



## **Staff Report for Council Meeting**

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

**Report Number:** SRPRS.19.037

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.19.037 – Request for Direction –  
Dogliola Developments Inc. – Town File D06-  
15099 – LPAT Case PL160680**

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### **Owners:**

Dogliola Developments Inc.  
1681 Langstaff Road, Unit 1  
Vaughan, Ontario  
L4K 5T3

### **Location:**

Legal Description: Part of Lots 51 and 52, Concession 1, W.Y.S.  
Municipal Addresses: 10922, 10944 and 10956 Yonge Street

### **Purpose:**

A request for direction regarding a revised development proposal to be constructed on the subject lands, including authorization to execute all documents necessary to implement a revised settlement, to acquire lands and funding for the construction of a new municipal roadway and associated municipal services, and to assign servicing allocation to the proposed development.

### **Recommendations:**

- a) That Staff Report SRPRS.19.037 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 generally depicted on Map 3 to Staff Report SRPRS.19.037, submitted by Dogliola Developments Inc. for part of the lands known as Part of Lots 51 and 52, Concession 1, W.Y.S. (Municipal Addresses: 10922, 10944 and 10956 Yonge Street), Town File D06-15099;

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- (ii) That the Local Planning Appeal Tribunal be requested to withhold the issuance of its Final Order respecting the applicant's Site Plan appeal until such time as the Town advises the Tribunal that a Site Plan Agreement has been approved by the Town;
- c) That appropriate Town staff be directed to appear at the Local Planning Appeal Tribunal in support of Council's position concerning the subject Site Plan application;
- d) That the Chief Administrative Officer be authorized to approve and execute amended Minutes of Settlement, a Servicing Agreement, a Site Plan Agreement and/or any further agreements or documentation as necessary to implement the revised development proposal described in Staff Report SRPRS.19.037;
- e) That Council authorize the acquisition of lands and/or easements for municipal services to support growth related projects at the southwest corner of Yonge Street and Canyon Hill Avenue and/or as necessary to implement the revised development proposal described in Staff Report SRPRS.19.037, as approved by the Chief Administrative Officer;
- f) That Council authorize funding from the Town-wide Engineering Development Charges Reserve Fund in the amount of \$1,310,000 (excluding HST) for the construction and installation of a new municipal roadway (Leyburn Avenue extension) and the installation of municipal services to support growth related projects at the southwest corner of Yonge Street and Canyon Hill Avenue, including costs to undertake any studies; and,
- g) That 386 persons equivalent of servicing allocation (129 townhouse dwelling units) be assigned to the subject lands, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11.

### Report Approval:

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

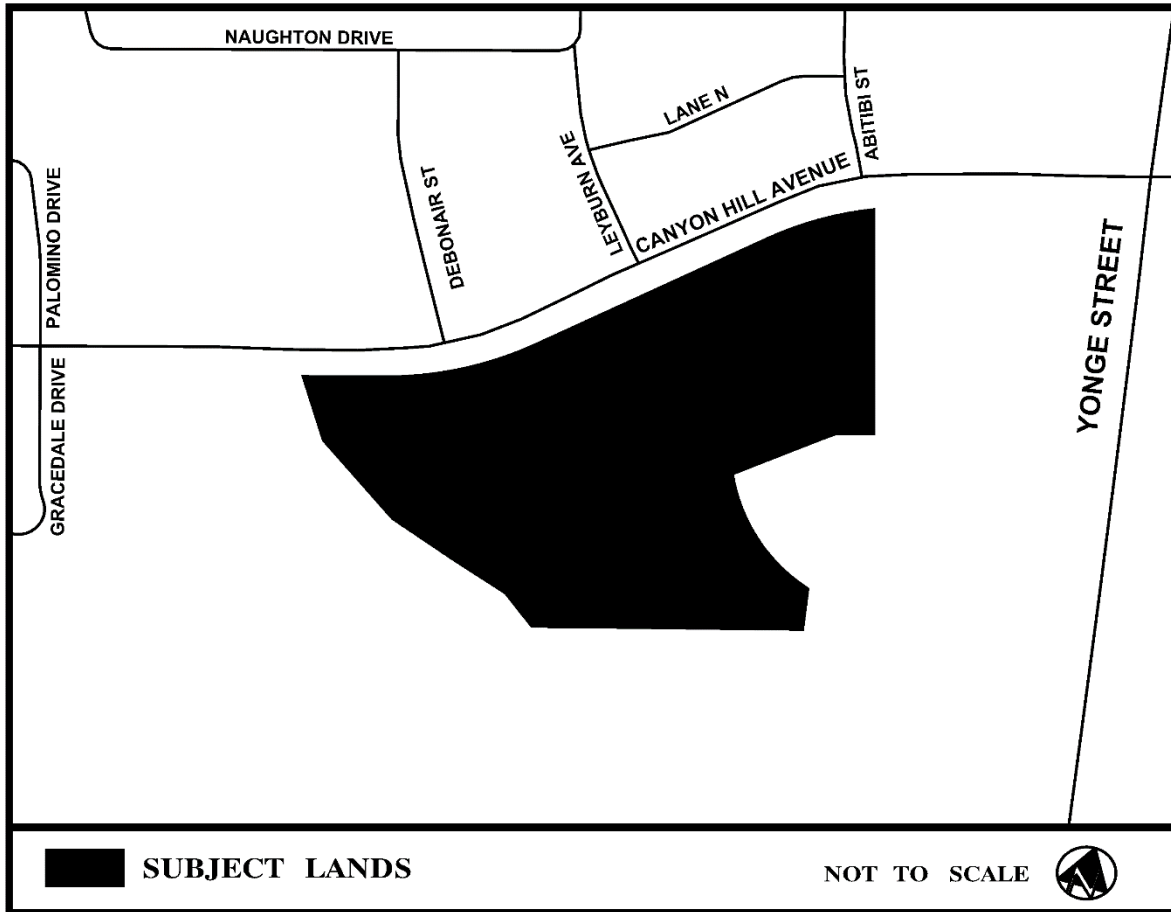
**Approved by:** Neil Garbe, Chief Administrative Officer

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.

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### 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 July 10, 2017, Council endorsed modified recommendations to Staff Report SRPRS.17.127 concerning various matters in the Yonge Street and Bernard Avenue Key Development Area (“KDA”), including authorization to execute Minutes of Settlement with Dogliola Developments Inc. (“Dogliola”) respecting their Local Planning Appeal Tribunal (“LPAT”) appeals of Interim Control By-law 100-16 and a Site Plan application (refer to Appendix A).

The Parties executed Minutes of Settlement on October 5, 2017, and have been working to finalize various aspects of the Settlement and the related Site Plan application that seeks to facilitate the construction of a townhouse development on a portion of the applicant’s landholdings in the southwest quadrant of the KDA.

The applicant has now filed a revised development proposal for consideration by the Town, and a three-day LPAT hearing of the Site Plan appeal is scheduled to commence on May 1, 2019. The purpose of this report is to seek new instructions from Council regarding the revised development proposal, including authorization to execute all documents necessary to implement a revised settlement, to acquire lands and funding for the construction of a new municipal roadway and related municipal services, and to assign servicing allocation to facilitate the applicant’s revised development proposal.

### Summary Analysis:

#### Original Development Proposal

The applicant’s original development proposal was comprised of the following main components (refer to Map 2):

- the provision of a high-density future development block at the southwest corner of Yonge Street and Canyon Hill Avenue, conceptually comprised of apartment buildings between 10 and 15 storeys in height;
- a total of 149 townhouses on the westerly portion of the subject lands, comprised of three-storey townhouses (6.0 metres in width) fronting on Canyon Hill Avenue and four-storey townhouses (4.5 metres in width) on the remainder of the medium density lands;
- the provision of an urban square and a linear park;
- the extension of Leyburn Avenue south of Canyon Hill Avenue, to be secured and constructed by the applicant at their expense; and,
- the provision of appropriate buffers, vegetation zones and structural setbacks along the western boundary of the subject lands, adjacent to the German Mills Creek valley, to be dedicated to the Town.

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### Revised Development Proposal

The applicant's revised development proposal is comprised of the following main components (refer to Map 3):

- the exclusion of the high-density future development block at the southwest corner of Yonge Street and Canyon Hill Avenue, with built form, density and building heights to be determined as part of the applicant's appeal to the KDA Secondary Plan;
- a total of 129 three-storey townhouses on the westerly portion of the subject lands (6 metres in width);
- the provision of a trailhead parkette and a linear park, with the balance of the on-site parkland requirements being provided through cash-in-lieu of parkland dedication. In this regard, future parkland needs for the KDA will be re-established and confirmed by the Town through the Secondary Plan appeals process;
- the extension of Leyburn Avenue south of Canyon Hill Avenue, to be secured and constructed by the applicant, but at the Town's expense; and,
- the provision of appropriate buffers, vegetation zones and structural setbacks along the western boundary of the subject lands, adjacent to the German Mills Creek valley, to be dedicated to the Town.

### Extension of Leyburn Avenue

The applicant is proposing to convey the Leyburn Avenue extension lands to the Town at no cost, with an option to construct the public road and municipal services on the Town's behalf, at our cost. The Leyburn Avenue extension is consistent with the KDA Secondary Plan policy direction, and will provide access and services to both the applicant's development proposal and future growth in the surrounding area. The proposed municipal services include the construction of a public roadway and the installation of municipal sidewalks, water supply, storm sewers, sanitary sewers, service connections and related appurtenances.

In order to accommodate the municipal road and the necessary infrastructure, a 20-metre public road allowance is required from Canyon Hill Avenue to the southerly limits of the subject lands (refer to Map 3). The Town will acquire the land necessary for the future road allowance through a fee simple land conveyance(s) from the applicant. In the event that the applicant wishes to accelerate construction of the road and municipal services in advance of Site Plan approval, a Servicing Agreement will be required to establish their obligations to construct the off-site municipal works, in accordance with approved plans per Town standards. In this regard, authorization from Council is required to execute a Servicing Agreement and to accept the conveyance of lands prior to the execution of a Site Plan Agreement. All necessary securities, fees, obligations and cost recoveries related to the road and municipal works will be established through this Servicing Agreement or a Site Plan Agreement.

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### Financial/Staffing/Other Implications:

The applicant has provided a cost estimate of \$1,307,847.71 (excluding HST) for the construction of the public road and municipal services. The cost estimate is still under review by staff, but forms the basis for the recommended funding in this report. The applicant will convey all necessary road allowance lands to the Town, free of all costs, liens, and encumbrances.

The Leyburn Avenue road extension is not currently included in the Town's Development Charge By-law. However, it is recommended that the construction costs for this road and the associated municipal services be funded from the Town-wide Engineering Development Charges Reserve Fund since the road extension is captured in the adopted KDA Secondary Plan and is proposed to be included in the 2019 Transportation Master Plan Update.

The Town-wide Engineering Development Charges Reserve Fund has a current balance of approximately \$24,900,000 and staff will be recommending that these infrastructure works be included in a future Development Charge By-law update. However, in the event that the road and servicing costs, or a portion thereof, are not approved or deemed to be recoverable in an updated Development Charge By-law, it is acknowledged that a separate funding source will be needed to recover any deficit in the Town-wide Engineering Development Charges Reserve Fund.

The applicant will be responsible for the payment of all fees associated with the preparation of agreements, legal documents, plans, as well as the review of the engineering plans and municipal inspections. The applicant will also be required to provide the required financial securities specified in the Servicing Agreement and/or Site Plan Agreement.

### Relationship to the Strategic Plan:

The recommendations of this report are aligned with **Goal One – Stronger Connections in Richmond Hill** in improving the function of streets and neighbourhoods, **Goal Two – Better Choice in Richmond Hill** in 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:

The applicant is seeking approval of a revised Site Plan application from the Local Planning Appeal Tribunal (LPAT) in order to facilitate the construction of a medium density residential development on a portion of its landholdings. In this regard, the LPAT has scheduled a three-day hearing to commence on May 1, 2019.

Staff has no objections in principle to the revised Site Plan. On this basis, it is recommended that Council authorize the Chief Administrative Officer to approve and execute all agreements and documents necessary to implement a revised settlement,

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the acquisition of lands and the provision of funding for the construction of a new municipal roadway and municipal services, and the assignment of servicing allocation to facilitate the applicant's revised development proposal.

### **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#26-17 held July 10, 2017
- Map 1, Aerial Photograph
- Map 2, Original Site Plan
- Map 3, Revised Site Plan

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### Report Approval Details

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|----------------------|--|
| Document Title:      | SRPRS.19.037 – Request for Direction – Dogliola Developments Inc. – Town File D06-15099 – LPAT Case PL160680.docx          |
| Attachments:         | - Appendix A - Extract<br>- Map 1 Aerial Photograph.pdf<br>- Map 2 Original Site Plan.pdf<br>- Map 3 Revised Site Plan.pdf |
| Final Approval Date: | Feb 8, 2019  |

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

**David Dexter - Feb 8, 2019 - 2:07 PM**

**Gus Galanis - Feb 8, 2019 - 2:42 PM**

**Kelvin Kwan - Feb 8, 2019 - 3:19 PM**

**Neil Garbe - Feb 8, 2019 - 3:21 PM**