



Staff Report for Council Public Meeting

Date of Meeting: February 19, 2020

Report Number: SRPRS.20.022

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.20.022 - Request for Comments – Revised 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 (Elmwood) 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 revised Official Plan Amendment and Zoning By-law Amendment applications to permit the construction of a 20 storey mixed use residential/commercial building on the subject lands.

Recommendation:

- a) **That Staff Report SRPRS.20.022 with respect to revised Official Plan Amendment and Zoning By-law Amendment applications submitted by Metroview (Elmwood) Developments Inc. for lands known as Part of Lots 11**

Page 2

and 12 and Lots 35 and 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:

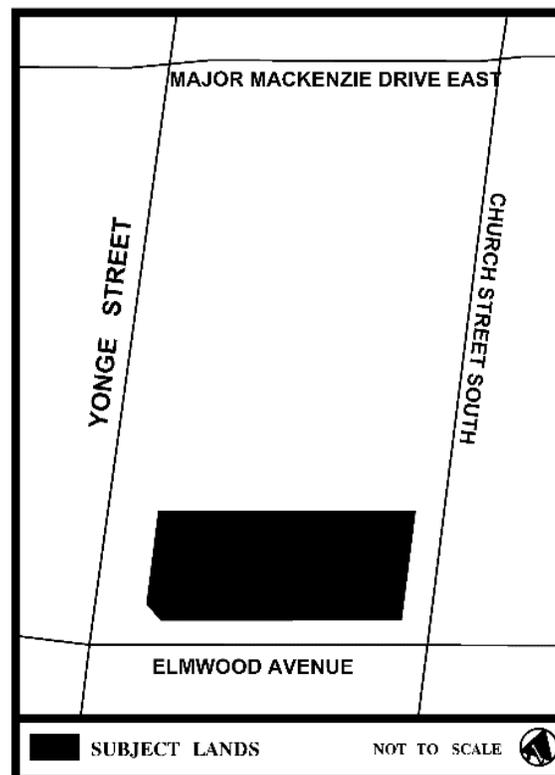
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), 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.



Page 3

Background Information:

Official Plan Amendment and Zoning By-law Amendment applications for the subject lands were initially 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 development proposal consisted of an 8 storey mixed use residential/commercial building comprised of 141 dwelling units, an FSI of 3.75 with 170 square metres (1,829.86 square feet) of commercial floor space at grade (refer to Maps 6 and 7). A Residents Meeting regarding this proposal was hosted by the Local Ward Councillor on April 8, 2019 and a statutory Council Public Meeting was held on April 17, 2019. On November 6, 2019 the aforementioned applications were appealed to the Local Planning Appeal Tribunal (LPAT) pursuant to Sections 22(7) and 34(11) of the *Planning Act* on the basis that Council did not make a decision on the applications within the statutory timeframes under the *Planning Act*.

On November 15 2019, the applicant submitted a significantly revised development proposal for the subject lands consisting of a 20 storey mixed use building, the details for which are provided below. The applicant has advised City Staff that it intends to proceed with this revised development proposal to LPAT for approval. The revised proposal and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. Therefore, the purpose of this report is to seek comments from Council and the public with respect to the revised applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands consist of five contiguous properties with frontages along Yonge Street and Church Street South. The lands have a total combined lot area of 0.365 hectares (0.903 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 two storey detached dwelling and a one storey garage. The existing dwellings and garages on the Church Street properties are all proposed to be demolished to facilitate the revised development proposal. The lands abut a two 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.

Revised Development Proposal

The applicant is seeking Council's comments on its revised Official Plan Amendment and Zoning By-law Amendment applications to facilitate the construction of a twenty (20) storey mixed use residential/commercial building on its land holdings (refer to Maps 8 to 11). The revised proposal consists a 18,864 square metre (203,050 square feet) building with a 5 storey podium, 249 apartment dwelling units and 14 townhouse dwelling units that front onto Church Street South and Elmwood Avenue as well as

Page 4

206.2 square metres (2,219.5 square feet) of commercial floor space at grade fronting onto Yonge Street. Indoor and outdoor amenity space is proposed on the 6th floor of the proposed building. Vehicular access is proposed from Elmwood Avenue as well as a future vehicular connection to the north. Three levels of underground parking are proposed. Outlined below is a summary of the pertinent statistics of the applicant's development proposal based on the revised plans and drawings submitted to the City.

	<u>Original Proposal</u>	<u>Revised Proposal</u>
• Total Lot Area	0.365 hectares (0.903 acres)	0.365 hectares (0.903 acres)
○ Gross Floor Area	13,704 square metres (147,508.62 square feet)	18,864 square metres (203,050.4 square feet)
○ Residential Floor Area	13,534 square metres (145,678.8 square feet)	18,658 square metres (200,833 square feet)
○ Commercial Floor Area	170 square metres (1,829.86 square feet)	206.2 square metres (2,219.5 square feet)
• Total Number of Units	141	263
○ Apartment Dwelling Units	137	249
○ Townhouses	4	14
• Building Height	8 storeys	20 storeys
• Density	3.75 Floor Space Index (FSI)	5.2 Floor Space Index (FSI)
• Amenity Space	584 square metres (6,286.12 square feet)	1,875.6 square metres (20,188.8 square feet)
○ Indoor Amenity Space	254 square metres (2,734.03 square feet)	632.9 square metres (6,812.4 square feet)
○ Outdoor Amenity Space	330 square metres (3,552.09 square feet)	1,242.7 square metres (13,376.3 square feet)
• Loading Spaces	1	1
• Parking Spaces	164	216
○ Visitor/ Commercial	30	21
○ Residents	131	190
○ Barrier Free	3	5
○ Bicycle Parking Spaces	49	211

Key differences between the original proposal and the revised proposal are as follows:

- an increase in the total residential units from 141 to 263;
- an increase in building height from eight storeys to 20 storeys;
- an increase in FSI from 3.75 to 5.2;
- an increase in the amenity space provided from 584 square metres to 1,875.6 square metres;
- a decrease in number of parking spaces per unit from 0.93 spaces per unit to 0.72 spaces per unit; and,
- a decrease in the proposed commercial and visitor parking spaces from 30 to 21.

Page 5

Supporting Documentation/Reports

The applicant has submitted the following documents/information to the City in support of its revised development proposal.

- 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 Plan;
- Coloured Elevation Plans;
- Grading and Servicing Plans;
- Erosion and Sediment Control Plans;
- Survey;
- Landscaping Plans;
- Arborist Report including Tree Inventory and Preservation Plan;
- Geotechnical Investigation Report;
- Functional Servicing Report;
- Traffic Impact Study, including Parking Assessment and Transportation Demand Management;
- Noise Report;
- Sun/Shadow Study; and,
- Pedestrian Wind Assessment.

It should be noted that the applicant previously submitted a Site Plan Application (City File D06-18056) to facilitate its eight storey mixed use residential/commercial proposal (refer to Map 6). However, a revised Site Plan Application has not been submitted in conjunction with the subject revised Official Plan Amendment and Zoning By-law Amendment applications and is not part of the appeals proceeding to the LPAT.

Revised 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). More specifically, the lands are identified in Schedule – A9 of the Plan as being located within the **Civic District**.

The applicant has submitted an Official Plan Amendment application that proposes to amend the policies under **Section 4.3.1.1** of the Plan to facilitate the revised development proposal as follows:

Page 6

- an increase to the maximum building height within the **Civic District** of the **Downtown Local Centre** from 6 to 8 storeys to 20 storeys;
- an increase to the maximum density within the **Civic District** of the **Downtown Local Centre** from 2.5 FSI to 5.2 FSI; and,
- a request to have the 45 degree angular plane requirement from Yonge Street not apply to the proposed development.

Revised Zoning By-law Amendment Application

The lands are presently zoned **General Commercial (GC) Zone** and **Residential Second Density (R2) Zone** under By-law 66-71, as amended (refer to Map 3). Area-specific Zoning By-law 73-92, as amended, also applies to 9929, 9935 and 9939 Yonge Street. The applicant is proposing to rezone the lands to **Residential Multiple Sixth Density (RM6) Zone**. The applicant is requesting an amendment to the Zoning By-law to facilitate the revised development proposal to allow for additional permitted uses and site specific development standards respecting setbacks, Floor Space Index, maximum building height, lot coverage, building encroachments, and minimum required loading and parking standards to facilitate the proposed development. Outlined below is a comparison of the proposed development standards relative to those of the current zone categories applicable to the subject lands.

Development Standard	(GC Zone)	(R2 Zone)	Original Proposed Zoning (RH1 Zone)	Revised Proposed Zoning (RM6 Zone)
Minimum Lot Area	0.1695 ha (0.419 ac)	0.046 ha (0.114 ac)	0.3655 ha (0.903 ac)	0.3655 ha (0.903 ac)
Minimum Lot Frontage	47.9 m (157.1 ft)	15.24 m (50.0 ft)	33.86 m (111.08 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)	2.0 m (6.56 ft)
Minimum Side Yard Setback	3.0 m (9.84 ft)	1.21 m (4.0 ft)	0.0 m (0.0 ft)	0.4 m (1.31 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)	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)	5.0 m (16.40 ft)
Maximum Height	13.2 m (43.31 ft)	10.66 m (35.0 ft)	30.24 m (99.21 ft)	63.2 m (207.34 ft)
Maximum Lot Coverage	40%	30%	46.05%	52.6%
Maximum Dwelling Units	N/A	N/A	141	263
Maximum	N/A	N/A	3.75 FSI	5.2 FSI

Page 7

Density				
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	0.82 spaces/unit, of which, a minimum of 22 spaces shall be provided for visitors and commercial uses
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)	Front Yard: 1.0 m (3.28 ft) , Flankage Yard (Terrance): 2.0 m (6.56 ft) , Rear Yard (Terrance): 2.0 m (4.92 ft) , All Yards (Architectural Features): 0.5 m (1.64 ft)
Loading Space Dimensions	Each space shall be at least 12 feet by 30 feet in areas with a minimum height of 14 feet clearance.	Each space shall be at least 12 feet by 30 feet in areas with a minimum height of 14 feet clearance.	As per By-law 66-71 standards	minimum length of 16.79 m (55.08 ft) minimum width of 5.5 m (18.04 ft) and vertical clearance of 7.55 m (24.77 ft)

More specifically, the applicant is proposing:

- to include Apartment Dwelling, Rowhouse Dwelling, Retail Uses and Restaurants as additional permitted uses under the **RM6 Zone**;
- office uses are currently permitted on the Yonge Street portion of the property as per by-law 73-92, the applicant proposes to permit the office uses over the balance of the subject lands;
- revised definitions for “Grade”, “Floor Area, Gross”, Height of Building”, “Front Lot Line” and “Storey” as defined within By-law 66-71, as amended; and,
- exemption from zoning provisions 6.9.2 and 6.9.3 with respect to siting specifications and density limits for the RM6 Zone of By-law 66-71, as amended.

As part of the review of the revised subject applications, staff will review, among other matters, the appropriateness of the proposed zone category, the appropriateness of the requested amendments to the Zoning By-law with respect to permitted land uses, development standards and the proposed revised definitions to be applied to the lands.

Page 8

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 revised applications have been circulated to York Region for review and comment.

City of Richmond Hill Official Plan

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

The Plan sets out the maximum density of a development block within the **Civic District** of the **Downtown Local Centre** as 2.5 FSI. In terms of height, within this portion of the **Downtown Local Centre** (north end of the **Civic District**), **Section 4.3.1.1.15** of the Plan stipulates maximum building heights between six and eight storeys. **Section 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 side of Yonge Street, and from the adjacent low or medium-density residential lands.

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 directed City staff to repeal the Secondary Plan and on June 11, 2019 the Secondary Plan was formally repealed.

Notwithstanding the repeal of the Secondary Plan, **Section 4.3.1.1.2** of the Plan stipulates that the *Downtown Design and Land Use Strategy Recommendation Report (DDLUS)* be utilized in the review and evaluation of development applications in conjunction with the policies of the Plan. Within the *DDLUS*, the front portion of the

Page 9

subject lands towards Yonge Street are identified as **Downtown Centre** and the rear portion of the lands towards Church Street South are identified as **Village Neighbourhood** (refer to Map 5). The **Downtown Centre** is intended to accommodate high-density mixed-use development in a more urban form and is an essential component to support high order transit planned for Yonge Street. The **Village Neighbourhood** is intended to accommodate primarily low and medium density residential infill residential development. Furthermore, the DDLUS directs that maximum building heights on the subject lands be between six to eight storeys within the **Downtown Centre** portion of the property and three to five storeys on the **Village Neighbourhood** portion of the property.

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

Department and External Agency Comments:

The subject revised Official Plan Amendment and Zoning By-law Amendment applications and the associated updated 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 consideration of the proposed development, staff provides the following preliminary comments:

- the proposed density of 5.2 FSI significantly exceeds the maximum density of 2.5 FSI per development block permitted for lands within the **Civic District** of the **Downtown Local Centre**;
- the proposed building height of 20 storeys greatly exceeds the maximum building height of 6 to 8 storeys permitted for lands within the **Civic District** of the **Downtown Local Centre**;
- the rear portion of the proposed development is not consistent with the low to medium density built form as identified within the DDLUS;
- the proposed development appears to meet the 45 degree angular plane provision to adjacent residential development from Church Street South; however does not meet the angular plane across Yonge Street. Additional perspective drawings are required to ensure the proposed development does not obstruct significant views of church spires within the **Village District** in accordance with **Section 4.3.1.2.10 a)** of the Plan are maintained;
- it appears that the tower floorplates between the 8th storey and 20th storey are approximately 750 square metres, which is consistent with **Section 3.4.1.59** of the

Page 10

Plan. However, it appears the tower floorplates of the 6th and 7th floor exceed 750 square metres;

- the applicant has proposed 14 townhouse units. However the proposed townhouses do not meet the definition of a townhouse dwelling, and would be considered an Apartment Dwelling or a Condominium Dwelling as defined in By-law 66-71 as amended;
- staff will review the appropriateness of the proposed Zoning By-law definitions as well as site specific standards and land use permissions as requested by the applicant to ensure consistent application of standards and definitions across the City;
- a maximum lot coverage provision in the proposed Zoning By-law will be required;
- the applicant appears to have provided a vehicular interconnection between the subject lands and the lands to the north. A pedestrian connection will also be required as part of this future interconnection;
- comments have yet to be received from the City's Park and Natural Heritage Planning Section, Urban Design Section, the Region of York and the Toronto and Region Conservation Authority. Comments from these departments and agencies are critical in determining whether there are additional technical, design or policy related matters with the revised development proposal; 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.

Development Engineering Division

The Development Engineering Division has provided comments related to servicing, grading, stormwater management, transportation and parking for the subject proposal (see Appendix A). Transportation Planning staff have identified that the proposal is deficient by 80 spaces as per the **Downtown Local Centre** parking requirements as identified in the *Richmond Hill Draft Parking Strategy* (2010). Staff have also noted concerns related to the proposed on-site circulation, barrier-free parking, servicing and grading. Additionally, the revised development proposal must also conform with the City's Urban Master Environmental Service Plan.

Other City Department and External Agency Comments

Comments have also been received from the City's Corporate and Financial Services Department, Community Services Department, Building Services, Richmond Hill Fire Services, Alectra Utilities, York Catholic District School Board and Canada Post. These City departments and external agencies have no objections to the revised 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.

Page 11

Outstanding City Department and External Agency Comments

As of the writing of this report, comments remain outstanding from the City's Park and Natural Heritage Planning Section, Heritage and Urban Design Section, the Region of York, York Region District School Board and the Toronto and Region Conservation Authority.

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), an updated *Sustainability Performance Metrics Tool* will be required by the applicant in support of its revised development proposal. The updated Metrics Tool will be required as part of a future Site Plan submission.

Financial/Staffing/Other Implications:

The recommendation of this report does not have any financial, staffing or other implications. However, due to the fact that the subject applications have been appealed to LPAT, there will be a draw on financial resources for staff to attend the proceedings on the applications.

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 revised subject applications are aligned with the Strategic Plan will be included in a future report to Council following a comprehensive review and evaluation of the applicant's revised development proposal.

Conclusion:

The applicant is seeking Council and the public's comments on its revised Official Plan Amendment and Zoning By-law Amendment applications to permit a 20 storey mixed

Page 12

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 revised 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 the contact person listed in this document.

- Appendix A, Memo from Development Engineering Division, dated January 20, 2020
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Civic District – Richmond Hill Downtown Design & Land Use Strategy
- Map 6 Original Site Plan (2018)
- Map 7 Original Elevation (South) (2018)
- Map 8 Revised Site Plan (2019)
- Map 9 Revised Elevations (West) (2019)
- Map 10 Revised Elevations (South) (2019)
- Map 11 Revised Elevations (East) (2019)

Page 13

Report Approval Details

Document Title:	SRPRS.20.022 - Request for Comments - OPA and ZBA - Metroview (Elmwood) Developments Inc.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.20.022 Appendix A.pdf- SRPRS.20.022 Map_1_Aerial_Photograph.pdf- SRPRS.20.022 MAP_2_NEIGHBOURHOOD_CONTEXT.pdf- SRPRS.20.022 MAP_3_ZONING_MAP.pdf- SRPRS.20.022 MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf- SRPRS.20.022 MAP_5_CIVIC DISTRICT-RICHMOND HILL DOWNTOWN DESIGN LAND USE STRATEGY.pdf- SRPRS.20.022 MAP_6_ORIGINAL_SITE_PLAN_2018.pdf- SRPRS.20.022 MAP_7_ORIGINAL_ELEVATION (SOUTH)(2018).pdf- SRPRS.20.022 MAP_8_REVISIED_SITE_PLAN_2019.pdf- SRPRS.20.022 MAP_9_REVISIED_ELEVATIONS (WEST)(2019).pdf- SRPRS.20.022 MAP_10_REVISIED_ELEVATIONS (SOUTH)(2019).pdf- SRPRS.20.022 MAP_11_REVISIED_ELEVATIONS (EAST)(2019).pdf
Final Approval Date:	Feb 3, 2020

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

Gus Galanis - Feb 1, 2020 - 10:25 AM

Kelvin Kwan - Feb 3, 2020 - 7:38 AM

Neil Garbe - Feb 3, 2020 - 8:54 AM