



Staff Report for Council Public Meeting

Date of Meeting: June 19, 2019

Report Number: SRPRS.19.111

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.19.111- Request for Comments - Official Plan Amendment and Zoning By-law Amendment Applications – 1430518 Ontario Limited – City Files D01-18008 and D02-16036 (Related File D06-16091)**

Owner:

1430518 Ontario Limited
30 Wertheim Court, Suite 9
Richmond Hill, Ontario
L4B 1B9

Agent:

Bousfields Inc.
3 Church Street, Suite 200
Toronto, Ontario
M5E 1M2

Location:

Legal Description: Part of Lot 26, Concession 2, E.Y.S.
Municipal Addresses: 0 Elgin Mills Road East

Purpose:

A request for comments concerning proposed Official Plan Amendment and revised Zoning By-law Amendment applications to permit the construction of a high-rise development comprising of 376 apartment dwelling units, 97 townhouse dwelling units and 1,412.8 square metres of commercial floor space on the subject lands.

Recommendation:

- a) **That Staff Report SRPRS.19.111 with respect to the Official Plan Amendment and revised Zoning By-law Amendment applications submitted by 1430518 Ontario Limited for lands known as Part of Lot 26, Concession**

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2, E.Y.S. (Municipal Address: 0 Elgin Mills Road East), City Files D01-18008 and D02-16036, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Jeff Healey, Senior Planner- Subdivisions, phone number 905-771-6452 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

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), City 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 Zoning By-law Amendment and related Site Plan applications were received on November 10, 2016 and deemed complete by the City on February 16, 2017 prior to Bill 139 receiving Royal Assent on December 12, 2017. The original applications proposed a mixed use residential/commercial development comprised of 60 townhouse dwelling units and 10,940.29 square metres (117,760 square feet) of commercial floor space. The applications and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. After submission of the original proposal and prior to scheduling a Council Public Meeting, the applicant advised staff that a revised development proposal was being considered for the subject lands.

On December 20, 2018, the applicant submitted an Official Plan Amendment application and revised Zoning By-law Amendment and Site Plan applications for the subject lands. The applications were deemed complete by the City on April 25, 2019. The revised development proposal is a high-rise, mixed use residential/commercial development comprised of 376 apartment dwelling units, 97 townhouse dwelling units and 1,412.8 square metres (15,207.25 square feet) of ground-related commercial floor space. The applications and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

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 are located at the northeast corner of Bayview Avenue and Elgin Mills Road East and have a total lot area of 4.12 hectares (10.18 acres). The lands are currently vacant and have been used primarily for agricultural purposes. The northeast portion of the property contains wetlands and the natural heritage system associated with a tributary of the Rouge River (refer to Map 1).

Adjacent land uses include a place of worship (Richmond Hill Hindu Temple) and the Rouge River tributary to the north, agricultural lands which are approved for residential development (City File D03-16001) and the Rouge River tributary to the east, Bayview Avenue and an existing commercial plaza to the west, and Elgin Mills Road East and lands which are approved for residential development to the south (City File D03-15004).

Revised Development Proposal

The applicant is seeking Council's approval to construct a high-rise, mixed use residential/commercial development on its land holdings. The following is a summary

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table outlining the relevant statistics of the applicant's revised development proposal based on the plans and drawings submitted to the City:

Total Lot Area:	4.12 hectares (10.18 acres)
• Developable Area:	2.16 hectares (5.33 acres)
• Natural Heritage System:	1.66 hectares (4.1 acres)
Total Number of Units:	473
• Street Townhouses:	36
• Rear Lane Townhouses:	13
• Back-to-Back Townhouses:	40
• Block Townhouses:	8
• Apartment Buildings:	2
• Apartment Dwelling Units:	376
Commercial Floor Space:	1,412.8 square metres (15,207.25 square feet)
Density (Floor Area Ratio):	1.98
Height:	14 storeys / 46.6 metres (152.88 feet)
Parking Spaces:	718
• Residents:	661
• Retail:	57
• Visitor:	To be confirmed

Supporting Documentation/Reports

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

- Site Plan;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Survey and Legal Description;
- Planning Justification Statement;
- Elevation Plans, Floor Plans and Renderings;
- Underground Parking Plans;
- Tree Inventory and Preservation Plan Addendum;
- Grading, Servicing, Erosion and Sediment Control Plans;
- Stormwater Management Report and Plans;
- Exterior Lighting Plan;
- Landscaping Plan;
- Shadow and Wind Studies;
- Hydrogeological and Geotechnical Studies;
- Response Letter for Water Resource Management Study;
- Response Letter for Floodplain Analysis;
- Environmental Impact Statement Addendum;

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- Phase 1 Environmental Site Assessment;
- Traffic Impact Study;
- Valleyland Planning and Restoration Plan;
- Noise Study;
- Commercial Needs Study;
- Water Balance and Water Resource Management Studies; and,
- Sustainability Metrics.

Official Plan Amendment Application

The subject lands are designated **Neighborhood Commercial** and **Natural Heritage System** in the North Leslie Secondary Plan (the “Secondary Plan”). The applicant has submitted an Official Plan Amendment application that proposes to increase the permitted building height from 10 to 14 storeys in order to facilitate its development proposal. No change is proposed to the boundaries or applicable policies of the **Natural Heritage System** designation as these lands are to be protected and acquired by the City or other public agency to ensure their long term protection. Additional information concerning the Official Plan policies governing the subject lands are set out later in this report.

Revised Zoning By-law Amendment Application

The subject lands are zoned **Rural Residential Four (RR4) Zone** under By-law 2325-68, as amended, which permits amongst other uses, a single family dwelling (refer to Map 2). The existing zoning does not permit the uses envisioned by the North Leslie Secondary Plan nor those proposed by the subject applications. Accordingly, the applicant has submitted a Zoning By-law Amendment application to rezone the subject lands to **Commercial (C1) Zone** under By-law 55-15, as amended. The **Commercial (C1) Zone** permits, amongst other uses, apartment dwellings, back-to-back dwellings, block townhouse dwellings, street townhouse dwellings, rear lane townhouse dwellings, retail stores, supermarkets, financial institutions, offices, hotels, restaurants, day nurseries, personal service shops and places of worship.

Outlined below is a comparison of the proposed development standards relative to those of the associated parent zone category, with requested site specific exceptions in bold:

Development Standard	C1 Zone Standards, By-law 55-15, as amended	Proposed C1 Zone Standards
Minimum Lot Frontage	20.0 metres (65.61 feet)	Complies
Minimum Lot Area	0.2 ha (0.49 acres)	Complies
Maximum Floor Area Ratio	200% (2.0 FAR)	Complies
Minimum Front Yard	6.0 metres (19.68 feet)	Complies
Minimum Interior Side Yard	6.0 metres (19.68 feet)	3.6 metres (11.81 feet)
Minimum Exterior Side Yard	6.0 metres (19.68 feet)	3.3 metres (10.82 feet)
Minimum Rear Yard	6.0 metres (19.68 feet)	3.6 metres (11.81 feet)

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Maximum Building Height	10 storeys	14 storeys or 48 metres (157.48 feet)
Minimum Parking Standards (Street Townhouse)	2 spaces per unit	Street Townhouses and Rear Lane Townhouses: 2 spaces per unit 0.25 spaces of visitor parking per unit
Minimum Parking Standards (Block Townhouse, Back-to-back dwellings or apartment dwellings)	1.5 spaces per dwelling unit of which 0.25 parking spaces per dwelling unit shall be for visitor parking	Block Townhouses: 1.2 spaces per unit Back-to-Back Townhouses: 1.5 spaces per unit 1 bedroom Apartment: 1.0 spaces per unit 2 bedroom Apartment: 1.2 spaces per unit 3 bedroom Apartment: 1.5 spaces per unit 0.15 spaces per unit of visitor parking (for Block Townhouses, Back-to-Back Townhouses and Apartments)
Minimum Parking Standards (Shopping Centre less than 37,000 square metres)	4.3 spaces per 100 square metres of gross leasable floor area	4.0 spaces per 100 square metres of gross leasable floor area

Revised Site Plan Application

The applicant has submitted a revised Site Plan application in support of its development proposal. The proposed development is to be divided into three phases. The first phase comprises 49 street and rear lane townhouses. The second phase comprises 16 back-to-back townhouses, 8 block (stacked) townhouses, 188 apartment dwelling units and 1,089.5 square metres (11,727.28 square feet) of commercial floor space at grade. The third phase comprises 24 back-to-back townhouses, 188 apartment dwelling units and 323.3 square metres (3,479.97 square feet) of commercial floor space at grade. The applicant's Site Plan application will address detailed site design matters, including the following:

- common elements, internal and external access requirements and individual unit sizes and orientation within the proposed development;
- appropriately sized amenity areas and building setbacks;
- traffic impacts in relation to the proposed development and traffic circulation with the road linkage with the property to the east;
- site servicing, grading and stormwater management, including excavation and underground parking elevations, to ensure protection of the natural heritage system and the groundwater regime;
- compliance with the approved Master Environmental Servicing Plan (MESP) for North Leslie West; and,
- architectural design in relation to the approved Architectural Design Guidelines for North Leslie West.

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It is staff's understanding that the applicant intends to file draft Plan of Condominium and Part Lot Control Exemption applications to facilitate common element condominium tenure and the creation of parcels of tied land in the future. In this regard, it is noted that a draft Plan of Subdivision application will be required in order to facilitate a future Part Lot Control Exemption.

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, 2014)*, the *Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2017)*, the *Greenbelt Plan (2017)*, the *Regional Official Plan (ROP, 2010)*, and the City's Official Plan (OP, 2010).

Staff notes that the City's in-force Plan is consistent with the PPS, and conforms to the Growth Plan, the Greenbelt Plan and the ROP that were in-force at the time of approval. Since the Plan's approval, the PPS was updated in 2014 and the Growth Plan and Greenbelt Plan were updated in 2017. 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 **Regional Greenlands System** in accordance with Map 1 of the ROP. The **Urban Area** policies permit a full range and mix of urban uses, including a mixed use residential/commercial development as proposed by the subject applications. The northeast portion of the property is located within a **Regional Greenlands System**, which serves to identify, protect and enhance Natural Heritage Features and provide an opportunity for passive recreation systems. Development and site alteration are prohibited within the **Regional Greenlands System** and the applicable policies require that any development located within 120 metres of a **Regional Greenlands System** provide sufficient environmental studies to measure impacts on nearby Natural Heritage Features.

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood Commercial** and **Natural Heritage System** on Schedule "A" - Land Use Plan of the Secondary Plan (refer to Map 4). The **Neighbourhood Commercial** designation permits a variety of commercial and residential uses including personal service shops, retail stores, supermarkets, offices, financial institutions, **Medium/High Density Residential** uses subject to Section 9.6.2.3 of the Secondary Plan, day care centres, community parks and automobile service commercial uses. The **Medium/High Density Residential** designation permits street townhouses, stacked townhouses, back-to-back townhouses, and low-rise to mid-rise apartment buildings at a maximum building height of 10 storeys and a density range of between 1.0 and 2.0 Floor Area Ratio (F.A.R.). Furthermore, the subject lands and the adjacent lands are to be planned comprehensively as one development and with joint accesses.

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The lands designated **Natural Heritage System** are to be set aside for environmental protection and acquired by the City or other public agency. These lands are to be zoned with an environmentally protective zone category. Since the applicants are not part of the North Leslie Residential Landowners Group, the approved Master Environmental Servicing Plan (MESP) for the North Leslie Secondary Plan does not include complete information regarding said lands. In this regard, the boundaries of the **Natural Heritage System** will be established through the approval of a site-specific technical studies including an Environmental Impact Statement (EIS), a Hydrogeological Study, a Functional Servicing Report, a Water Resource Management Plan and a Transportation Mobility Plan in accordance with Section 9.5.4 of the Secondary Plan.

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 Division

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

- additional review and evaluation is required to determine the appropriateness of applicant's development proposal, particularly with respect to the established limits of development, increased building height, design and compatibility with the surrounding built and planned context;
- the proposed density of the development appears to be in conformity with within the maximum Floor Area Ratio (F.A.R.) of the **Neighbourhood Commercial** designation applicable to the lands;
- the proposed development must be consistent with the requirements and findings of the approved North Leslie Master Environmental Servicing Plan (MESP);
- the submitted Hydrogeological Study must address the feasibility and appropriateness of accommodating two levels of underground parking in relation to existing groundwater conditions and maximum excavation depths established through the MESP;
- additional step backs and terracing of the proposed buildings may be required to provide an appropriate transition to existing and planned development to the north and east in accordance with 9.6.2.3. g) of the Secondary Plan;
- the submitted Official Plan and Zoning By-law Amendments may need to be revised in light of the fact that the proposed mechanical penthouse appears to meet the definition of a storey and result in a maximum building height of 15 storeys;
- the submitted Official Plan and Zoning By-law Amendment documents must be revised to include the limits of the **Natural Heritage System** on the lands;

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- the applicant must provide additional justification for the inclusion of apartment dwelling units on the ground floor, in close proximity to retail uses and with access from Elgin Mills Road East, as By-law 55-15 does not permit apartment dwelling units on the ground floor;
- the proposed street and rear lane townhouses appear to be in a common element condominium tenure. In this regard, a draft Plan of Subdivision application will be required to facilitate common element condominium tenure and a future Part Lot Control Exemption application;
- comments have yet to be received from the City's Development Engineering Division, Park and Natural Heritage Planning Section and Urban Design Section, in addition to the Toronto and Region Conservation Authority. Comments from these departments and agencies are critical in determining whether there are additional technical, environmental, architectural or policy related matters with the development proposal and the delineation of the limits of the natural heritage system on the subject lands; and,
- the applicant shall satisfactorily address any issues identified by City departments and external agencies that have been requested to review the subject development proposal.

Other City Department and External Agency Comments

Comments have been received from the City's Financial Services Division, Fire and Emergency Services, Enbridge Gas, Rogers Cable, Torontair, Alectra Utilities and the York Catholic District School Board. 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 City's Development Engineering Division, Park and Natural Heritage Planning Section, Urban Design Section and Community Services Department, in addition to the Toronto and Region Conservation Authority, the Regional Municipality of York, Canada Post and the York Region 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.*

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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.*

As part of the review of the above noted IGMS Criteria Number 5 (Sustainable and Innovative Community and Building Design), the applicant has submitted a *Sustainability Performance Metrics Tool* in support of its proposed Site Plan application demonstrating an Overall Application score of 44 points. The submitted *Sustainability Performance Metrics Tool* in support of its development proposal 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 City'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 a mixed use residential/commercial development on its land holdings. The purpose of this report is to provide Council and the public with an overview of the development proposal and to discuss the regulatory regime 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.

- Map 1 Aerial Photograph
- Map 2 Existing Zoning
- Map 3 North Leslie (West) Overall Concept Plan
- Map 4 North Leslie Secondary Plan – Schedule "A" Land Use
- Map 5 Proposed Site Plan

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- Map 6 Proposed Townhouse Elevations
- Map 7 Proposed Apartment Building Elevations
- Map 8 Proposed Renderings

Report Approval Details

Document Title:	SRPRS.19.111 - Request for Comments- OPA and ZBA - 1430518 Ontario Limited – 0 Elgin Mills Road East.docx
Attachments:	- SRPRS.19.111 MAP_1_AERIAL_PHOTOGRAPH.pdf - SRPRS.19.111 MAP_2_ZONING_MAP_S118008_S216036.pdf - SRPRS.19.111 MAP_3_NORTH_LESLIE_WEST_OVERALL_CONCEPT_PLAN.pdf - SRPRS.19.111 MAP_4_NORTH_LESLIE_SECONDARY_PLAN_SCHEDULE-A_LAND_USE.pdf - SRPRS.19.111 MAP_5_PROPOSED_SITE_PLAN.pdf - SRPRS.19.111 MAP_6_PROPOSED_TOWNHOUSE_ELEVATIONS.pdf - SRPRS.19.111 MAP_7_PROPOSED_APARTMENT_BUILDING_ELEVATIONS.pdf - SRPRS.19.111 MAP_8_PROPOSED_RENDERINGS.pdf
Final Approval Date:	Jun 7, 2019

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

Gus Galanis - Jun 5, 2019 - 11:45 AM

Kelvin Kwan - Jun 5, 2019 - 3:48 PM

Neil Garbe - Jun 7, 2019 - 9:27 AM