



Staff Report for Committee of the Whole Meeting

Date of Meeting: March 19, 2018

Report Number: SRPRS.18.069

Department: Planning and Regulatory Services

Division: Development Planning

Subject: SRPRS.18.069 – Request for Direction – Zoning
By-law Amendment Application – 2295190
Ontario Inc. – Town File D02-14029 (Related File:
D06-14096)

Owner:

2295190 Ontario Inc.
106 Olive Avenue
Toronto, Ontario
M2N 4N8

Agent:

AREA, Architects Rasch Eckler Associates Ltd.
15 Lola Road
Toronto, Ontario
M5P 1E5

Location:

Legal Description: Part of Lots 4 and 5, Plan 470
Municipal Address: 10027 Yonge Street

Purpose:

A request for direction concerning a proposed Zoning By-law Amendment application to permit a mixed use office/commercial development on the subject lands.

Recommendations:

- a) That the Ontario Municipal Board be advised that Council does not support the proposed Zoning By-law Amendment application submitted by 2295190 Ontario Inc. for lands known as Part of Lots 4 and 5, Plan 470 (Municipal Address: 10027 Yonge Street) Town File D02-14029 (Related File D06-14096), for the principle reasons outlined in SRPRS.18.069; and,

- b) That appropriate Town staff be directed to appear at the Ontario Municipal Board hearing in support of Council's position concerning the subject applications.

Contact Person:

Katherine Faria, Planner II – Subdivisions, phone number 905-771-5543 and/or Deborah Giannetta, Manager of Development – Site Plans, phone number 905-771-5542

Report Approval:

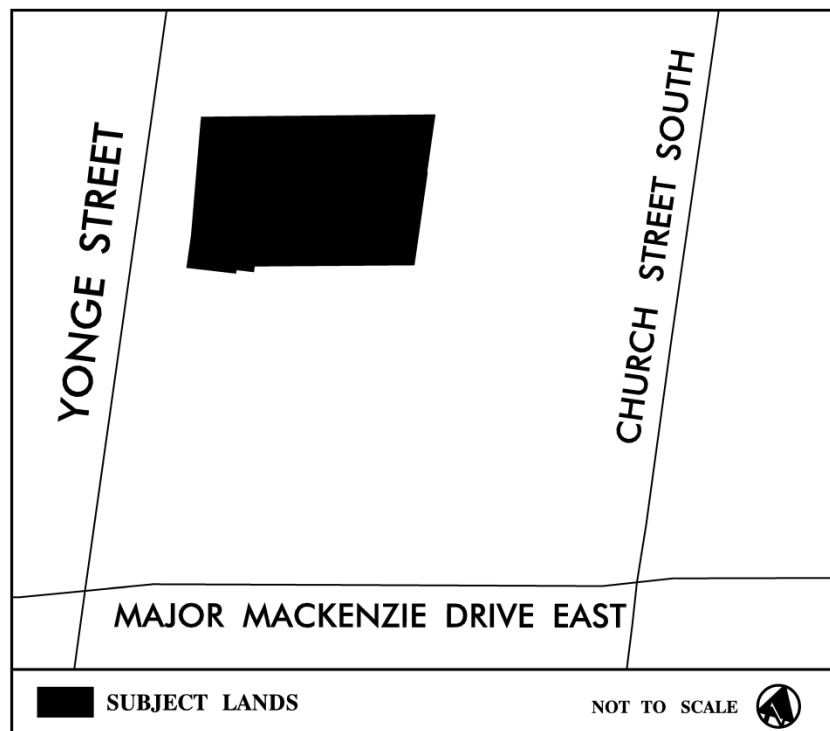
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call the person listed under "Contact Person" above.



Background:

On November 11, 2014, the applicant's Zoning By-law Amendment application and related Site Plan application were received and deemed complete by the Town. In accordance with the *Planning Act*, a Council Public Meeting was held on May 20, 2015, wherein Council received Staff Report SRPRS.15.108 for information purposes and directed that all comments be referred back to staff. Issues identified by Council and members of the public at the meeting related to the height of the proposed development and a lack of buffering with respect to adjacent properties at the rear of the subject lands (refer to Appendix A).

Notices of Appeal to the Ontario Municipal Board ("Board") of the subject Zoning By-law Amendment and Site Plan applications were received by the Town on May 19, 2017 and June 14, 2017, respectively, on the basis that Council had not issued a decision within the prescribed timeframe in accordance with Sections 34 (11) and Section 41 (12) of the *Planning Act*. A Pre-Hearing Conference ("PHC") was held regarding the appeals on October 13, 2017 wherein both the Town and the applicant advised the Board that the parties were working to resolve outstanding issues in order to reach a settlement. At the PHC, a revised concept that was somewhat reflective of the discussions that were ongoing between Town staff and the applicant at the time was submitted to the Board by the appellant as the development concept to be considered moving forward. A four (4) day hearing was scheduled to commence on April 17, 2018 to consider the revised proposal.

A second PHC was held on January 30, 2018 to provide the Board with an update on settlement discussions. The Board was advised that a settlement had not been reached and that staff needed to seek Council's direction on the revised concept. A timeline was established to work towards the scheduled April 17, 2018 hearing, whereby the applicant was required to provide supporting documentation and information to facilitate the review of the revised concept to the Town, allow staff to obtain a decision on the revised concept as well as obtain Council's authorization to appear at the Board in support of its position. At the request of the appellant, it was also determined at the PHC that the scheduled April hearing would only deal with the applicant's Zoning By-law Amendment appeal.

Additional plans and documentation in support of the applicant's revised concept were received by the Town on February 16, 2018 and subsequently circulated to relevant departments for review and comment. It should be noted that information related to grading, servicing and stormwater management, as requested by the Town, were not provided by the applicant. Further, the submission (herein referred to as the current proposal) included additional modifications to the applicant's proposal relative to the revised concept submitted at the PHC on January 30, 2018, including increased gross floor area, increased number of storeys, and additional parking. A detailed summary of the concerns and issues raised by the Town departments on the current proposal is provided later in this report.

The purpose of this report is to seek Council's direction with respect to the applicant's current development proposal and for authorization for Town staff and legal counsel to appear at the hearing in support of Council's position concerning the subject application.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the east side of Yonge Street, north of Major Mackenzie Drive and have a total lot area of 1,617.62 square metres (17,411.92 square feet). The site supports an existing two-storey building known as Dr. Duncumb's Hall, which is designated under the *Ontario Heritage Act*. The lands abut Yonge Street to the west, commercial uses to the south and north, and commercial and residential uses to the east (refer to Map 1).

Development Proposal

The current development proposal seeks to amend the Zoning By-law in order to permit a six (6) storey commercial development comprising retail, office, restaurant uses and a two-level underground parking facility on the subject lands. The following is a summary table outlining the pertinent statistics of each of the applicant's development concepts proposals based on the plans and drawings submitted to the Town:

	Initial Proposal (November 11, 2014)	Revised Proposal (February 9, 2017)	Revised Concept (October 13, 2017)	Current Proposal (February 16, 2018)
Gross Floor Area (GFA)	1,785.01 square metres (19,213.69 square feet)	2,138.2 square metres (23,015.39 square feet)	3,003 square metres (32,324.02 square feet)	3,905.9 square metres (42,042.76 square feet)
Building Footprint	468 square metres (5,037.51 square feet)	448.77 square metres (4,830.52 square feet)	804 square metres (8,654.18 square feet)	892.04 square metres (9,601.84 square feet)
Building Height	14.91 metres (48.92 feet)	17.95 metres (58.89 feet)	Not provided	19.4 metres (63.65 feet)
Number of Storeys	4	5	5	6
Lot Coverage	28.93%	27.74%	49.7%	55.14%
Floor Space Index	1.1	1.32	1.86	2.41
Parking Spaces	35	29	57	77

It should be noted that there are a number of inconsistencies and/or errors based on the plans and statistics provided by the applicant and in this regard, the above may not accurately reflect the development concepts that were proposed.

The applicant's current development proposal contemplates the retention of the existing two-storey heritage building through its incorporation into the design of the proposed new building. Restaurant uses are proposed for both floors of the heritage building as well as for the proposed "mezzanine" level of the new building. Retail uses are proposed for the ground floor and office uses are proposed for the floors above of the new building. It should be noted that the applicant's current development proposal reflects significant modifications to its initial and revised proposals with respect to building height, gross floor area, number of parking spaces, density and overall building and site design.

Zoning By-law Amendment Application

The subject lands are zoned **General Commercial (GC) Zone** under By-law 66-71, as amended (refer to Map 2). The land uses contemplated by the applicant are consistent with those permitted under the **GC Zone** pursuant to By-law 66-71, as amended. However, the applicant is proposing site-specific exceptions to the Zoning By-law related to maximum building height, maximum lot coverage, minimum landscaping, yard setbacks, setbacks to loading and parking areas, minimum loading space dimensions, parking supply and parking space dimensions, and minimum driveway and aisle widths. In addition, the applicant is proposing to add definitions for "Compact Car Parking Space" and "Storey, First Floor" and to amend the definitions for "Floor Area, Gross" and "Landscaping" to facilitate the proposed development.

The following table is a general summary of the applicable development standards within the **General Commercial (GC) Zone** under By-law 66-71, as amended, including proposed site-specific provisions:

Standard	Development Standards, GC Zone, 66-71, as amended	Proposed Development Standards
Maximum Building Height	13.72 meters (45 feet)	18.5 metres (60.70 feet)
Floor Area	250% of lot area	Complies
Maximum Lot Coverage	50%	56%
Front Yard to Yonge Street	3.05 metres (10 feet) (Maximum)	Nil
Minimum Rear Yard	10.67 meters (35 feet)	9 metres (29.53 feet)
Minimum Landscaped Space	N/A	19%

Minimum Landscape Strip, Street Lot Line	1.52 meters (5 feet)	Nil
Minimum Landscape Strip, Side Lot Line (North)	1.52 meters (5 feet)	Nil, adjacent to building 1.0 metre (3.28 feet), adjacent to parking area
Minimum Landscape Strip, Side Lot Line (South)	1.52 meters (5 feet)	Nil
Minimum Landscape Strip, Rear Lot Line	3.05 meters (10 feet)	3 metres (9.84 feet)
Number of Loading Spaces	1	Complies
Loading Space Dimensions	3.66 metres (12 feet) x 9.14 metres (30 feet)	3 metres (9.84 feet) x 9 metres (29.53 feet)
Compact Car Parking Space Dimensions	N/A	4.8 metres (15.75 feet) x 2.4 metres (7.87 feet)
Number of Parking Spaces	178	77
Maximum Number of Compact Car Parking Spaces	N/A	8
Number of Bicycle Parking Spaces	N/A	8

As described in greater detail in the later sections of this report, Town staff has identified concerns with the proposed number of storeys as depicted on the submitted plans, proposed loading space dimensions, compact car parking spaces, and onsite landscaping. In this regard, the proposed amended definitions for “Landscaping” and “Storey, First Floor” are not considered appropriate. Regarding the proposed setback to Yonge Street, it is noted that a nil setback is proposed as per the applicant’s draft Zoning By-law, whereas greater setbacks to Yonge Street are shown on the plans with respect to the new building. The proposed standards should be refined to differentiate between the existing heritage building and new building in this regard. It should also be noted that the total height of the proposed building as depicted on the submitted Elevation Plans appears to be greater than the 18.5 metres (60.70 feet) indicated in the applicant’s draft Zoning By-law. Notwithstanding the above, the form of the applicant’s draft Zoning By-law will need to be revised to be consistent with the Town’s standard for the preparation of such documents.

Site Plan Application

As noted previously, the applicant has submitted a Site Plan application in conjunction with the subject Zoning By-law Amendment application and has appealed its Site Plan application to the Board. However, at the applicant’s request, the Board hearing scheduled for April 17, 2018 will only address the applicant’s Zoning By-law Amendment.

Policy Analysis:

Downtown Design and Land Use Strategy (DDLUS)

Prior to the adoption of the Town's new Official Plan ("Plan"), the Downtown Design and Land Use Strategy Recommendations Report (2009) was prepared and endorsed by Council on July 13, 2009. The Downtown Design and Land Use Strategy (DDLUS) provides a framework for development within Downtown Richmond Hill with respect to land use and urban design, public realm, circulation and implementation. The DDLUS defines three districts for the study area, including the "Uptown District", "Village District" and the "Civic District" and contains specific recommendations with respect to land use, height and built form within each district. In addition, the DDLUS provides recommendations for enhancement of the public realm, including the provision of a system of courtyards and mews. This document informs the policies of the Downtown Local Centre Secondary Plan as outlined in Section 4.3.1.1 of the Plan.

Town of Richmond Hill Official Plan

The subject lands are designated **Downtown Local Centre** and are situated within the "Village District" in accordance with Schedule A2 – Land Use and Schedule A9- Downtown Local Centre Districts of the Plan (refer to Map 3). The predominant land uses within the **Downtown Local Centre** designation shall be for mixed-use, transit-oriented development. More specifically, for lands having frontage on Yonge Street within the "Village District", land uses shall include residential apartments, office, commercial, and retail uses, and community uses, parks and urban open spaces, and live/work units subject to specific policy criteria. Retail development within the **Downtown Local Centre** designation is generally limited to a maximum gross floor area of 2,500 square metres (26,909.78 square feet), whereas additional gross floor area may be permitted for lands fronting on Yonge Street subject to additional policy criteria. Development fronting on Yonge Street shall include retail, commercial or community uses at grade for the portion of a building with direct frontage on Yonge Street. In terms of land use, the current development proposal is consistent with the **Downtown Local Centre** designation.

Beyond the issue of land use, Section 4.3.1.2 of the Plan prescribes that the character, identity and heritage attributes of the three distinct districts (i.e. the "Village District") shall be reinforced through appropriate height, massing and architectural detailing. Accordingly, the Plan includes policies requiring buildings fronting on Yonge Street to be oriented to and accessed from the public street to generally create a continuous street wall, buildings to be designed to create breaks in the street wall to provide pedestrian mews, courtyards, urban squares, parks or other appropriate pedestrian amenities. That vehicular access to Yonge Street shall be limited and generally provided from side or rear streets or the linked system of courtyards is also outlined in the Plan.

Section 3.4.2 of the Plan stipulates that development shall be encouraged to retain, rehabilitate and adaptively re-use cultural heritage resources as an integral part of the development in order to maintain and enhance the identity and character of the Town.

In this regard, Policy 4.3.1.2 (9) of the Plan requires heritage buildings to be incorporated into the design of new development wherever possible.

Policy 4.3.1.1(1) of the Plan provides that the Town prepare a Secondary Plan for the **Downtown Local Centre** in accordance with Section 5.1 of the Plan and the land use and design guidelines which have been approved by Council as set out in the Downtown Design and Land Use Strategy Recommendations Report, May 2009 (DDLUS). Secondly, and in accordance with Policy 4.3.1.1 (2) of the Plan, until such time as Council adopts a Secondary Plan for the **Downtown Local Centre**, the policies of Section 4.3.1 and the land use and design guidelines which have been approved by Council as set out in the DDLUS shall be utilized in the review and evaluation of development applications.

As previously outlined in Staff Report SRPRS.15.108, the policies related to permitted height and density for development within the **Downtown Local Centre** designation were under Town-wide appeal at the time of submission of the subject applications and therefore were not in force and effect. Accordingly, the applicable height and density policies to be relied upon were those of the Central Business District (CBD) Planning Area Secondary Plan in Official Plan Amendment 32 (“OPA”). In accordance with OPA 32, building heights are generally limited to three and one-half (3.5) storeys with various exceptions. In addition, OPA 32 requires building heights to recognize the historical skyline of the Central Business District and the adjoining low density residential areas shall be considered prior to the establishment of height provisions in any implementing Zoning By-laws. Based on the policies of OPA 32, the applicant’s current development proposal exceeds the maximum building height contemplated in this document. In terms of density, specific requirements related to density are not provided within OPA 32 for this area of the CBD.

Notwithstanding the above, since the submission of the complete applications, the policies of the Plan concerning height and density were considered by the Board and found to be good planning and in the public interest, and were ordered to come into effect. Therefore, it is prudent to take guidance from the Plan in this regard. A discussion of height and density is provided below in relation to the in-force policies of the Plan.

Building heights within the “Village District” of the **Downtown Local Centre** designation shall range from 2 storeys to a maximum of 5 storeys, with the base building height being a maximum of 3 storeys. In addition, for developments fronting on Yonge Street, adherence to a maximum 45 degree angular plane projected from the adjacent property line on the opposite side of Yonge Street is required. In terms of density, the maximum density of a development block within the “Village District” shall be 2.0 Floor Space Index (“FSI”), where the boundaries of the development blocks shall be identified in the Secondary Plan for the **Downtown Local Centre**. Notwithstanding the provisions of the Plan with respect to density, it is noted that a maximum gross floor area equal to 250% of the lot area is permitted for the subject lands in accordance with the standard provisions of By-law 66-71, as amended.

Downtown Local Centre Secondary Plan

On February 27, 2017, Council adopted the Downtown Local Centre Secondary Plan (the “Secondary Plan”), which was approved with modifications by York Region on April 26, 2017. The Secondary Plan is currently under appeal at the Board. The Secondary Plan was prepared under the direction of Section 5.1.8 of the Plan to further implement the vision, principles, frameworks and recommendations of the DDLUS and the balance of Section 4.3.1 of the Plan and to further articulate policies to guide the evolution of development within the **Downtown Local Centre**. The Secondary Plan contains policies that provide specific direction with respect to matters, including but not limited to, maximum density, building orientation and street wall, cultural heritage resources, angular viewplane and views, and the linked system of courtyards. With respect to height, the Secondary Plan requires that development shall be subject to the height provisions of the Plan.

Given that the Secondary Plan is under appeal at the OMB, the Secondary Plan is not presently in effect and the policies of the Plan remain the determinative policies on which to evaluate the subject application. Notwithstanding the preceding, it is noted that the purpose of the Secondary Plan is to further articulate policies to guide the evolution of development within the **Downtown Local Centre** designation and to both refine and build upon the related policies of the Plan.

On the basis of the most recent plans submitted to the Town, the applicant’s current proposal is generally in keeping within the policies of the Plan and the Secondary Plan. However, the applicant’s current development proposal does not conform to the policies of the Plan and the Secondary Plan with respect to building height and the linked system of courtyards.

Planning Analysis and Issues Summary:

As noted previously in this report, the Plan serves as the determinative policy regime for reviewing and evaluating the applicant’s development proposal. Notwithstanding the above and with regard to a decision on a planning matter by an approval authority, Section 2.1 of the *Planning Act* directs that the approval authority shall have regard to decisions made under the *Act* by a municipal Council or by an approval authority that relates to the same planning matter. Given that the Secondary Plan, which has been prepared in accordance with Section 5.1 of the Plan, implements the vision, principles, frameworks and recommendation of the Plan, it is relevant that the Secondary Plan be regarded in the evaluation of the subject development proposal.

In consideration of the policy regime applicable to the applicant’s development, staff has undertaken a comprehensive review of the plans and documentation submitted in support of same and advises that the proposal cannot be supported for the principle reasons outlined in the sections below.

Building Height

The applicant's request describes a proposal to construct a five (5) storey commercial building on its land holdings. However, the submitted plans depict a "mezzanine" level above the ground floor of the proposed building and in this regard, the applicant's draft by-law contemplates a definition for "Storey, First Floor" as ***"the first 6.1 metres of a building from floor to ceiling, including the mezzanine space"*** to address the matter of number of storeys. Notwithstanding this, the following definition applies to "Storey" in accordance with By-law 66-71, as amended:

"Means that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least six feet (6 ft.) above grade. Provided also that any portion of a storey exceeding fourteen feet (14 ft.) in height shall be deemed an additional storey for each fourteen feet (14 ft.) or fraction thereof of such excess."

In consideration of the foregoing, the drawings submitted in support of the applicant's current proposal appear to indicate a six (6) storey building in accordance with the standard provisions of By-law 66-71, as amended, on the basis that the "mezzanine" space represents a portion of the building that is situated between the ground floor and floor above.

In accordance with Section 4.3.1.1 of the Plan, building heights within the "Village District" of the **Downtown Local Centre** designation shall range from 2 storeys to a maximum of 5 storeys. Therefore, the proposed six (6) storey building does not conform to the maximum height provisions of the Plan. It should be noted that an Official Plan Amendment to address this matter has not been submitted to the Town.

Linked System of Courtyards

The recommendations of the DDLUS with respect to the creation of the courtyards and mews system within this area of the Town have been brought forward in the policies of the Plan. In this regard, Policy 4.3.1.2 (4) of the Plan requires that:

"Proponents of development for lands fronting on Yonge Street shall prepare a concept plan demonstrating that the proposed development achieves the following in addition to the requirements of Section 5.2 of this Plan:

- a. The creation of or extension of a linked system of courtyards providing a series of informal dual-use spaces for pedestrians and cars;***
- b. The creation of or extension of a linked system of courtyards within the existing or planned parking areas located in the rear and side yard of the development site;***
- c. The creation of or extension of a linked system of courtyards that has a coordinated palette of unique paving, lighting, planting, and signage; and***

d. A secondary entrance located in the rear or side yard of the proposed development site that provides public access to a linked system of courtyards”.

In support of the objectives of the Plan, the DDLUS identifies the conceptual location of courtyards in accordance with the Circulation Framework in Section 4.0 of the DDLUS.

In accordance with Section 7.0 of the Plan, the Linked System of Courtyards “**means an interconnected system of courtyards, mews, parks and urban open spaces that are pedestrian-oriented, human-scaled and appropriately landscaped**”. In further articulating the policies of the Plan, the creation of this linked system of courtyards is recognized among the core principles of the Secondary Plan. Section 10.4.1 of the Secondary Plan provides that development within the “Village District” shall be required to create a linked system of courtyards to enhance circulation for both pedestrians and vehicles that are envisioned as a series of predominantly privately-owned spaces connected to allow vehicular access between abutting properties. The configuration contemplated for the linked system of courtyards is depicted on Schedule 5 to the Secondary Plan.

Building upon the policies of the Plan, the Secondary Plan protects for a linked system of courtyards that shall generally be implemented through the development process. In accordance with Section 10.4.4.4 of the Secondary Plan, the linked system of courtyards shall be created within the existing parking areas at the rear or side of buildings fronting Yonge Street. By creating a second face to the existing and planned buildings along Yonge Street and in addition to maintaining their parking function, the linked system of courtyards will serve to create a series of connected pedestrian-oriented and shared spaces, accommodate some parking and loading access away from Yonge Street, minimize curb cuts for driveways off Yonge Street, and provide access for retail or commercial uses fronting the linked system of courtyards. In this regard, development shall seek to consolidate vehicular accesses and link private parking areas by means of easements to facilitate privately owned, publically accessible linked system of courtyards.

The applicant’s current development proposes a 3 metre (9.84 feet) wide future pedestrian connection at the rear of the subject lands, which is intended to address the requirement for the linked system of courtyards. However, it is noted that the proposed pedestrian connection does not serve as a dual use space for both pedestrians and cars as contemplated within the Plan and as further articulated within the Secondary Plan. Further, the applicant’s current proposal appears to depict a potential expansion of the proposed future pedestrian connection to be shared with the adjacent property to east. However, the policies of the Plan and Secondary Plan contemplate the creation of linked system of courtyards as it relates to development for lands fronting on Yonge Street. As described in greater detail in the later sections of this report, it is envisioned that, among other functions and outlined in the Secondary Plan, the linked system of courtyards is to provide a means to address operational challenges identified for this section of Yonge Street. In this regard, it is considered appropriate that the full width of

the linked system of courtyards required to satisfy the dual use function should be accommodated in its entirety on the subject lands.

The establishment of a linked system of courtyards represents an integral objective of the Secondary Plan in implementing the vision and principles of the DDLUS and Plan adopted by Council. In consideration that the Secondary Plan articulates and informs the policies of the Plan, having regard for and granting weight to the policies within the Secondary Plan in evaluating the applicant's current proposal is appropriate and represents good planning. On the basis of the preceding, staff is not able to support the applicant's current development proposal as it does not adequately protect for the establishment of a linked system of courtyards on the subject lands in accordance with the policies of the Plan and Secondary Plan.

Site Plan Matters:

A complete Site Plan submission has not been provided in support of the applicant's current development proposal and therefore, a detailed and comprehensive review is not possible at this time. Notwithstanding, a review of the submitted materials suggests a number of matters that will need to be addressed at the detailed review stage, including but not limited to site and building design, *Ontario Building Code* compliance, fire route requirements, tree preservation and landscaping details, sustainable building design, servicing and grading, and architectural details and materials.

It is further noted that there appear to be a number of inconsistencies within the plans and documentation submitted to the Town in support of the applicant's current development proposal related to such matters as proposed gross floor area and building height. These matters will need to be addressed as part of a full and complete Site Plan submission to the Town.

Department Comments:

The following sections provide a summary of the comments received as of the writing of this report based on the review of the Zoning By-law Amendment application and the associated background materials submitted in support of same.

Building Services

Building Services staff has reviewed the applicant's current proposal and has provided comments to be addressed by the applicant with respect to the *Ontario Building Code* and applicable technical standards. These comments primarily concern the design of the proposed building and technical requirements related to same (refer to Appendix B1).

Development Engineering

Parking, Loading and Access

Transportation staff has reviewed the submitted Traffic Impact and Parking Study and advises that the analysis contained in the study identifies operational issues with

respect to the Yonge Street access for the proposed development. Staff also advises that, in addition to contributing to an enhanced public realm, implementation of the planned linked system of courtyards will serve to alleviate operational issues related to connectivity and accessibility along Yonge Street within the Downtown Local Centre Secondary Plan Area. In this regard, it is noted that implementation of the linked system of courtyards to provide for north/south vehicular connections as well as vehicular connections to and from Yonge Street on the subject lands would be appropriate. On the basis of the above, it is noted that the proposed future pedestrian connection depicted on the submitted plans is not adequate and does not meet the intent of the planned linked system of courtyards (refer to Appendix B2).

Staff further advises that revisions are required to the Study to address comments related to traffic data, planned transit improvements, trip generation, modal split, vehicle occupancy estimates, and analyses (refer to Appendix B2).

Transportation staff notes inconsistencies between the total gross floor area in the Traffic Impact and Parking Study and the submitted Site Plan. In this regard, staff has identified a parking deficiency of a minimum of 10 spaces. Further, Transportation staff has advised that they are not in support of the proposed compact car parking spaces as outlined in their comments attached hereto. Additional comments have also been provided with respect to bicycle parking and parking rates as noted in the applicant's draft Zoning By-law Amendment. Further, Transportation staff has identified a concern with respect to the proposed reduction in loading space dimensions as well as the functionality and accessibility of the proposed loading space as proposed by the current development proposal (refer to Appendix B2).

As these comments represent significant technical concerns, staff cannot support the applicant's current development proposal.

Grading, Servicing and Hydrogeological Matters

Development Engineering staff has reviewed the materials submitted in support of the applicant's development proposal and has advised that comments on the feasibility of the proposed development with respect to servicing and grading cannot be provided at this time on the basis that the appropriate engineering documentation has not been provided (refer to Appendix B2).

With regard to hydrogeological considerations, it is noted that the latest Hydrogeological Investigation and the related dewatering requirements and impact assessment were based on a previous proposal to construct one level of underground parking. In this regard, a preliminary Hydrogeological Investigation is required that would provide sufficient detail in order to determine the feasibility of construction of the proposed building and underground structures and to address impacts related to dewatering (refer to Appendix B2).

Park and Natural Heritage Planning

Park staff has reviewed the applicant's current proposal and has provided comments concerning tree protection and landscaping. In this regard, staff advises that the proposed site design does not provide sufficient space for landscaping purposes. The applicant will be required to demonstrate how the proposal incorporates landscaping in accordance with Town standards (refer to Appendix B3).

Development Planning

Staff has undertaken a comprehensive review of the applicant's current development proposal and advises that it cannot be supported for the following principle reasons:

- the proposed six (6) storey building exceeds the maximum height provisions of the Plan;
- the proposed development does not adequately protect for the establishment of a linked system of courtyards on the subject lands in accordance with the policies of the Plan and Secondary Plan;
- the proposed development may result in a deficiency of a minimum of 10 parking spaces;
- the proposed compact car parking spaces are not supported;
- the applicant's draft Zoning By-law Amendment does not provide for sufficient bicycle parking onsite;
- staff has concerns with respect to the appropriateness of the proposed loading space provisions and justification is required in this regard;
- the applicant has not provided requisite supporting documentation with respect to grading, servicing and hydrogeological matters; and,
- the applicant's current proposal provides for limited landscaping along Yonge Street and within the site. In this regard, the applicant is required to demonstrate how the proposed development is to accommodate landscaping in accordance with Town standards.

Interim Growth Management Strategy:

Council has approved and implemented a comprehensive strategy comprised of eight growth management criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The criteria are as follows:

1. Providing community benefits and completion of required key infrastructure.
2. Developments that have a mix of uses to provide for live-work relationships.
3. Developments that enhance the vitality of the Downtown Core.
4. Higher-order transit supportive development.
5. Developments that represent sustainable and innovative community and building design.
6. Completion of communities.
7. Small scale infill development.
8. Opportunities to provide affordable housing.

On February 24, 2014, Council adopted the recommendations of Staff Report SRPRS.14.004 with respect to threshold scores for the implementation of the Town's Sustainability Metrics. Council directed that staff use the threshold scores to ensure that a consistent performance level is met as part of the review of IGMS Criteria Number 5 (Sustainable and Innovative Community and Building Design).

The applicant has not submitted a Sustainability Metrics submission with respect to its current development proposal. The applicant will be required to submit a Sustainability Metrics Implementation Tool and summary letter as part of the related Site Plan application to demonstrate that the development proposal meets the applicable threshold score as approved by Council.

Financial/Staffing/Other Implications:

As this application has been appealed to the Board, there will be further draws on staff and financial resources. These will be accommodated in existing budgets.

Relationship to the Strategic Plan:

The Plan is one of the primary implementation mechanisms for the Town's Strategic Plan. The proposed development has not demonstrated full conformity with the applicable policies of the Plan and is not in keeping with the recommendations of the DDLUS. Therefore, the subject application is not considered to be aligned with the overall vision of the Town's Strategic Plan.

Conclusion:

The applicant is seeking Council's approval of the Zoning By-law Amendment application submitted in support of its proposal to construct a mixed-use office/commercial development on its landholdings. Based on a comprehensive review of the subject application, staff cannot recommend support for the development proposal for the principle reasons outlined in this report. The purpose of this report is to seek Council's direction to advise the Board of the Town's position concerning the applicant's appeal and to direct Town staff to appear at the Board hearing in support of Council's position concerning the appeal.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, Council Public Meeting Extract C#24-15, May 20, 2015
- Appendix B, Department Comments
 1. Memo from Martin Chan, Building Services Division – Plans Review Section, February 27, 2017
 2. Memo from Paul Guerreiro, Manager of Development Engineering – Site Plans, dated March 6, 2018
 3. Memo from Martin Volhard, Park and Natural Heritage Planning, February 27, 2018
- Map 1 Aerial Photograph
- Map 2 Existing Zoning
- Map 3 Official Plan Designation
- Map 4 Proposed Site Concept
- Map 5 Proposed Front (West) Elevation
- Map 6 Proposed Rear (East) Elevation
- Map 7 Proposed Side (South) Elevation
- Map 8 Proposed Side (North) Elevation
- Map 9 Proposed Section
- Map 10 Proposed Basement P2 Floor Plan
- Map 11 Proposed Basement P1 Floor Plan
- Map 12 Proposed Ground Floor Plan
- Map 13 Proposed Mezzanine Floor Plan
- Map 14 Proposed Typical Floor Plan
- Map 15 Proposed Floor Plan

Report Approval Details

Document Title:	SRPRS.18.069.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - SRPRS.18.069.pdf- Appendix B1 - SRPRS.18.069.pdf- Appendix B2 - SRPRS.18.069.pdf- Appendix B3 - SRPRS.18.069.pdf- Map 1 - SRPRS.18.069.pdf- Map 2 - SRPRS.18.069.pdf- Map 3 - SRPRS.18.069.pdf- Map 4 - SRPRS.18.069.pdf- Map 5 - SRPRS.18.069.pdf- Map 6 - SRPRS.18.069.pdf- Map 7 - SRPRS.18.069.pdf- Map 8 - SRPRS.18.069.pdf- Map 9 - SRPRS.18.069.pdf- Map 10 - SRPRS.18.069.pdf- Map 11 - SRPRS.18.069.pdf- Map 12 - SRPRS.18.069.pdf- Map 13 - SRPRS.18.069.pdf- Map 14 - SRPRS.18.069.pdf- Map 15 - SRPRS.18.069.pdf
Final Approval Date:	Mar 7, 2018

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

Gus Galanis - Mar 7, 2018 - 10:03 AM

Kelvin Kwan - Mar 7, 2018 - 10:24 AM

No Signature - Task assigned to Neil Garbe was completed by delegate Shane Baker

Shane Baker on behalf of Neil Garbe - Mar 7, 2018 - 1:18 PM