



Staff Report for Council Public Meeting

Date of Meeting: April 17, 2019

Report Number: SRPRS.19.062

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.19.062 - Request for Comments –
Official Plan Amendment and Zoning By-law
Amendment Applications – Metroview
Developments Inc. – City Files D01-18004 and
D02-18029 (Related File D06-18056)**

Owner:

Metroview Developments Inc.
5690 Steeles Avenue West
Vaughan, Ontario
L4L 9T4

Agent:

M. Behar Planning & Design Inc.
25 Valleywood Drive, Unit 23
Markham, Ontario
L3R 5L9

Location:

Legal Description: Part of Lots 11 and 12 and Lots 35 and 36, Registered Plan 2383
Municipal Addresses: 9929, 9935, 9939 Yonge Street and 186 and 188 Church Street
South.

Purpose:

A request for comments concerning Official Plan Amendment and Zoning By-law
Amendment applications to permit the construction of an eight storey mixed use
residential/commercial building on the subject lands.

Recommendation:

- a) **That Staff Report SRPRS.19.062 with respect to Official Plan Amendment and
Zoning By-law Amendment applications submitted by Metroview
Developments Inc. for lands known as Part of Lots 11 and 12 and Lots 35 and**

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36, Registered Plan 2383 (Municipal Addresses: 9929, 9935, 9939 Yonge Street and 186 and 188 Church Street South), City Files D01-18004 and D02-18029, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Jeff Healey, Senior Planner-Subdivisions, phone number 905-747-6452 and/or
Deborah Giannetta, Manager of Development-Site Plans, phone number 905-771-5542

Report Approval:

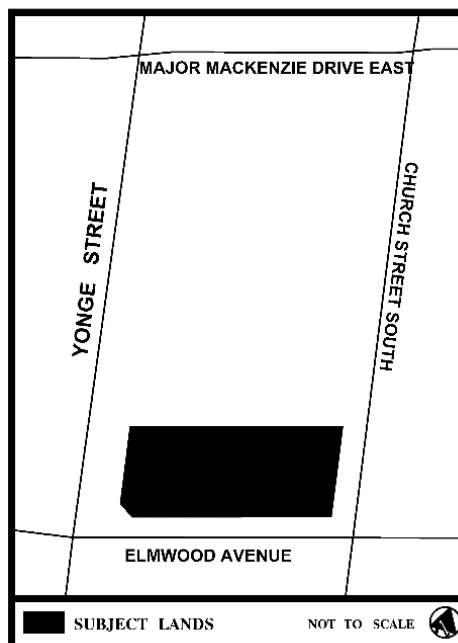
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and City Manager. 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 the “Contact Person” above.



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Background Information:

The subject Official Plan Amendment and Zoning By-law Amendment applications were received by the City on November 27, 2018 and were deemed complete on December 6, 2018 after Bill 139 received Royal Assent on December 12, 2017. The applications and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

It is noted that the notice mailed to residents within 120 metres of the subject lands and prescribed departments and agencies was inconsistent with the notice provided in *the Liberal* newspaper. The notice provided to residents had indicated the proposal as “a high rise mixed use residential/commercial building”, while *the Liberal* newspaper had indicated the proposal as “an eight (8) storey mixed use residential/commercial building”. The correct description of the property is “an eight (8) storey mixed use residential/commercial building” to reflect the description of the proposal submitted by the applicant.

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*.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands consist of five properties with frontage along Yonge Street and Church Street South. The lands have a total combined lot area of 0.365 hectares (0.902 acres) (refer to Maps 1 and 2). 9929, 9935 and 9939 Yonge Street are currently vacant. 186 Church Street South supports a 1 ½ storey single detached dwelling and a one storey shed. 188 Church Street South supports a 2 storey detached dwelling and a one storey garage. The existing dwellings and garages on the Church Street properties are proposed to be demolished to facilitate the subject proposal. The lands abut a two (2) storey medical office building and single detached dwellings to the north, Church Street South to the east, Elmwood Avenue to the south and Yonge Street to the west.

Development Proposal

The applicant is seeking Council's approval of its Official Plan Amendment and Zoning By-law Amendment applications to facilitate the construction of an eight (8) storey mixed use residential/commercial building comprising 141 dwelling units with 170 square metres (1,829.86 square feet) of commercial floor space at grade (refer to Map 5). The development also proposes four (4) townhouse units along Church Street South. 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:

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Total Lot Area:	0.365 hectares (0.902 acres)
Gross Floor Area:	13,704 square metres (147,508.62 square feet)
Commercial Floor Area:	170 square metres (1,829.86 square feet)
Total Number of Units:	141
- Apartment Dwelling Units	137
- Townhouses	4
Building Height	8 storeys
Density:	3.75 Floor Space Index (FSI)
Amenity Space:	584 square metres (6,286.12 square feet)
- Indoor Amenity Space:	254 square metres (2,734.03 square feet)
- Outdoor Amenity Space:	330 square metres (3,552.09 square feet)
Loading Spaces:	1
Parking Spaces:	164
- Visitor/ Commercial:	30
- Residents:	131
- Barrier Free:	3

Supporting Documentation/Reports

The applicant has submitted the following documents/information to the City in support of the proposed development:

- Development Application Summary;
- Planning and Urban Design Justification Report;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Site Plan;
- Underground Parking Plans;
- Floor Plans;
- Cross Section;
- Coloured Elevation Plans;
- Streetscape Plans including exterior cladding materials and colour palette schedule;
- Servicing and Grading Plans;
- Erosion and Sediment Control Plan;
- Construction Notes and Detail Plan;
- Survey;
- Phase 1 and 2 Environmental Assessment;
- Arborist Report including Tree Inventory and Preservation Plan;
- Exterior Lighting Plan;
- Landscape Plan;
- Geotechnical Investigation Report;
- Functional Servicing & Stormwater Management Report;
- Hydrogeological Assessment Report;
- Groundwater Quality Assessment Letter;
- Water Balance Assessment;
- Traffic Impact Study, including Parking Assessment and Transportation Demand Management;
- Noise Report;
- Construction Management Plan, including Crane Swing Study;
- Shoring and Excavation Plans;
- Sun/Shadow Study; and,
- Sustainability Metrics

Official Plan Amendment Application

The subject lands are designated **Downtown Local Centre** according to Schedule – A2 Land Use Plan of the City of Richmond Hill Official Plan (the Plan) (refer to Map 4) and more specifically, are identified in Schedule – A9 of the Plan as being located within the

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Civic District. Policy 4.3.1.1.11 of the Plan permits a maximum density of 2.5 FSI for a development block within the **Civic District** of the **Downtown Local Centre**, with the development block to be identified through the approval of a Secondary Plan. The applicant's proposal seeks to increase the maximum density to 3.75 FSI to facilitate the proposed development on its land holdings.

Zoning By-law Amendment Application

The lands are zoned **General Commercial (GC) Zone** and **Residential Second Density (R2) Zone** under by-law 66-71, as amended. Area-specific Zoning By-law 73-92, as amended, also applies to 9929, 9935 and 9939 Yonge Street, which permits Business or Professional Offices on the Yonge Street properties. Zoning By-law 66-71, as amended, pre-dates the adoption and approval of the Plan. The applicant is proposing to rezone the lands to **First Density Residential Apartment (RH1) Zone**, with Apartment Dwelling, Rowhouse Dwelling, Retail Uses and Restaurants as additional permitted uses. Additionally, the applicant is also seeking to permit office uses over the remainder of the subject lands and associated site specific development standards to facilitate these uses. Outlined below is a comparison of the proposed development standards relative to those of the current zone category.

Development Standard	(GC Zone)	(R2 Zone)	Proposed RH1 Zone
Minimum Lot Area	0.1695 ha (0.419 ac)	0.046 ha (0.114 ac)	0.3654 ha (0.902 ac)
Minimum Lot Frontage	47.9 m (157.15 ft)	15.24 m (50.0 ft)	33.86 m (111.08 ft)
Minimum Front Yard Setback from Yonge Street	9.0 m (29.53 ft)	7.62 m (25.0 ft)	0.0 m (0.0 ft)
Minimum Side Yard Setback	3.0 m (9.84 ft)	1.21 m (4.0 ft)	0.0 m (0.0 ft)
Minimum Flankage Yard Setback from Elmwood Avenue	3.7 m (12.14 ft)	3.04 m (10.0 ft)	1.5 m (4.92 ft)
Minimum Rear Yard Setback from Church Street South	12.0 m (39.37 ft)	6.09 m (20.0 ft)	4.5 m (14.76 ft)
Maximum Height	13.2 m (43.31 ft)	10.66 m (35.0 ft)	30.24 m (99.21 ft)
Maximum Lot Coverage	40%	30%	46.05%
Maximum Dwelling Units	N/A	N/A	41
Maximum Density	N/A	N/A	3.75 FSI
Minimum Parking Standards	34 spaces	1 space per lot	1 Bedroom: 0.85 spaces/unit. 2 Bedroom: 1.00 spaces/unit. Townhouse: 1.00 spaces/unit. Visitor: 0.15 spaces/unit. Commercial Uses: 4.0 spaces per 100 sq. metres of GFA
Maximum Balcony Encroachment	Any Yard: 1.82 m (6.0 ft)	Front Yard, Rear Yard and Exterior Side Yard only: 1.82 metres (6.0 ft)	Front Yard: 2.0 m (6.56 ft) , Flankage Yard: 1.5 m (4.92 ft)
Definition of "Storey"	By-law 66-71, as amended defines "storey" as <i>"any portion of a storey exceeding 4.26 m (14.0 ft) in height shall be deemed an additional storey."</i>	By-law 66-71, as amended defines "storey" as <i>"any portion of a storey exceeding 4.26 m (14.0 ft) in height shall be deemed an additional storey."</i>	A maximum height of 4.2 m (13.78 ft), except for the ground floor which is permitted to be 6.4 m (20.99 ft)

Site Plan Application

The applicant has also submitted a Site Plan Application (City File D06-18056) to facilitate the proposed development (refer to Map 5). The proposed building is to be generally situated on the western and southern portion of the subject lands. The massing of the building is directed onto the Yonge Street and Elmwood Avenue frontages, with the implemented angular plane creating stepbacks towards Church Street South. The building is proposed to be clad with white precast panels, dark grey metal accent panels, black painted glass and vision glass (refer to Maps 6 to 8).

The residential apartment units are to be located on all floors, with ground floor suites accessed from independent entrances to the street. A proposed ground floor mezzanine is to provide additional living space for the ground floor apartment dwelling units and additional locker space for the building. Outdoor amenity space is proposed on the fourth and fifth floor terraces on the east side of the building towards Church Street South. Private outdoor amenity space for the proposed townhouse units are to be provided on the fourth floor of each townhouse unit facing Church Street South. Indoor amenity space is proposed on both the fourth and fifth floors of the proposed building. Landscaping proposed for the property includes street trees, grasses and shrubbery along all street facades and a rose/butterfly garden within the interior courtyard.

One full movement access is provided from Elmwood Avenue into an interior courtyard, which is to provide access to the proposed loading space and underground parking on the site. All parking for the proposed development is to be provided within three levels of underground parking. The proposed townhouse units, are to have independent driveway access and parking along Church Street South. It is understood that a Plan of Condominium application will be submitted in the future.

Planning Analysis

Staff has undertaken a preliminary review of the applicant's development proposal based on the policy framework contained within the *Provincial Policy Statement* (PPS), the *Growth Plan for the Greater Golden Horseshoe* (2017) (Growth Plan), the *Regional Official Plan* (ROP), and the Plan. Staff notes that the City's in-force Plan is consistent with the PPS, and conforms with the Growth Plan and the ROP that were in-force at the time of approval. Since the Plan's approval, the PPS and the Growth Plan were updated in 2014 and 2017 respectively. Below is a more detailed outline of the proposal relative to the ROP and the Plan.

York Region Official Plan

The subject lands are designated **Urban Area** and are located along a **Regional Corridor** in accordance with Map 1- of the ROP. The **Urban Area** policies permit a full range and mix of urban uses which would permit a mixed use residential/commercial development, as proposed. The **Regional Corridor** is also intended to support a range and mix of activities with the most intensive and widest range of uses. Yonge Street is also identified as a **Regional Rapid Transit Corridor**. The subject applications have been circulated to York Region for review and comment. The applications will be

reviewed in the context of the applicable policies in the ROP and will form part of a future recommendation report to Council.

City of Richmond Hill Official Plan

The subject lands are designated **Downtown Local Centre** in accordance with Schedule – A2 of the Plan (refer to Map 4) and more specifically, the lands are identified within the **Civic District** in accordance with Schedule - A9 Downtown Local Centre Districts of the Plan.

On February 27, 2017, Council approved the Downtown Local Centre Secondary Plan (the “Secondary Plan”). The Secondary Plan was appealed to LPAT on May 9, 2017 by a number of parties, including the applicant. On January 21, 2019, Council provided direction to City staff to repeal the Secondary Plan. At the time of writing this report, a Public Meeting had been scheduled for April 3, 2019 on this matter. In addition to the policies set out in Section 4.3 of the Plan, the in-force policies of the Secondary Plan shall continue to be considered in the evaluation of development proposals in this area until the Secondary Plan is formally repealed.

The Secondary Plan seeks to guide the evolution of development in the **Downtown Local Centre** and further articulates the policy framework for enhancing the main street character of the area. Accordingly, the Secondary Plan guides and directs intensification in a manner which respects the lower-rise, pedestrian oriented scale of the historic **Village District** by directing taller buildings to the **Uptown District** and **Civic District** and guiding the height, density and built form of development proposals in these areas.

The Plan sets out the maximum density of a development block within the **Civic District** of the **Downtown Local Centre** as 2.5 FSI, with the boundaries of development blocks identified in the Secondary Plan. In this regard, Schedule 4 of the Secondary Plan identifies the **Civic District** as a single development block, with a maximum density of 2.5 FSI, and prescribes densities for individual portions of land within this block. With respect to the subject lands, a maximum 2.0 FSI is permitted along Yonge Street and a maximum of 1.25 FSI is set along Church Street South within the Secondary Plan. In terms of height, within this portion of the **Downtown Local Centre** (north end of the **Civic District**), Policy 4.3.1.1.15 of the Plan stipulates building heights between six and eight storeys. Policy 4.3.1.2.10 of the Plan further requires that development fronting Yonge Street be designed so as to provide a 45 degree angular view plane measured from the adjacent property line on the opposite sides of Yonge Street, and from the adjacent low or medium-density residential lands.

Based on a preliminary review of the proposed development relative to the **Downtown Local Centre** policies, it appears that the subject proposal is generally consistent with respect to land use and angular plane; however, the proposal does not conform with the applicable height and density provisions.

Department and External Agency Comments:

The subject Official Plan Amendment, Zoning By-law Amendment and Site Plan applications and 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. The following is a summary of the comments received as of the time of writing of this report.

Development Planning Section

In consideration of the policies of the Plan which are relevant to the consideration of the proposed development, staff provides the following preliminary comments:

- the proposed density of 3.75 FSI exceeds the maximum density of 2.5 FSI permitted for lands within the **Civic District** of the **Downtown Local Centre**, the Secondary Plan requirements of a maximum density of 2.5 FSI for the **Civic District** development block, and a split FSI of 2.0 for the Yonge Street portion of the lands and 1.25 FSI for the Church Street South portion of the lands;
- comments received from the City's Zoning Section note that the proposed ground floor mezzanine is considered a separate storey and therefore, the proposed building is considered a nine (9) storey building. On this basis, building height shall be included as part of the relief sought by the subject Official Plan Amendment application;
- buildings that are nine (9) storeys and higher are subject to the high-rise development policies within Section 3 of the Plan. In this regard, the applicant will be required to demonstrate conformity to the high rise policies of the Plan;
- in accordance with Section 10.2.6.6 of the Secondary Plan, a minimum of 25% of new housing units within the Downtown Local Centre shall be affordable. The applicant will be required to demonstrate how this policy is met;
- the applicant shall provide a vehicular and pedestrian connection between the proposed development and future development to the north;
- the **First Density Residential Apartment (RH1) Zone** is not a zone category within By-law 66-71, as amended. Staff will review the appropriateness of establishing this zone category in By-law 66-71 as part of its review of the applicant's development proposal; and,
- the applicant will be required to provide a maximum lot coverage for the proposed development within the Zoning By-law.

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

Building Services Division – Zoning Section

The City's Building Services Division has reviewed the applicant's draft Zoning By-law and offers the following comments:

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- the applicant has proposed up to a 2.0 metre balcony projection on side yard setbacks where the proposed setback is 0.0 metres. As such, theoretically a balcony projection could project into the City's right-of-way. This provision must be amended or the building's setbacks adjusted to ensure a balcony projection does not encroach into the City's right-of-way;
- the proposed definition of a storey does not address the proposed mezzanine floor as the ground floor is separated into two floors;
- the height of the proposed mechanical penthouse must be clarified; and,
- the applicant is to address parking considerations, including minimum parking requirements and identification of visitor parking and commercial parking on-site.

Urban Design Division

The City's Urban Design Division requests that the applicant reduce the proposed gross floor area and be responsive to the existing character of the neighbourhood in which the lands are located. The proposed density of 3.75 FSI creates building massing that overwhelms the existing dwellings on the east side of Church Street South. Urban Design staff has requested that the proposed development be revised to reduce its overall density and massing. Comments from the City's Urban Design Division are included in Appendix A to this report.

Development Engineering Division

The Development Engineering Division has provided comments related to servicing grading, transportation and lighting for the subject proposal. Engineering staff requests that a vehicular and pedestrian connection be protected in order to provide access to the property to the north of the subject lands. Staff have also noted concerns related to the proposed stormwater management system as well as on-site circulation, parking and loading. The proposal must also conform with the City's Urban Master Environmental Service Plan. Comments from the Development Engineering Division are included in Appendix B to this report.

Park and Natural Heritage Planning Division

The Park and Natural Heritage Division recommends that Council resolve to accept cash-in-lieu of parkland for the proposed development. Parks staff have provided comments with respect to landscaping and sustainability metrics for the development proposal.

Regional Municipality of York

The Regional Municipality of York has provided Site Plan comments with respect to land conveyance for a future road widening, source water protection, landscaping and traffic management along Yonge Street. The Region has requested further analysis into the potential for dewatering on site due to the subject lands proximity to a high water table. Comments related to the Official Plan Amendment and Zoning By-law Amendment applications have not been provided at this time.

Other City Department and External Agency Comments

Comments have also been received from the City's Corporate and Financial Services Department, the Toronto and Region Conservation Authority, York Region District Schoolboard, Alectra Utilities, Bell Canada, Buttonville Airport, Canada Post, Rogers Communications and Enbridge Gas. These City departments and external agencies have no objections to the applications and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. All of the comments have been forwarded to the applicant for consideration but have not been appended to this report.

Outstanding City Department and External Agency Comments

As of the writing of this report, comments remain outstanding from the York Catholic District School Board.

Interim Growth Management Strategy

Council has approved and implemented a comprehensive strategy comprised of eight growth management eligibility 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.*

in accordance with Council direction, as part of the review of the above noted IGMS Criteria 5 (Sustainable and Innovative Community and Building Design), the applicant has submitted the required *Sustainability Performance Metrics Tool* in support of its development proposal which is currently under review.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

The recommendation of this report does not have any direct implications with respect to the Town's Strategic Plan. An overview of how the subject applications are aligned with the Strategic Plan will be included in a future recommendation report to Council

following a comprehensive review and evaluation of the applicant's development proposal.

Conclusion:

The applicant is seeking Council's approval of its Official Plan Amendment and Zoning By-law Amendment applications to permit an eight storey mixed use residential/commercial building on its land holdings. The purpose of this report is to provide Council and the public with an overview of the applicant's development proposal, and to discuss the regulatory framework governing the evaluation of these planning applications. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration..

Appendix Contents and Maps:

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, Memo from Urban Design Division, dated February 14, 2019
- Appendix B, Memo from Development Engineering Division, dated March 26, 2019
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Zoning Map
- Map 4 Official Plan Designation
- Map 5 Proposed Site Plan
- Map 6 Proposed Streetscape Elevations (West)
- Map 7 Proposed Streetscape Elevations (South)
- Map 8 Proposed Streetscape Elevations (East)

Report Approval Details

Document Title:	SRPRS.19.062 - Request For Comments -Official Plan Amendment and Zoning By-law Amendment- Metroview Developments Inc.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.19.062 Appendix A.pdf- SRPRS.19.062 Appendix B.pdf- SRPRS.19.062 Map_1_Aerial_PhotoGraph.pdf- SRPRS.19.062 MAP_2_NEIGHBOURHOOD_CONTEXT.pdf- SRPRS.19.062 MAP_3_ZONING_MAP.pdf- SRPRS.19.062 MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf- SRPRS.19.062 MAP_5_PROPOSED_SITE_PLAN.pdf- SRPRS.19.062 MAP_6_PROPOSED_STREETCAPE_ELEVATION (WEST).pdf- SRPRS.19.062 MAP_7_PROPOSED_STREETCAPE_ELEVATION (SOUTH).pdf- SRPRS.19.062 MAP_8_PROPOSED_STREETCAPE_ELEVATION (EAST).pdf
Final Approval Date:	Apr 3, 2019

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

Gus Galanis - Apr 3, 2019 - 10:03 AM

Kelvin Kwan - Apr 3, 2019 - 3:27 PM

Neil Garbe - Apr 3, 2019 - 3:37 PM