



Staff Report for Council Public Meeting

Date of Meeting: June 3, 2020

Report Number: SRPRS.20.081

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.20.081 – Request for Comments – Revised Official Plan and Zoning By-law Amendment Applications – Yonge Sixteen LP – City Files D01-19002 and D02-19012 (Related File D06-17009)**

Owner:

Yonge Sixteen LP
145 Adelaide Street West, Suite 500
Toronto, Ontario
L3R 5L9

Agent:

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

Location:

Legal Description: Part of Lot 1, Plan 3805 and Part of Lots 1, 2, and 3, Plan 3806
Municipal Address: 9251 Yonge Street

Purpose:

A request for comments concerning revised Official Plan Amendment and Zoning By-law Amendment applications to permit the construction of a high density, mixed-use residential/commercial development on the subject lands.

Recommendation:

- a) **That Staff Report SRPRS.20.081 with respect to the revised Official Plan Amendment and Zoning By-law Amendment applications submitted by Yonge Sixteen LP, for lands known as Part of Lot 1, Plan 3805 and Part of**

Page 2

Lots 1, 2, and 3, Plan 3806 (Municipal Address: 9251 Yonge Street), Files D01-19002 and D02-19012, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Kaitlyn Graham, Senior Planner – Site Plans, phone number 905-771-2459 and/or
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

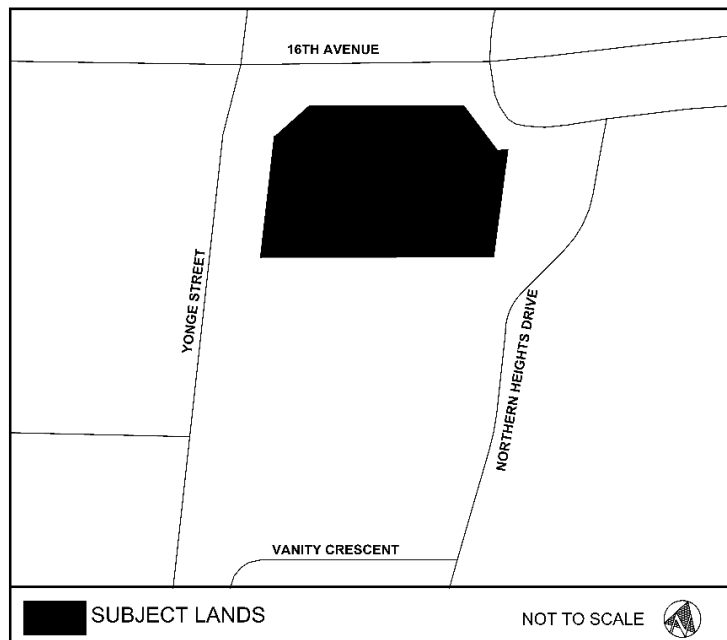
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Mary-Anne Dempster, Interim 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:

In October 2011, the Ontario Municipal Board (OMB) approved Official Plan and Zoning By-law Amendment applications to permit a high density, mixed-use residential/commercial development consisting of two towers of 24 and 28 storeys in height, with a gross floor area of 40,985 square metres (441,159 square feet), a density of 5.4 Floor Space Index (FSI), and 499 residential units on the subject lands (City Files D01-10003 and D02-10011). As part of the OMB approval, the applicant committed to providing the City with a Community Benefits Package that included the provision of 80 spaces for public bicycle storage, office/live work units, four community housing units, community space, and two car share spaces, in addition to commitments related to sustainable design, as outlined in the OMB Order dated October 28, 2011.

In February 2017, a Site Plan application was submitted by the current owner who acquired the site subsequent to the OMB approvals, to implement the approved development on the subject lands (City File D06-17009) (refer to Maps 6, 7 and 8). Through the review of the Site Plan, the owner decided to reallocate the types of units proposed. In November 2018, the owner received approval for a Minor Variance application from the City's Committee of Adjustment to permit an additional 25 residential units within the proposed buildings (City File A117/17).

In October 2019, revised Official Plan and Zoning By-law Amendment applications were submitted to the City to permit a high density, mixed-use residential/commercial development comprised of two towers of 27 and 29 storeys in height, a gross floor area of 46,100 square metres (496,216 square feet), a density of 6.07 FSI and a total of 659 residential units. A Council Public Meeting was held on December 4, 2019 to consider the applicant's revised development proposal. One member of the public in attendance at the meeting spoke on the applications, raising questions about the timing of the possible demolition of the existing building on the property.

On March 25, 2020, a further revised development proposal was submitted and subsequently deemed complete on April 15, 2020 to permit a high density, mixed-use residential/commercial development comprised of two towers of 38 and 43 storeys in height, with a gross floor area of 66,550 square metres (716,338 square feet) at a density of 8.77 FSI and 959 residential units. The revised applications and supporting materials were subsequently circulated to internal departments and external agencies for review and comment. The revised applications propose increases in building height, gross floor area, density (FSI), and the total number of residential units relative to the approval issued by the OMB in 2011 and the proposal submitted to the City in October 2019, as outlined in this report. Accordingly, the purpose of this report is to seek comments from Council and the public with respect to the applicant's revised development proposal.

Page 4

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the southeast corner of Yonge Street and 16th Avenue. The lands have a frontage of approximately 57 metres (187 feet) along Yonge Street and 73 metres (240 feet) along 16th Avenue with a total site area of 0.759 hectares (1.875 acres). The lands currently support a four storey building containing office and commercial uses, which is proposed to be demolished to facilitate the subject development proposal. Uses surrounding the property include commercial uses to the north and west, an automotive dealership (Richmond Hill Honda) to the east, and, an existing high density mixed-use residential/commercial development to the south (refer to Maps 1 and 2).

Revised Development Proposal

The applicant is seeking Council's approval of its revised Official Plan and Zoning By-law Amendment applications. The Site Plan application includes both an interim and ultimate design for the development with respect to vehicular access onto 16th Avenue. The following is a summary outlining the relevant statistics of the applicant's revised development proposal based on the plans and drawings submitted to the City:

	OMB Approved Development	2019 Revised Proposal	Current Revised Proposal
• Lot Area:	0.759 hectares (1.875 acres)	0.759 hectares (1.875 acres)	0.759 hectares (1.875 acres)
• Total Gross Floor Area:	40,985 square metres (441,159 square feet)	46,100 square metres (496,216 square feet)	66,550 square metres (716,338 square feet)
○ Residential:	39,592 square metres (426,165 square feet)	44,707 square metres (481,222 square feet)	65,250 square metres (702,345 square feet)
○ Commercial:	1,300 square metres (13,993 square feet)	1,300 square metres (13,993 square feet)	1,300 square metres (13,993 square feet)
○ Community Space:	93 square metres (1,001 square feet)	93 square metres (1,001 square feet)	93 square metres (1,001 square feet)
• Floor Space Index:	5.4	6.07	8.77
• Residential Units:	528	659	959
• Lot Coverage:	37%	37%	44%
• Building Height			
○ (Tower A):	28 storeys (88.8 metres)	29 storeys (92 metres)	43 storeys (136 metres)
○ (Tower B):	24 storeys (77 metres)	27 storeys (86.10 metres)	38 storeys (121.3 metres)
• Tower Floor Plate Size:	712 square metres (7,664 square feet)	808 square metres (8,697 square feet)	815 square metres (8,773 square feet)
• Total Parking:	503	553	723
○ Residential:	402	431	581
○ Commercial:	18	18	18
○ Visitor:	78	99	86
○ Flexible Space:	N/A	N/A	38
○ Car Share:	5	5	5
• Bicycle Spaces:	317	395	575

Page 5

Key differences between the 2011 OMB approval and the current revised proposal are as follows:

- an increase in the residential gross floor area from 40,985 square metres (441,159 square feet) to 66,550 square metres (716,338 square feet);
- an increase in density from 5.4 to 8.77 times the area of the lot;
- an increase in the total number of residential units from 528 to 959;
- an increase in building heights of the towers from 28 storeys to 43 storeys on Tower A and 24 storeys to 38 storeys on Tower B;
- an increase in tower floor plate size from 712 square metres (7,664 square feet) to 815 square metres (8,773 square feet); and,
- reduced parking rates of 0.61 residential spaces per unit, 0.09 visitor spaces per unit, and 18 retail spaces.

Supporting Documentation/Reports

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

- Development Application Summary;
- Planning Justification and Urban Design Addendum;
- Survey;
- Site Plan;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Elevation Plans;
- Floor Plans;
- Site Servicing and Grading Plans;
- Cross Sections, Construction Notes and Details;
- Erosion and Sediment Control Plan;
- Tree Inventory and Landscape Plans;
- Transportation Impact Study;
- Microclimate Analysis Addendum;
- Functional Servicing Report;
- Stormwater Management Report;
- Geotechnical Report; and,
- Hydrogeological Report.

Planning Analysis:

Staff has undertaken a comprehensive review of the applicant's development proposal based on the policy framework contained within the *Provincial Policy Statement 2020* (PPS), the *Growth Plan for the Greater Golden Horseshoe 2019* (Growth Plan), the *Regional Official Plan 2010* (ROP), and the City's *Official Plan 2010* (Plan). Staff notes

Page 6

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 2020, the Greenbelt Plan was updated in 2017, and the Growth Plan was updated in 2019. Below is a more detailed outline of the proposal relative to the ROP and the Plan.

York Region Official Plan

The subject property is designated **Urban Area** and is located on a **Regional Corridor** in accordance with Map 1 (Regional Structure) of the ROP. Lands designated **Urban Area** support a wide range and mix of uses and are intended to accommodate a significant portion of planned growth within the Region. **Regional Corridors**, together with **Regional Centres**, are identified as the primary locations for the most intensive and greatest mix of development within the Region. These areas are identified as focal points of economic and cultural activity and are to be developed in a sustainable and compact manner in accordance with intensification strategies identified at the local level.

The subject applications have been circulated to York Region, but comments have yet to be provided by the Region as of the writing of this report. As a result, a more detailed review and evaluation of the proposed development in the context of the applicable policies in the ROP will form part of a future recommendation report to Council where deemed necessary.

City of Richmond Hill Official Plan

The subject lands are designated **Key Development Area (KDA)** on the Land Use – Schedule A2 of the Plan and are located on a **Regional Corridor** identified in the City's Urban Structure – Schedule A1 (refer to Map 3). The property is further identified as **Exception Area "5"** on Schedule A11 of the Plan, and is subject to additional site specific policies under **Section 6.5** with respect to permitted uses, building heights, parking standards, Transportation Demand Management (TDM) requirements, design elements, access, and density as established by the previous OMB decision (refer to Map 4).

The City's **KDAs** are intended to redevelop as mixed-use centres that accommodate intensification at a level less than the **Richmond Hill Centre**. The Plan permits a broad range of residential, commercial and community uses within the **KDAs** and directs that Secondary Plans be prepared to guide development within these areas. In the absence of an approved Secondary Plan for the Yonge and 16th **KDA**, the Plan stipulates that development within this area shall have a maximum density of 3.0 FSI in accordance with **Policy 4.4.1.6**, and a maximum building height of 20 storeys in accordance with **Policy 4.4.1.8**.

High rise buildings are also subject to **Section 3.3.1.58** and **Section 3.3.1.59** of the Plan, which require a minimum separation distance of 25 metres between towers so as to maintain appropriate light, view, and privacy conditions, The Plan also requires that high rise buildings have slender tower floor plates of approximately 750 square metres

Page 7

to limit shadow and wind impacts and loss of sky view. Further, development within the **KDA** is required to address the City’s affordable housing targets. In accordance with **Section 3.1.5.2** of the Plan, a minimum of 35% of new housing units within the **KDAs** are to be affordable, and offer a range of affordability for low and moderate income households.

Notwithstanding the above, the site specific policies applicable to the subject lands under **Section 6.5** of the Plan outline residential and commercial land use permissions, provisions for maximum height and density, permissions for consideration of reduced parking requirements, the inclusion of car share programs, and other TDM measures, in addition to matters pertaining to the transit-oriented design of the subject lands. In particular, **Policy 6.5.C** permits a maximum height of 28 storeys or 94 metres and **Policy 6.5.J** permits a maximum FSI of 5.4 for the subject lands.

Yonge Street and 16th Avenue Key Development Area Policy Directions and Recommendations Report

The *Yonge Street and 16th Avenue Key Development Area Policy Directions and Recommendations Report* (the Report) was endorsed by Council on January 30, 2017. The Report outlines the vision, principles and key directions to guide the long-term evolution of the Yonge Street and Carrville/16th Avenue area and was used to guide the preparation of the draft Yonge and Carrville/16th Avenue Key Development Area Secondary Plan, which includes the subject lands.

The Report sets out a vision for this area to evolve into a more connected, mixed-use urban centre through the creation of local identity, improved connectivity, and accommodation of transition. The Report also recommends a preferred land use and design scenario that aligns with the Part 1 Plan. In this regard, the subject lands are identified as a location for high-rise development, subject to the site specific policies contained within Chapter 6 of the Part 1 Plan. Council has directed staff to utilize the Report in the review and evaluation of development applications within this area, until such time as Council adopts a Secondary Plan for the Yonge and 16th KDA.

Zoning By-law

The lands are currently zoned **KDA** under site specific Zoning By-law 49-12, which amended Zoning By-law 278-96 (refer to Map 5). The **KDA Zone** permits a variety of residential and non-residential uses and contains specific development standards and definitions that align with the permissions set out in the site specific exception in the Plan.

Below is a summary of the site specific zoning provisions that are requested to be amended to facilitate the development proposal:

Site Specific Zoning By-law 49-12 Development Standard	KDA Zone Permission/ Requirement	Development Proposal
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Page 8

Maximum Floor Space Index	5.4	8.77
Maximum Dwelling Units	524*	955
Total Residential Units (Including Community Housing Units and Superintendent Suite)	528	959
Maximum Height	28 storeys / 93.70 metres (308 feet)	29 storeys / 92 metres (302 feet)
Parking Spaces (Residential)	Range from 0.5/unit to 1.2/unit based on unit size and 0.15 for visitor	0.61/unit (for all unit types) and 0.09 for visitor

*Amended development standard based on Committee of Adjustment approval (City File: A117/17) to increase maximum number of residential units from 499 to 524.

The draft Zoning By-law submitted in support of the applicant's development proposal is currently under review. The site specific provisions and exceptions sought through the amendment shall be considered and refined through the detailed review process.

Department and External Agency Comments:

The subject Official Plan Amendment and Zoning By-law Amendment applications, in addition to the associated background studies and reports submitted in support of these applications have been circulated to various 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 high density, mixed-use residential/commercial land use proposed by the subject applications are permitted and encouraged within the **KDA** designation;
- the proposed tower heights of 38 and 43 storeys exceed the maximum building height of 20 storeys permitted within the Yonge and 16th Avenue **KDA** as set out in **Section 4.4.1.8** of the Plan and the maximum heights of 24 and 28 storeys as approved by the OMB;
- the proposed density of 8.77 FSI greatly exceeds the maximum density of 3.0 FSI permitted for a development block within a **KDA** as set out in **Section 4.4.1.6** of the Plan and 5.4 FSI as approved by the OMB;
- additional review is required to determine the appropriateness of the proposed increases in height, density, and gross floor area, as well as the proposed tower floor plate size and tower separation;
- additional review is required to assess the appropriateness of the proposed reduced parking rates. This may require reconsideration of the previously approved TDM

Page 9

measures, including the number and suitability of car-share spaces and pedestrian and cycling amenities and facilities proposed;

- while the City acknowledges that the development proposal is proposed to be a market rental project, which serves to provide an alternate form of housing that is needed in Richmond Hill, the Plan requires that a minimum of 35% of new residential units be affordable units, in addition to ensuring a mix of units are provided. The applicant will be required to demonstrate how this project meets the Plan requirements in this regard;
- the proposed development shall be assessed on the basis of the City-wide Urban Design Guidelines and the Report;
- the applicant has not provided a revised Section 37 Community Benefits package in light of the increases in height and density as proposed by the subject revised applications. Accordingly, staff request clarification as to whether an updated Community Benefits package is proposed;
- the applicant will have to satisfactorily address issues and requirements that shall be identified by City departments and external agencies that have been requested to review the applicant's development proposal. In this regard, it is noted that the revised applications are still under review by a number of City departments and external agencies;
- at this time the City has not received a revised Site Plan submission to reflect the revisions proposed. Should the applicant provide a revised Site Plan submission the submission will be subject to staff review and comment; and,
- staff will continue to work with the applicant to review the form, content and appropriateness of the draft Official Plan and Zoning By-law Amendments.

Other City Department and External Agency Comments

Comments have also been received from the City's Financial Services Division as well as Alectra Utilities, Canada Post, Hydro One Networks Inc., Rogers, Toronto Airways Limited, and Enbridge. 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.

Outstanding City Department and External Agency Comments

As of the writing of this report, comments remain outstanding from the City's Building Services Division, Development Engineering Division, Fire and Emergency Services Division, Urban Design Section and Park and Natural Heritage Planning Section as well as Bell Canada, the Toronto and Region Conservation Authority, Metrolinx, and the Regional Municipality of York.

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, as follows:

Page 10

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.

Additionally, in accordance with Council direction, as part of the review of the above noted IGMS Criteria No. 5 (Sustainable and Innovative Community and Building Design), the applicant has submitted the required *Sustainability Performance Metrics Tool* in support of its development proposal through the related Site Plan application (D06-17009) with a score of 66 overall points for a Site Plan. The applicant will be required to resubmit the Sustainability Performance Metrics Tool to reflect the changes proposed through the reapplications.

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 revised 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 revised Official Plan Amendment and Zoning By-law Amendment applications to permit a high density, 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 applicant's revised development proposal, and to discuss the regulatory framework governing the evaluation of this 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.

Page 11

- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Official Plan - Land Use Designation
- Map 4 Official Plan - Exceptions
- Map 5 Zoning
- Map 6 Proposed Site Plan - Interim
- Map 7 Proposed Site Plan - Ultimate
- Map 8 Proposed Elevations

Page 12

Report Approval Details

Document Title:	Request for Comments - Revised Official Plan and Zoning By-law Amendment Applications - 9251 Yonge Street.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.20.081_MAP 1 AERIAL PHOTOGRAPH.pdf- SRPRS.20.081_MAP 2 NEIGHBOURHOOD CONTEXT S119002A_219012a.pdf- SRPRS.20.081_MAP 3 OFFICIAL PLAN-LAND USE DESIGNATION.pdf- SRPRS.20.081_MAP 4 OFFICIAL PLAN EXCEPTIONS.pdf- SRPRS.20.081_MAP 5 ZONING_S119002_219012A.pdf- SRPRS.20.081_MAP 6 PROPOSED SITE PLAN-INTERIM.pdf- SRPRS.20.081_MAP 7 PROPOSED SITE PLAN-ULTIMATE.pdf- SRPRS.20.081_MAP 8 PROPOSED ELEVATIONS.pdf
Final Approval Date:	May 14, 2020

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

Gus Galanis - May 13, 2020 - 9:16 AM

Kelvin Kwan - May 14, 2020 - 9:22 AM

MaryAnne Dempster - May 14, 2020 - 11:47 AM