



## **Staff Report for Council Public Meeting**

**Date of Meeting:** June 5, 2019  
**Report Number:** SRPRS.19.114

**Department:** Planning and Regulatory Services  
**Division:** Development Planning

**Subject:** **SRPRS.19.114 – Request for Comments –  
Official Plan Amendment Application – Deergate  
Holdings Inc. – City File D01-18005 (Related  
Files D02-03072 and D03-03013)**

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### **Owner:**

Deergate Holdings Inc.  
361 Four Valley Drive  
Vaughan, ON L4K 5Z3

### **Agent:**

Humphries Planning Group Inc.  
216 Chrislea Road, Suite 103  
Vaughan, ON L4L 8S5

### **Location:**

Legal Description: Part of Lot 31, Concession 2, E.Y.S.  
Municipal Address: 11546 Leslie Street

### **Purpose:**

A request for comments concerning an Official Plan Amendment application to facilitate the construction of a medium density residential development consisting of 15 townhouse dwelling units on the subject lands.

### **Recommendation:**

- a) **That Staff Report SRPRS.19.114 with respect to the Official Plan Amendment application submitted by Deergate Holdings Inc. for lands known as Part of Lot 31, Concession 2, E.Y.S. (Municipal Address: 11546 Leslie Street), City File D01-18005, be received for information purposes only and that all comments be referred back to staff.**

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### Contact Person:

Leigh Ann Penner, Senior Planner – Subdivisions, phone number 905-771-2462 and/or Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

### Report Approval:

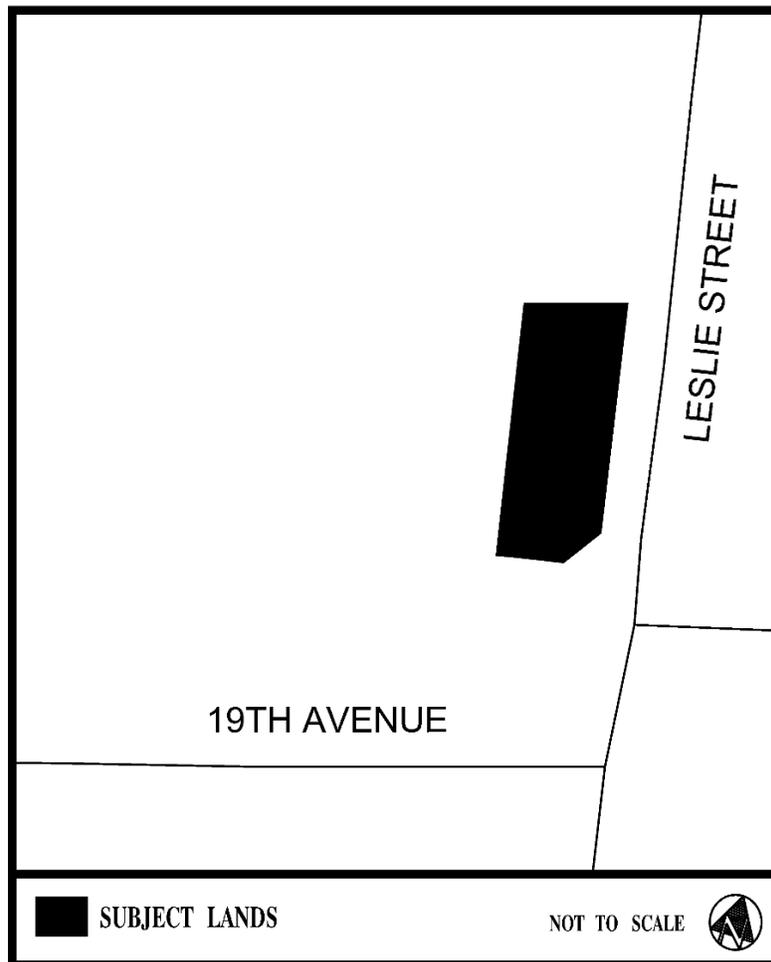
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**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 Official Plan Amendment application was received by the City on December 24, 2018 and deemed complete on January 24, 2019, after Bill 139 received Royal Assent on December 12, 2017. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

The subject lands are situated within the Deergate Holdings Inc. (“Deergate”) draft approved Plan of Subdivision (refer to Map 7). On May 25, 2018, the Local Planning Appeal Tribunal (“LPAT”) issued its written Order concerning the Deergate Zoning By-law Amendment and draft Plan of Subdivision applications (City Files D02-03072 and D03-03013) to permit the development of low and medium density residential uses comprising a total of 345 residential dwelling units, as well as blocks to facilitate an elementary school, parkland, commercial, natural heritage and open space uses. In accordance with the Tribunal’s Decision, the Zoning By-law Amendment and draft Plan of Subdivision applications were approved, with the exception that the proposed zoning has been withheld for a condominium townhouse block (Block 195) and a commercial block (Block 200) pending the submission of detailed development proposals for the lands. The subject Official Plan Amendment application relates to the commercial block (Block 200) on the draft approved Plan of Subdivision (refer to Map 8).

The purpose of this report is to seek comments from Council and the public with respect to the applicant’s development proposal 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 northwest corner of Leslie Street and the future realignment of 19<sup>th</sup> Avenue within the North Leslie Secondary Plan area (refer to Maps 1, 4 and 6). The lands are identified as Block 200 within the Deergate draft approved Plan of Subdivision and are situated at the southeast corner of the Deergate plan (refer to Map 7). The lands have an area of approximately 0.48 hectares (1.186 acres) and a lot frontage of approximately 27 metres (88.58 feet) along 19<sup>th</sup> Avenue and 96.37 metres (316.17 feet) along Leslie Street. The lands are presently vacant and have been partially used for agricultural purposes. Adjacent land uses consist of the following (refer to Map 2):

- to the north, a proposed medium density residential condominium development comprised of 19 townhouse dwelling units (11580 Leslie Street), beyond which are lands approved for low and medium density residential development within the Deergate draft approved Plan of Subdivision;
- to the east, Leslie Street, beyond which are agricultural and rural residential lands;

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- to the west, lands approved for low and medium density residential development within the Deergate draft approved Plan of Subdivision; and,
- to the south, 19<sup>th</sup> Avenue, beyond which are agricultural lands proposed for urban development and a City Community Centre in accordance with the Secondary Plan.

### Development Proposal

The applicant is seeking Council's approval of its Official Plan Amendment application to facilitate a medium density residential development comprising a total of 15 freehold townhouse dwelling units on the subject lands (refer to Map 8). The proposed three-storey dwellings are intended to be rear-lane units, accessed via a 10-metre public laneway. The public laneway is proposed to connect to the internal road network approved within the balance of the Deergate subdivision. The dwelling units are designed to front onto Leslie Street with outdoor amenity space for each unit provided by way of above-grade decks over the garages. The following is a summary outlining the relevant statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 0.48 hectares (1.186 acres)
- **Total Number of Units:** 15 townhouse dwelling units
- **Density:** 31.25 units per hectare (12.65 units per acre)
- **Building Height:** 3 storeys
- **Dwelling Unit Width:** 6.1 metres (20.01 feet)
- **Total Parking Spaces:** 60 spaces (4 spaces per unit)

A development proposal has been submitted by Leslie View Developments 11580 Inc. on lands municipally known as 11580 Leslie Street which contemplates a block townhouse development consisting of 19 townhouse dwelling units and opportunity for a future vehicular and pedestrian inter-connection to lands municipally known as 11560 Leslie Street (refer to Map 1). As the applications associated with the Leslie View Developments 11580 Inc. proposal are further advanced in the approval process, and they incorporate a private condominium road, the development scheme for the subject lands may need to be modified to ensure the coordination of plans.

### Supporting Documentation/Reports

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

- Planning Justification Report;
- Draft Official Plan Amendment;
- Conceptual Site Plan;
- Commercial Needs Study;
- Urban Design Brief;
- Servicing Memorandum; and,
- Transportation Demand Management Plan.

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### Official Plan Amendment Application

The subject lands are designated **Neighbourhood Commercial** in accordance with Schedule A (Land Use Plan) to the North Leslie Secondary Plan (the “Secondary Plan”) (refer to Map 5). The applicant has submitted an Official Plan Amendment application to amend the land use policies of the Secondary Plan to permit stand-alone street and block townhouse dwelling units on the subject lands. In this regard, the applicant’s development proposal is comprised of 15 townhouse dwelling units, and no neighbourhood commercial uses are proposed.

### 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 (2014)* (the “PPS”), the *Growth Plan for the Greater Golden Horseshoe (2017)* (the “Growth Plan”), the *Oak Ridges Moraine Conservation Plan (2017)* (the “ORMCP”), the *Regional Official Plan (2010)* (the “ROP”) and the City’s Official Plan (the “Plan”).

Staff notes that the City’s in-force Plan is consistent with the PPS, and conforms to the Growth Plan and the ROP that were in-force at the time of its approval. Since the Plan’s approval, the PPS was updated in 2014 and the Growth Plan and ORMCP were updated in 2017. Below is a more detailed outline of the proposal relative to the ROP and the Plan.

### York Region Official Plan (2010)

The subject lands are designated **Urban Area** in accordance with Map 1 (Regional Structure) to the ROP. The **Urban Area** policies permit a full range and mix of urban uses which would permit a residential development, as proposed in the subject application. The application has been circulated to York Region, but comments have yet to be received as of the writing of this report. Accordingly, a more detailed review and evaluation of the proposed development application in the context of applicable policies in the ROP will form part of a future recommendation report to Council where deemed necessary.

### City of Richmond Hill Official Plan (2010)

The subject lands are designated **Neighbourhood Commercial** in accordance with Schedule A (Land Use Plan) to the Secondary Plan (refer to Map 5). The **Neighbourhood Commercial** designation permits a range of commercial uses and also permits **Medium/High Density Residential** uses, which include but are not limited to townhouses, stacked townhouses, back-to-back townhouses and low-rise to mid-rise apartment buildings. It is noted that Leslie Street and 19<sup>th</sup> Avenue are classified as arterial streets in accordance with Schedule E (Transportation) to the Secondary Plan (refer to Map 6).

The subject lands are identified as a commercial block in a draft approved Plan of Subdivision. With respect to the applicable commercial land use policies, the Secondary

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Plan indicates that “**lands designated Neighbourhood Commercial may take the form of a shopping centre, individual stores, a group of stores and buildings clustered on one site or as a mixed use development**” (Policy 9.6.3.3). Given that the development proposal does not include a commercial component, the submission of an Official Plan Amendment and a Commercial Needs Study were required to determine the appropriateness of the proposal and to assess the market in terms of local retail/service space requirements and the commercial viability of the site. The applicant has submitted a Commercial Needs Study which has been peer reviewed by Kircher Research Associates Ltd. on behalf of the City. The findings of the peer review indicate that while a neighbourhood commercial development on the subject lands is not essential to providing a competitive service level for the future population of the Secondary Plan area, the site is considered appropriate and suitable for a convenience retail centre development.

The lands are also situated within the **Settlement Area** of the Oak Ridges Moraine, as defined in the ORMCP. In accordance with Section 3.2.1.1(18) of the Plan, all uses which are otherwise permitted by the applicable Plan (i.e. the North Leslie Secondary Plan), shall be permitted within the **Settlement Area**, subject to compliance with the provisions of the ORMCP.

### Zoning By-law

The subject lands are presently zoned **Urban (UR) Zone** under Zoning By-law 128-04, as amended. The current zoning does not facilitate the type of urban development envisioned in the Secondary Plan.

In accordance with the Tribunal’s Decision, Zoning By-law 29-18 for the Deergate Plan of Subdivision was approved, with the exception that the proposed zoning was withheld on the subject lands due to the absence of a detailed development proposal and the applicant’s stated desire to develop residential rather than commercial uses. Based on the preceding, the zoning for this Block 200 will remain before the Tribunal pending a determination on appropriate land uses.

### Department and External Agency Comments:

The subject Official Plan Amendment application and 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.

### Transportation Engineering Section

Transportation Engineering staff has reviewed the applicant’s proposal and has no objection to the proposed development in principle. General comments have been provided on the submitted Traffic Demand Management Plan, which include a request for a cycling connection to the future Leslie Street cycling facility via the proposed rear laneway.

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### Toronto and Region Conservation Authority (TRCA)

TRCA has advised that the subject lands are located within a Regulated Area under Ontario Regulation 166/06 and has provided comments with respect to the applicable policies of the Credit Valley, Toronto and Region and Central Lake Ontario Source Protection Plan (the “CTC SPP”) and ORMCP. TRCA advise of no fundamental objection to the proposed change in land use for the subject site; however, they are of the opinion that the development of the lands is considered premature until such time as the previously approved wetland relocation, culvert improvements along 19<sup>th</sup> Avenue and construction of the stormwater pond E1 (including any required floodplain modeling updates) have been completed. Application specific comments in this regard have been provided and are outlined in the letter attached as Appendix A to this report.

### Development Planning Division

Development Planning staff has completed a preliminary review of the applicant’s development proposal, including plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- although the **Neighbourhood Commercial** policies of the Secondary Plan permit medium density residential uses, it is the intent that development occur in a mixed use, commercial/residential form and not as a stand-alone residential development;
- a submitted Commercial Needs Study has been peer reviewed by Kircher Research Associates Ltd. on behalf of the City and concludes that while a neighbourhood commercial development on the subject lands is not essential to providing a competitive service level for the future population of the Secondary Plan area, the subject lands are considered appropriate and suitable for a convenience retail centre development;
- should a stand-alone medium density residential development be deemed appropriate on the subject lands, appropriate development standards will be required to accommodate landscaping, building separation and outdoor amenity space;
- as the applications associated with the Leslie View Developments 11580 Inc. proposal to the north are further advanced in the approval process and incorporate a private condominium road, the development scheme for the subject lands may need to be modified to ensure the coordination of plans;
- staff are assessing the appropriateness of a public laneway versus a private condominium road as the Leslie View Developments 11580 Inc. lands to the north are proposing a similar residential development through a condominium tenure;
- the applicant is encouraged to work with Leslie View Developments 11580 Inc. to coordinate their overall development proposals from a built form and transportation perspective;

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- the subject lands and lands municipally known as 11560 and 11580 Leslie Street (refer to Map 1) are to be designed comprehensively, inclusive of an inter-connected road network design;
- comments are required from the City's Urban Design and Heritage Section relating to the submitted Urban Design Brief in order to determine consistency with the Architectural Design Guidelines for North Leslie West;
- the applicant must satisfactorily address issues and requirements identified by City departments and external agencies that have been requested to review the applicant's development proposal; and,
- staff will continue to work with the applicant with respect to the form and content of the draft Official Plan Amendment.

A comprehensive review of the subject Official Plan Amendment application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public. This detailed review will be completed in advance of and addressed as part of a recommendation report to be prepared for a future Committee of the Whole meeting.

### **Other City Department and External Agency Comments**

Comments have also been received from Alectra Utilities, Canada Post, Enbridge Gas, Rogers Cable and the York Catholic District School Board, in addition to the City's Financial Services Division, Building Services Division – Zoning Section and Fire and Emergency Services Division. These City departments and external agencies have no objection to the subject application and/or have provided technical comments to be considered by the applicant during the more detailed implementation stage of the approval process.

### **Outstanding City Department and External Agency Comments**

As of the writing of this report, comments remain outstanding from the following departments and external agencies:

- Park and Natural Heritage Planning Section;
- Urban Design and Heritage Section;
- Community Services Department;
- Regional Municipality of York;
- York Region District School Board; and,
- Bell Canada.

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

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

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### **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 application is aligned with the goals of the City's 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 an Official Plan Amendment application to permit the construction of a medium density residential development consisting of 15 townhouse dwelling units within Block 200 on draft approved Plan of Subdivision 19T(R)-03013. 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 regime governing the evaluation of the subject planning application. 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 – Letter from Toronto and Region Conservation Authority dated March 6, 2019
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Schedule A10 – Secondary Plan Areas
- Map 5 North Leslie Secondary Plan Schedule A – Land Use Plan
- Map 6 North Leslie Secondary Plan Schedule E – Transportation
- Map 7 Draft Approved Plan of Subdivision 19T(R)-03013
- Map 8 First Submission Conceptual Site Plan (Block 200)

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### Report Approval Details

Document Title:	SRPRS.19.114 - Request for Comments - Official Plan Amendment Application - 11546 Leslie Street.docx
Attachments:	- SRPRS.19.114 - Appendix A - TRCA Comments.pdf - SRPRS.19.114 - MAP 1.pdf - SRPRS.19.114 - MAP 2.pdf - SRPRS.19.114 - MAP 3.pdf - SRPRS.19.114 - MAP 4.pdf - SRPRS.19.114 - MAP 5.pdf - SRPRS.19.114 - MAP 6.pdf - SRPRS.19.114 - MAP 7.pdf - SRPRS.19.114 - MAP 8.pdf
Final Approval Date:	May 24, 2019

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

**Gus Galanis - May 23, 2019 - 2:35 PM**

**Kelvin Kwan - May 24, 2019 - 8:43 AM**

**Neil Garbe - May 24, 2019 - 1:17 PM**