

**AMENDMENT NO. 225
TO THE OFFICIAL PLAN
OF THE RICHMOND HILL
PLANNING AREA**

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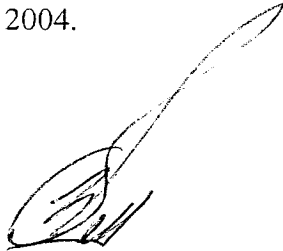
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(i)

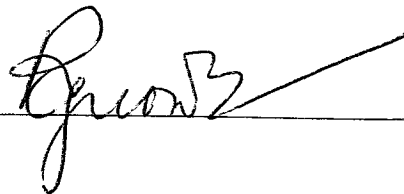
OFFICIAL PLAN
OF THE
RICHMOND HILL PLANNING AREA
OFFICIAL PLAN AMENDMENT NO. 225

The attached schedule and explanatory text constitute Amendment No. 225 to the Official Plan of the Richmond Hill Planning Area.

This Amendment was prepared and recommended by the Richmond Hill Council and was adopted by the Council of the Corporation of the Town of Richmond Hill by By-law No. 265-04 in accordance with Sections 17 and 21 of the **Planning Act**, R.S.O. 1990, on the 13th day of December, 2004.



Mayor



Clerk

(ii)

THE CORPORATION OF THE TOWN OF RICHMOND HILL

BY-LAW NO. 265-04

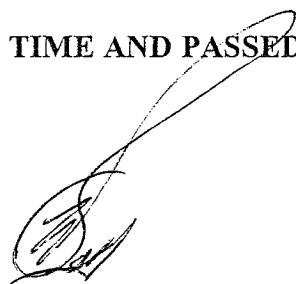
**A By-law to Adopt Amendment No. 225 to the Official
Plan of the Richmond Hill Planning Area**

The Council of the Corporation of the Town of Richmond Hill, in accordance with the provisions of the **Planning Act**, R.S.O. 1990, hereby enacts as follows:

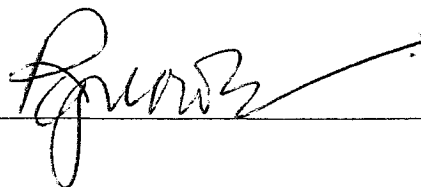
1. Amendment No. 225 to the Official Plan of the Richmond Hill Planning Area, consisting of the attached Part Two and Schedule "1" - Land Use Plan and Schedule "2" - Transportation Plan is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 13TH DAY OF DECEMBER, 2004.

READ A THIRD TIME AND PASSED THIS 13TH DAY OF DECEMBER, 2004.



Mayor



Clerk

PART ONE - THE PREAMBLE is not a part of the Amendment.

PART TWO - THE AMENDMENT, consisting of text and schedule, constitutes Amendment No. 225 to the Official Plan for the Richmond Hill Planning Area.

PART THREE - APPENDIX, which is not a part of the Amendment, contains background information relevant to the Amendment.

PART ONE - THE PREAMBLE

1.1 Purpose

The purpose of this Amendment to the Official Plan of the Richmond Hill Planning Area is to place a Special High Performance Industrial Commercial land use designation on the property located at the north east corner of Leslie Street and Elgin Mills Road East (Part of Lot 26, Concession 3 E.Y.S.) and to place appropriate Environmental land use designations (Major Tributary and Major Tributary - Buffer) on those adjacent lands which are intended to form part of the natural heritage system. The property subject of this amendment is referred to as the “Riotrin Lands”.

1.2 Location

The Riotrin Lands are located on the north side of Elgin Mills Road East between Leslie Street and Highway 404, in the Leslie Mills Planning Area and are legally described as Part of Lot 26, Concession 3 E.Y.S., Town of Richmond Hill. The location of the lands is shown on Schedule 1 – Land Use Plan of this Amendment.

1.3 Basis

The Riotrin Lands are situated within the existing defined Future Urban Area 1 (OPA 100). They are located within the Leslie Mills Planning Area and are currently designated Rural and Hazard Lands. The Official Plan identifies the Leslie Mills Planning Area as being appropriate for business park uses, office and prestige industrial.

The amendment places the Riotrin Lands within a special High Performance Industrial Commercial land use designation with special polices to permit retail warehouse commercial uses. In addition, a portion of the Riotrin Lands are designated to assist in the implementation of a natural heritage system for the Town of Richmond Hill.

In support of this amendment, the applicant has undertaken a traffic study, a planning analysis and a market study which demonstrate that the planned function of existing and approved commercial facilities in the Region will not be impaired. The designation of a portion of the Riotrin Lands as Major Tributary and Major Tributary – Buffer, and the policy associated with these designations, arises from site specific environmental recommendations contained in an Environmental Impact Statement and work undertaken in respect of the proposed North Leslie Secondary Plan including a report prepared for the Town entitled “A Natural Heritage System for the Rouge River, North Leslie Secondary Plan Area”. The latter report was prepared on behalf of the Region of York, the Toronto and Region Conservation Authority (TRCA) and the Town.

The developable portion of the Riotrin Lands is suited for retail warehouse land uses. It is relatively flat, can be appropriately serviced, and is located at the intersection of two arterial roads, a short distance from the interchange at Elgin Mills Road and Highway 404. The proposed commercial use is complementary to other existing and planned land uses in the area. In addition, appropriate regard has been given to adjacent natural features and their protection.

Unlike other properties situated between Leslie Street and Hwy. No. 404 in the Town of Richmond Hill, the Riotrin Lands are unique in that they are almost entirely physically separated from other lands developable for employment uses, located away from residential land uses and buffered by adjacent institutional and public land uses. The site is bounded by Leslie Street to the west and Elgin Mills Road to the south, both of which are regional arterial roads. The Richmond Green Recreation Complex and a High School are located on the west side of Leslie Street. Elgin Mills Cemetery is situated on the south side of Elgin Mills Road. A major tributary of the Rouge River separates the Riotrin Lands from potential development lands to the north and east, save for a small area on the lot to the north, fronting on Leslie Street. No road crossing of the major tributary will take place. Given the surrounding pattern of land use and the physical barriers, this site will function on its own and is linked to the balance of the community only by means of Leslie Street and Elgin Mills Road.

Lands to the north and west are the subject of an ongoing Secondary Plan exercise (North Leslie Secondary Plan) which is the subject of an Ontario Municipal Board hearing. The OMB ruled that the Riotrin Lands could be considered separately because, unlike other properties further to the north, they are located within the defined urban area.

It is not necessary to complete a Secondary Plan prior to permitting development of the Riotrin Lands. Comprehensive analysis of natural heritage matters has been completed based on the undertaking of an Environmental Impact Study being completed for the subject lands that reflects the Environmental Natural Heritage System prepared by the public agencies as part of the work undertaken in respect of the proposed North Leslie Secondary Plan. There is agreement in terms of the need for a collector road through the Riotrin Lands and its general location is known. The site can be serviced independently from properties located to the north or west. There are no issues with respect to land use compatibility. Given the suitability of the site for the proposed commercial purposes, the isolated nature of the parcel and the conveyance of natural heritage features and buffer lands, the preparation of a Secondary Plan is unnecessary and therefore this amendment includes a special policy clarifying that a Secondary Plan is not required.

After due consideration, Council deems it appropriate to amend the Official Plan to allow commercial development on the subject lands together with protection of adjacent natural heritage features.

PART TWO - THE AMENDMENT

2.1 Introduction

All of this part of the document entitled PART TWO - THE AMENDMENT, consisting of the following text and the attached schedules designated as Schedule “1” - Land Use Plan and Schedule “2” - Transportation Plan, constitute Amendment No. 225 to the Official Plan of the Richmond Hill Planning Area.

2.2 Details of the Amendment

The Official Plan of the Town of Richmond Hill Planning Area, as amended, is further amended as follows:

2.2.1 – Item 1

The lands shown on Schedule “1” to Official Plan Amendment No. 225 are hereby redesignated from “Rural” and “Hazard Land” to “High Performance Industrial Commercial – Special”, “Major Tributary Special Policy Area”, “Major Tributary” and “Major Tributary – Buffer” as set out on Schedule “1” to this amendment.

2.2.2 – Item 2

Schedule “4” - Transportation Plan of the Official Plan is hereby amended to identify the Major Collector Road as set out on Schedule “2” to Official Plan Plan Amendment No. 225.

2.2.3 - Item 3

Section 2.2.1 Land Use of the Official Plan is hereby amended by adding the following subsection to the end thereof:

2.2.1.20 North East Corner of Leslie Street and Elgin Mills Road East

Notwithstanding any other section of this Plan to the contrary, the property legally described as Part of Lot 26, Concession 3 E.Y.S. located at the north east corner of Leslie Street and Elgin Mills Road, is subject to the following policies:

2.2.1.20.1 High Performance Industrial Commercial - Special

Permitted uses in the High Performance Industrial Commercial – Special area shall include the following:

- a) assembly, manufacture or warehousing of goods and materials, research and development facilities and data processing centres;

- b) business and professional offices;
- c) institutional and personal service uses such as banks, financial institutions, restaurants, hotels, private clubs and health centres and similar compatible uses;
- d) ancillary retail uses in the same building as permitted employment uses, necessary to support or provide services to permitted employment uses such as stationary and printing outlets, office supply stores, office furniture sales and sales and servicing of computers or other business equipment;
- e) commercial recreational and entertainment facilities; and
- f) retail warehousing subject to the criteria set out in section 2.2.1.20.2.

2.2.1.20.2 Retail Warehousing Criteria in the High Performance Industrial Commercial - Special Designation

Retail Warehousing uses may include a range of retail and personal service uses (such as, but not limited to retail stores, restaurants, financial institutions, personal service uses, and retail warehouses) and are permitted in the High Performance Industrial Commercial – Special land use designation permitted by section 2.2.1.20.1, subject to the following criteria:

- a) the site shall be adjacent to and have access to two arterial roads and a major collector road;
- b) the total number of buildings having less than 1,000 sq. m. (10,700 sq. ft) shall be restricted to not more than five (5) stand alone buildings;
- c) the number of drive through restaurants shall be restricted to a maximum of two (2) and not more than one (1) drive through restaurant shall be permitted fronting on an arterial road;
- d) outdoor storage shall not be permitted;
- e) a retail use shall not abut a Residential area;
- f) sufficient parking is to be provided on site;
- g) the design of the buildings, signage and landscaping shall be comprehensively planned; and
- h) applications for site plan approval shall be subject to Urban Design Review by an independent consultant at the applicant's cost.

2.2.1.20.3 Major Tributary

Lands designated Major Tributary will form part of a larger Natural Heritage System that is part of the Rouge River and Regional Greenlands System of interconnected natural areas.

The purpose of the Major Tributary designation is: to provide functional ecological connections between core environmental areas; to facilitate wildlife

movement and habitat linkage north and south of the property along the Rouge River System; and to ensure the long-term sustainability of natural systems.

Damage or unapproved change to environmental features or areas shall not cause a change to the designation or policies for these areas. Where environmental areas are damaged, disturbed or destroyed without approval, Council will require restoration or enhancement of environmental areas and environmental buffer areas.

Those lands designated Major Tributary shall be conveyed to the Town or appropriate public authority at no or minimal cost and shall be shown as a separate block on any proposed plan of subdivision or site plan.

Lands acquired by the Town or any other public agency within the Major Tributary designation shall remain in their natural state and shall be managed to promote the integrity of the ecological system.

Where the Town or other public agency, acquires Major Tributary lands at no or minimal cost, these lands shall be subtracted from the gross development area for purposes of calculating park land dedication.

It is intended that, over the long term, lands within the Major Tributary designation, along streams and within their associated floodplains and valleys be allowed to revert to or actively restored to a natural forested condition.

Development or land disturbance in Major Tributary areas will be limited to stream bank erosion protection, fish, wildlife or conservation management, trails, and necessary encroachments such as utilities, roads or storm water management facilities where it can be demonstrated, through an Environmental Impact Statement to the satisfaction of the Town in consultation with the Toronto and Region Conservation Authority, that such can occur in an environmentally acceptable manner, and where there are no alternatives which would locate such facilities outside the Major Tributary designation. Minor land disturbances or boundary refinements other than those listed above may be permitted where it can be demonstrated to the satisfaction of the Town in consultation with the Toronto and Region Conservation Authority that the disturbance will result in a net environmental benefit on the site or within the same watershed.

2.2.1.20.4 Major Tributary – Buffer

Ecological buffers shall be provided adjacent to lands designated Major Tributary. The Major Tributary - Buffer designation is intended to protect and provide an upland corridor.

In general, the Major Tributary - Buffer shall consist of a 30 metre ecological buffer between lands designated Major Tributary and the lands designated High Performance Industrial Commercial - Special and Major Tributary Special Policy Area. The buffer area shall be appropriately zoned in the implementing zoning by-law. The Major Tributary - Buffer designation area shall be identified as a separate block on a proposed plan of subdivision or proposed site plan and shall be conveyed to the Town or other appropriate public agency at no or minimal cost.

Wherever possible, Major Tributary - Buffer areas shall be left in their natural state, or subject to a restoration plan, restored with native species in order to protect adjacent natural areas. Lands designated Major Tributary - Buffer may be used for purposes of stormwater management facilities where necessary and where it can be demonstrated through an Environmental Impact Statement to the satisfaction of the Town in consultation with the Toronto and Region Conservation Authority that such can occur in an environmentally acceptable manner.

Where the Town or other public agency, acquires Major Tributary - Buffer lands at no or minimal cost, these lands shall be subtracted from the gross development area for purposes of calculating park land dedication.

2.2.1.20.5 Major Tributary Special Policy Area

Those lands designated "Major Tributary Special Policy Area" on Schedule 1 – Land Use Plan shall only be used for agricultural and open space uses until such time as an acceptable development plan is approved for the lands to the immediate north. It is the intent of this Plan that the lands designated Major Tributary Special Policy Area will be redesignated by Official Plan Amendment at that time.

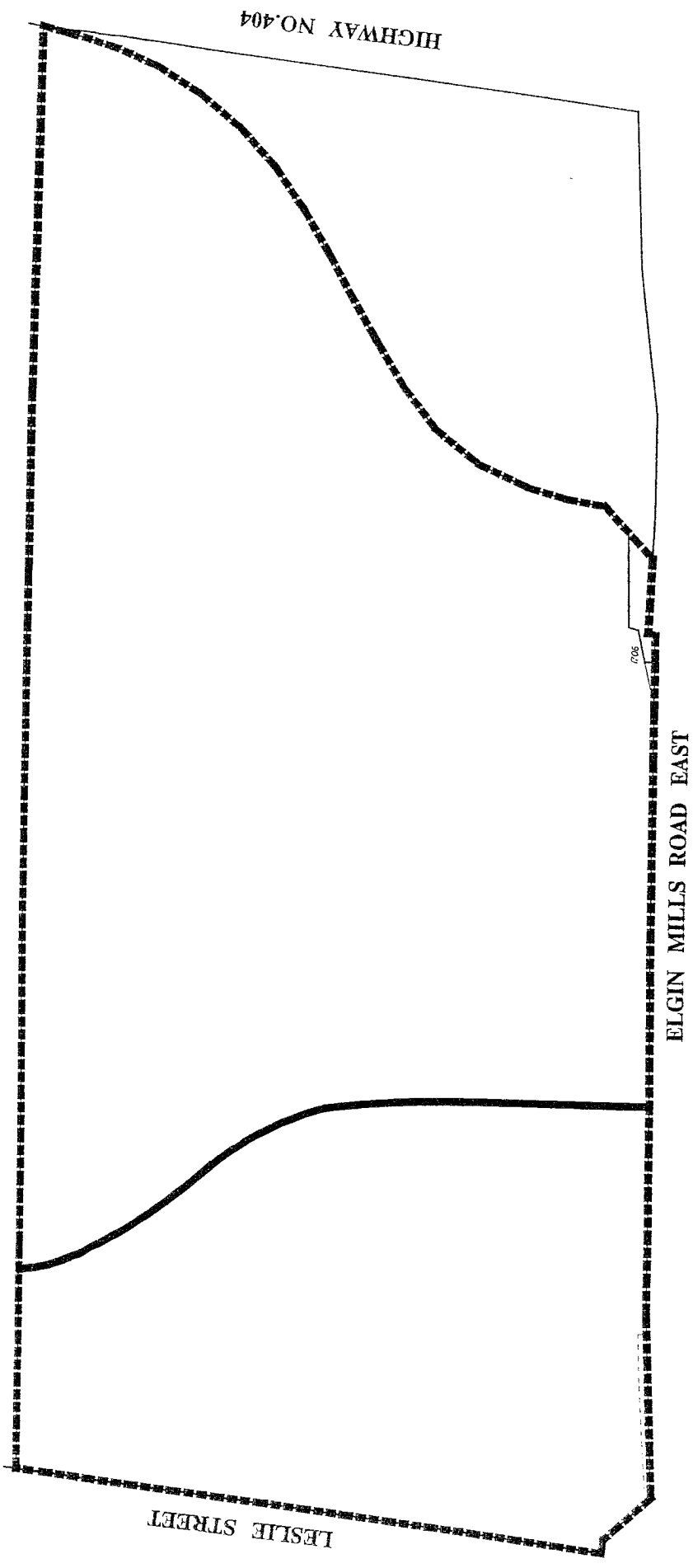
2.2.1.20.6 Secondary Plan not Required

Notwithstanding Section 2.2.8.2.9, or any other Section of this Plan, a Secondary Plan is not required prior to development of the lands located at the north east corner of Leslie Street and Elgin Mills Road as shown on Schedule "1" to Official Plan Amendment No. 225.

2.3 Implementation and Interpretation

- a) The implementation of this Amendment shall be in accordance with the provisions of the **Planning Act**, R.S.O. 1990, and the respective policies of the Town of Richmond Hill Official Plan.

- b) The boundaries between the land use designations shown on Schedule "1" hereto are approximate, except where they coincide with arterial roads or valley lands as defined elsewhere in this document. Minor adjustments shall not require a further amendment to this plan as long as the intent of its policies are maintained.
- c) All area allocations and other statistics are approximate and should be regarded as flexible. Minor variations from statistics shall be permitted as long as the intent of the policies of this plan are maintained.
- d) The provisions of the Official Plan as amended from time to time regarding the interpretation of the Official Plan of the Town of Richmond Hill, apply in regard to this Official Plan Amendment. In the event of conflict with the Official Plan or any Amendment thereto, the provisions of Amendment No. 225 shall prevail unless otherwise specified.



AMENDMENT NO.225 TO THE
OFFICIAL PLAN OF THE RICHMOND HILL PLANNING AREA

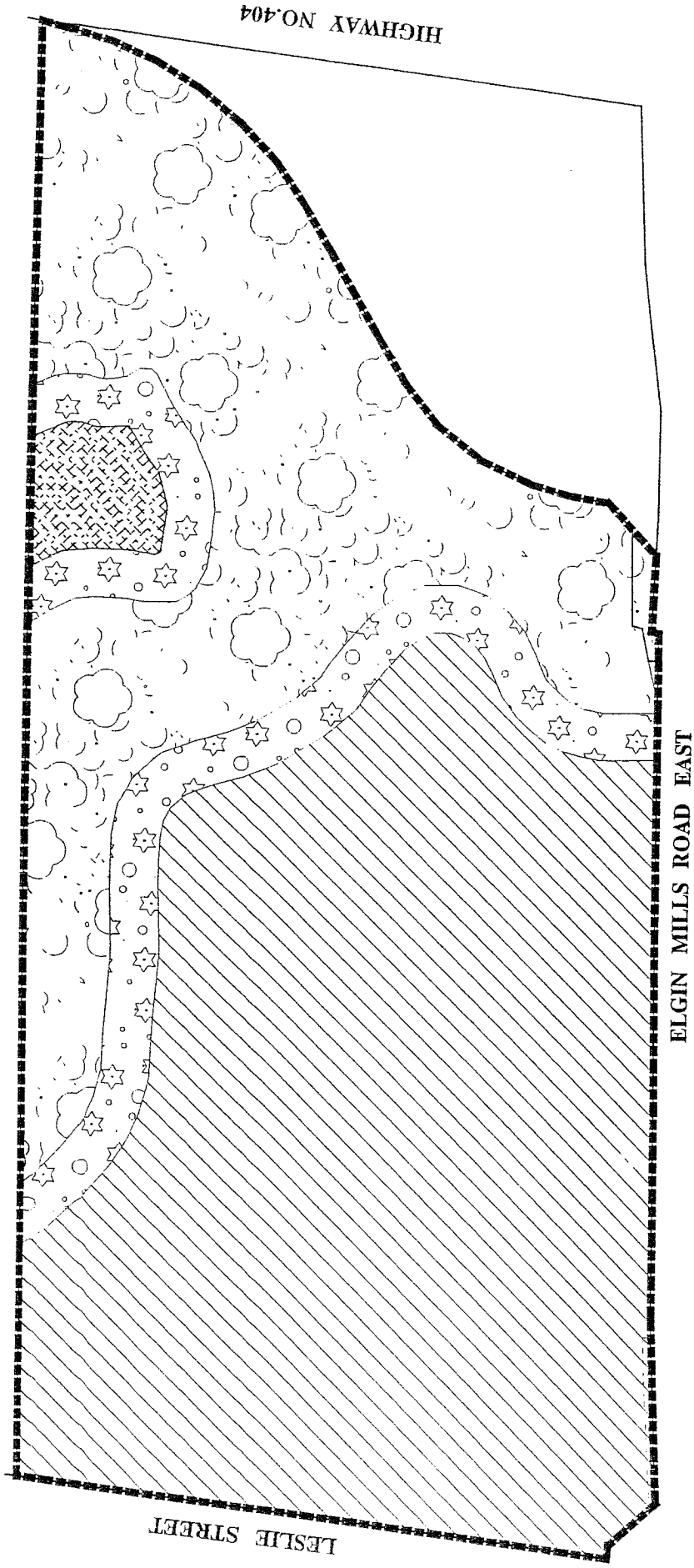
SCHEDULE 2

TRANSPORTATION

NOTE: THIS SCHEDULE FORMS PART OF AMENDMENT NO.225 TO THE
OFFICIAL PLAN OF THE RICHMOND HILL PLANNING AREA
AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT

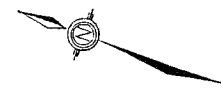
LEGEND

- AREA AFFECTED BY THIS AMENDMENT
- MAJOR COLLECTOR ROAD



AMENDMENT NO.225 TO THE
 OFFICIAL PLAN OF THE RICHMOND HILL PLANNING AREA
 SCHEDULE 1
 LAND USE PLAN

NOTE: THIS SCHEDULE FORMS PART OF AMENDMENT NO.225 TO THE
 OFFICIAL PLAN OF THE RICHMOND HILL PLANNING AREA
 AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT



- LEGEND
-  AREA AFFECTED BY THIS AMENDMENT
 -  HIGH PERFORMANCE INDUSTRIAL COMMERCIAL - SPECIAL
 -  MAJOR TRIBUTARY
 -  MAJOR TRIBUTARY - BUFFER
 -  MAJOR TRIBUTARY SPECIAL POLICY AREA