Road East, the applicant has requested these lands be rezoned to a single zoning category (**MC1 Zone**), with a site-specific provision to permit a private school use. However, staff note that By-law 45-07, enacted by Council in 2007 to permit a private secondary school use on the lands, also established development standards to support the existing development. As the current proposal maintains the continuation of the existing private school use on the site and meets all the applicable development standards of the site-specific By-law 45-07, it is recommended that the applicant coordinate with Planning staff to clarify the proposed zoning amendment for this portion of the subject lands.

Given that the proposed institutional and recreational uses are not permitted under the existing zone categories, Planning staff will continue with a detailed review to determine the appropriateness of the proposed sensitive uses within the framework of the current industrial zone categories.

Department and External Agency Comments:

The subject Official Plan and Zoning By-law Amendment applications, in addition to 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. Comments have been received from the City's Waste Management Section, Fire and Emergency Services Division, Building Services Division – Zoning Section, as well as York Region, Toronto and Region Conservation Authority ("TRCA"), Alectra Utilities, Bell Canada and Enbridge Gas. These City departments and external agencies have no objections to the applications and/or have provided comments to be addressed by the applicant through the future submissions and/or related Site Plan application.

The subject applications remain under review by the City's Building Services Division, Infrastructure Planning and Development Engineering Division, Policy Planning Division, and Financial Services Division.

The following is a summary of the comments received to date.

Heritage and Urban Design Section

The City's Heritage and Urban Design ("HUD") staff has reviewed the submitted applications and have no comments regarding the proposed uses on the subject lands. HUD staff has identified the technical concerns regarding the proposed outdoor field area being installed over existing asphalt. However, previous applications (City File D06-20044) indicate this area is to be sodded. The applicant will need to clarify this matter. With respect to building design, HUD staff recommend adding elements to the roof canopy and timber structure on the west elevation as it faces the street and would create a better interface with the public realm. The applicant must also provide materials for bird-safe treatment for review, consider screening designs for the existing utility box, and clarify whether signage is contemplated for the exterior building (refer to Appendix "D").

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Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning ("PNHP") staff has reviewed the proposal and have no comments regarding the proposed uses. However, PNHP staff have identified concerns regarding the preservation of trees along the eastern edge of the subject lands (refer to Appendix "E").

Development Planning Division

Planning staff have undertaken a preliminary review of the applicant's development proposal, including the plans and materials submitted in support of the proposed development. In consideration of the policies of the *Planning Act*, PPS 2024, ROP 2022, and the Plan which are relevant to the evaluation of the proposed development, staff provide the following preliminary comments:

- Planning staff will continue to review the proposal with respect to the appropriateness of permitting a private school use on employment lands, and for conformity with Provincial legislation and policy, including the *Planning Act* and PPS 2024;
- the development proposal is not permitted by the **Employment Area** designation of the ROP **Policy 4.3.15** and **Policy 4.3.16**). However, **Policy 4.3.1.6** of the ROP provides flexibility to grant existing use expansions, subject to policy criteria which protect for existing adjacent employment areas;
- the subject lands are designated **Employment Area** in the Plan, which does not permit private school (institutional) or recreational uses. The applicant is seeking approval to amend the designation to establish the proposed uses as part of the employment designation applicable to the subject lands. Planning staff have concerns with the appropriateness of expanding a sensitive land use as proposed by the subject applications to adjacent to the existing employment lands in this area. Additionally, expansion of non-employment uses in the Newkirk Business Area may have the effect of destabilizing one of the City's important employment areas. Staff will continue to work with the applicant to review the appropriateness of the proposed Official Plan Amendment;
- the applicant needs to revise the proposed draft Zoning By-law given a Private Secondary School use and associated development standards are already established on 500 Elgin Mills Road East. Staff will continue to review the appropriateness of the proposed private school and recreational uses in the context of the surrounding industrial/employment and land uses and the proposed draft Zoning By-law; and,
- the applicant must satisfactorily address comments and requirements identified by City departments and external agencies that have been requested to review the development proposal.

A comprehensive review and evaluation of the subject Official Plan and Zoning By-law Amendment applications will be conducted following the receipt of comments and feedback from all circulated City departments, external agencies, Council and the

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public. This detailed review will be completed in advance of and addressed as part of a recommendation report to be prepared for a future Council meeting.

Financial Implications:

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

Relationship to Strategic Plan 2024-2027:

The recommendation of this report does not have any direct implications with respect to Council's 2024 – 2027 Strategic Plan. An overview of how the subject applications aligned with the Strategic Plan will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicants' development proposal.

Attachments:

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, Applicant's Proposed Draft Official Plan Amendment
- Appendix B, Applicant's Proposed Draft Zoning By-law Amendment
- Appendix C, Heritage and Urban Design Comments dated November 25, 2024
- Appendix D, Parks and Natural Heritage Planning Comments dated December 9, 2024
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan Designation
- Map 4, Existing Zoning
- Map 5, Proposed Conceptual Plan
- Map 6, Proposed Elevations

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Report Approval Details

Document Title:	SRPBS.25.008 - Request for Comments -OPA-24-0006 and ZBLA-24-0012.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Draft OPA.pdf- Appendix B - Draft ZBA.pdf- Appendix C - Heritage and Urban Design Memo.pdf- Appendix D - Parks and Natural Heritage Planning Memo.pdf- Map 1 Aerial Map.docx- Map 2 Neighbourhood Context.docx- Map 3 Existing Official Plan Designation.docx- Map 4 Existing Zoning.docx- Map 5 Proposed Concept Plan.docx- Map 6 Proposed Elevations .docx
Final Approval Date:	Jan 23, 2025

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

Deborah Giannetta - Jan 22, 2025 - 5:09 PM

Gus Galanis - Jan 22, 2025 - 6:27 PM

Darlene Joslin - Jan 23, 2025 - 2:05 PM