



## **Staff Report for Council Meeting**

**Date of Meeting:** February 11, 2019

**Report Number:** SRPRS.19.041

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.19.041 – Request for Direction - Revised Development Proposal – Goldenville Development Inc. – Town Files D01-17001 and D02-17003**

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### **Owner:**

Goldenville Development Inc.  
c/o 2483676 Ontario Inc.  
15 Wertheim Court, Unit 302  
Richmond Hill, ON L4C 6E4

### **Location:**

Legal Description: Lots 135 to 139 and Part of Lots 134, 285 and 286, Plan 1960  
Municipal Addresses: 39, 41, 45, 53, 59, 69, 79, 81, 89, 91 and 97 Carrville Road

### **Purpose:**

The purpose of this report is to provide Council with an overview and recommendations concerning a revised development proposal related to the appeal of Official Plan and Zoning By-law Amendment applications to permit a mixed use, high density residential/commercial development comprised of two 24 storey buildings, a 15 storey building and stacked townhouses on the subject lands.

### **Recommendations:**

- a) That Staff Report SRPRS.19.041 be received for information purposes;
- b) That the Local Planning Appeal Tribunal be advised as follows
  - i. that Council supports the revised development proposal as described in Staff Report SRPRS.19.041 for the Official Plan and Zoning By-law Amendment Applications (Town Files D01-17001 and D02-17003 submitted by Goldenville Development Inc. for lands known as Lots 135 to 139 and Part of Lots 134, 285 and 286, Plan 1960 (Municipal Addresses: 39, 41, 45, 53, 59, 69, 79, 81, 89, 91 and 97 Carrville Road));

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- ii. that Council supports the approval of the Official Plan Amendment substantially in accordance with the attached Appendix “B” to SRPRS.19.041 and to the satisfaction of the Commissioner of Planning and Regulatory Services;
- iii. that Council supports the approval of the Zoning By-law Amendment 28-19 substantially in accordance with the attached Appendix “C” to SRPRS.19.041 and to the satisfaction of the Commissioner of Planning and Regulatory Services;
- c) That Council approve the Section 37 Community Benefits package as generally described in Staff Report SRPRS.19.041 and incorporated into the aforementioned Official Plan Amendment and Zoning By-law Amendment to the satisfaction of the Commissioner of Planning and Regulatory Services (the “Section 37 Community Benefits Package”);
- d) That assigned servicing allocation be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11.
- e) That the Mayor and Clerk be authorized to execute Minutes of Settlement, Servicing Agreement and any further agreements or documentation as necessary to implement the revised development proposal and secure the Section 37 Community Benefits Package;
- f) That Council authorize the acquisition of lands and/or easements for roads and municipal services to support growth related projects at the southwest corner of Yonge Street and 16<sup>th</sup> Avenue and/or as necessary to implement the settlement as described in Staff Report SRPRS.19.041, as approved by the Chief Administrative Officer;
- g) That appropriate Town staff and legal counsel be directed to appear at the Local Planning Appeal Tribunal hearing in support of Council’s position concerning the above noted applications.

### Contact Person:

Deborah Giannetta, Manager of Development – Site Plans, 905-771-5542 and/or  
Gus Galanis, Director of Development Planning, 905-771-2465

### Report Approval:

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

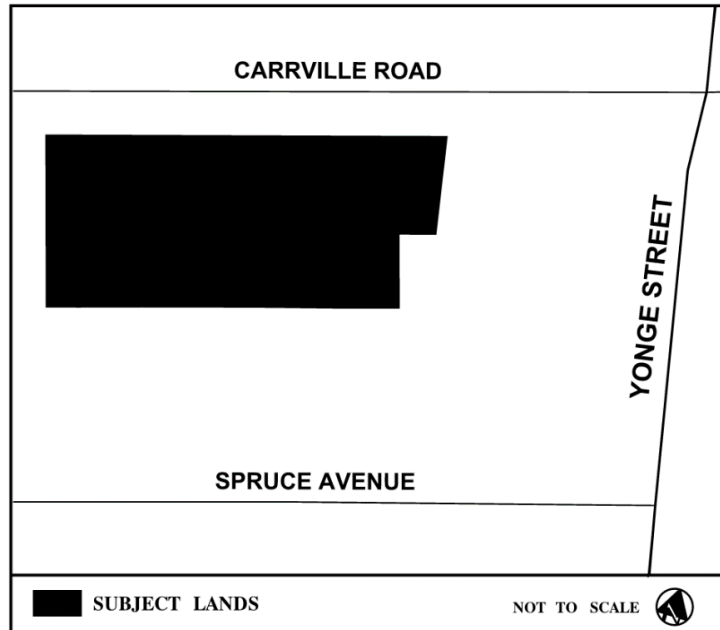
**Approved by:** Neil Garbe, Chief Administrative Officer

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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 person listed under “Contact Person” above.



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### Background:

On June 19, 2017 and September 14, 2017, the applicant appealed their Official Plan and Zoning By-Law Amendment applications respectively to the Ontario Municipal Board (OMB) now the Local Planning Appeal Tribunal (LPAT) pursuant to Sections 22(7) and 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, on the basis that the Town failed to make a decision on its applications within the prescribed timeframes.

On March 26, 2018 Council approved Staff Report SRPRS.18.052 which recommended refusal of the applicant's original development proposal and directed staff to appear at the LPAT in support of Council's position (refer to Appendix A).

LPAT Pre-Hearing Conferences were held on February 1, 2018 and March 19, 2018 with respect to the subject applications. The LPAT subsequently scheduled a hearing related to the appeal of the applications which is scheduled to begin on March 4, 2019. Following the appeal of the subject development applications, Town staff has been actively working closely with the applicant to achieve a revised development proposal that is in keeping with the Town's Official Plan and the objectives of ensuring a well designed, appropriate and compatible development within the Yonge Street and 16<sup>th</sup> Avenue (Carrville Road) Key Development Area.

Town staff and the applicant have come to an agreement in principle on the remaining outstanding matters identified as part of the review of the proposal. Accordingly, the purpose of this report to seek Council's approval of the applicant's revised development proposal and an associated Section 37 Community Benefits Package as outlined in this report.

### Summary Analysis:

#### Revised Development Proposal

The applicant is seeking Council's approval to construct a high density, mixed use, residential/commercial development on its land holdings. As noted previously, staff has worked closely with the applicant to address specific concerns with its original development proposal which has resulted in the submission of a revised development concept. Key differences between the applicant's original development proposal and the revised proposal are as follows:

- the provision of the north-south collector road as identified in the Town's Official Plan and the provision of a portion of a future east-west road from Yonge Street to be established south of Carrville Road;
- an increase in building heights on the east block from 20 and 22 storeys to 24 storeys and a reduced height on the west block from 18 storeys to 15 storeys;
- a reduction in podium building heights from 6 storeys to 4 storeys for all 3 apartment buildings;

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- the introduction of stacked townhouse buildings along the rear of both the east and west blocks; and,
- a reduction in the overall density of the proposed development from 4.9 FSI to 4.66 FSI.

Outlined below are the relevant statistics of the applicant's revised development proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area:** 1.185 hectares (2.93 acres)
- **Number of Buildings:** Apartment Buildings: 3  
Stacked Townhouse Buildings: 3
- **Total Number of Units:** 686
- **Total Gross Floor Area:** 55,282.20 square metres (595,057.60 square feet)  
Residential: 53,908.20 square metres (580,267.86 square feet)  
Commercial: 1,374 square metres (14,789.74 square feet)
- **Floor Space Index:** 4.66
- **Building Heights:** 24, 24, 15 and 3 storeys
- **Podium Heights:** 4 storeys on each high rise building
- **Tower Floor Plate Size:** 750 square metres (8,072 square feet)
- **Parking:** 802 spaces
  - Towers A and B: 597
  - Tower C: 205

Access to the east block of development is proposed via a private driveway along the southern limit of the block on an interim basis until such time as the remaining lands are acquired to fully construct the easterly portion of the future east-west local road from Yonge Street. Access to the west block is proposed from the future east-west local road.

It should be noted that a Site Plan Application to implement the subject proposal has not been submitted to the Town.

### Planning Analysis:

Town staff has carefully reviewed the applicant's revised development proposal and can advise that it implements the urban structure of the Town's Official Plan (the Plan) and takes into consideration the context of the surrounding area by providing an appropriate site layout, building design, building heights and density for this site (refer to Map 3). On the basis of the preceding, staff supports the revised development proposal in principle for the following principle reasons:

- the revised development proposal will provide a compatible development with appropriate transition to the abutting low density residential neighbourhood to the south and west of the subject lands;

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- the proposal assists the Town in achieving important objectives including securing a portion of the north-south local road contemplated as a relief road for Yonge Street as identified in the Plan as well as a new east-west local road that will establish a fine grid road network for the Yonge Street and 16<sup>th</sup> Avenue (Carrville Road) Key Development Area; and,
- the revised development proposal constitutes good planning.

Should Council endorse the revised development proposal and it is further approved by the LPAT, the next step in the development approvals process will be to submit a Site Plan application whereby all the technical elements of the development proposal will be reviewed and approved to the Town's satisfaction.

### **Section 37 Community Benefits Package**

Section 37 of the *Planning Act* provides municipalities with the means to secure community benefits where a proposal exceeds the permitted height and/or density provisions of its Official Plan. Based on the revised development proposal outlined in this report, the applicant is proposing increases in the height and density beyond the limits prescribed in the Town's Plan and the Council endorsed *Yonge Street and 16<sup>th</sup> Avenue Key Development Area Policy and Directions and Recommendations Report*. As such, a community benefits package has been negotiated with the applicant with respect to its revised development proposal. In this regard, the applicant has agreed to the following Section 37 Community Benefits Package:

- the dedication and construction of the future north-south road (inclusive of turn lanes) to the Town's standards and specifications as shown on the revised development plan;
- the dedication and construction of the westerly portion of the future east-west road as well as the dedication of the east portion of the east-west road as shown on the revised development plan; and,
- the provision of a cash contribution to be utilized towards the future construction of the easterly portion of the east-west road when the remaining lands are acquired to fully construct the road to Yonge Street.

Staff has carefully reviewed the proposed Section 37 Community Benefits Package and can advise that it is appropriate in the context of the applicant's revised development proposal and will directly serve the community in which the subject lands are located. As such, it is recommended that Council approve the community benefits package being proposed by the applicant.

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

The proposed settlement of the subject appeals, as outlined in this report will eliminate the significant draw on staff and financial resources required to attend an LPAT hearing on these matters.

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### **Richmond Hill Sustainability Metrics:**

The applicant has not yet submitted a Sustainability Performance Metrics Tool for consideration by the Town as part of its review and approval of the subject development applications since a Site Plan application has not yet been submitted to the Town. This will be required to be submitted in conjunction with any future Site Plan application for the proposed development which will also serve to provide the basis for the allocation of servicing capacity to the proposed development.

### **Relationship to the Strategic Plan:**

The recommendations of this report are aligned with **Goal One – Stronger Connections in Richmond Hill** by improving the function of streets and neighbourhoods, **Goal Two – Better Choice in Richmond Hill** by facilitating a range of housing options and **Goal Four - Wise Management of Resources** in Richmond Hill by serving as a role model for municipal management.

### **Conclusion:**

Staff are seeking Council's direction with respect to a revised development proposal and associated Section 37 Community Benefits Package to facilitate the construction of a mixed use, high density, residential/commercial development consisting of three apartment buildings with building heights of 15 and 24 storeys as well as three storey stacked townhouse buildings on the subject lands. Associated Official Plan and Zoning By-law Amendment applications regarding same are to be heard at an LPAT hearing which is scheduled to commence on March 4, 2019.

Following careful consideration and review of the applicant's revised development proposal and Section 37 Community Benefits Package, it is recommended that Council approve same on the basis that the proposal is considered appropriate and represents good planning. Accordingly, staff recommends approval of the associated planning instruments required to implement the proposal, authorization of the Mayor and Clerk to execute agreements and documents necessary to implement the proposed settlement and that the LPAT be advised of Council's position in this regard.

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### **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, Extract from Council Meeting C#09-18 held March 26, 2018
- Appendix B, Proposed Official Plan Amendment 12
- Appendix C, Proposed Zoning By-law 28-19
- Map 1, Aerial Photograph
- Map 2, Original Site Plan
- Map 3, Revised Site Plan



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### Report Approval Details

|                      |   |
|----------------------|---|
| Document Title:      | SRPRS.19.041 - Request for Direction - Revised Development Proposal - Goldenville Development Inc.docx  |
| Attachments:         | <ul style="list-style-type: none"><li>- MAP_1_AERIAL_PHOTOGRAPH.pdf</li><li>- MAP_2_ORIGINAL_SITE_PLAN.pdf</li><li>- MAP_3_REVISIED_DEVELOPMENT_PROPOSAL.pdf</li><li>- Extract – March 26 2018 Council.doc</li><li>- OPA 12.docx</li><li>- OPA12 – Schedule 1.pdf</li><li>- By-Law 28-19.docx</li><li>- By-law 28-19 – Schedule A.pdf</li><li>- By-law 28-19 – Schedule B.pdf</li></ul> |
| Final Approval Date: | Feb 11, 2019  |

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

**Gus Galanis - Feb 11, 2019 - 11:54 AM**

**Kelvin Kwan - Feb 11, 2019 - 11:57 AM**

**Neil Garbe - Feb 11, 2019 - 12:34 PM**