



Staff Report for Council Public Meeting

Date of Meeting: June 17, 2020

Report Number: SPRS.20.091

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.20.091 – Request for Comments -
Official Plan and Zoning By-law Amendment
Applications – Leslie Elgin Developments Inc. –
City Files D01-20002 and D02-20007**

Owner:

Leslie Elgin Developments Inc.
600 Applewood Crescent
Vaughan, ON
L4K 4B4

Agent:

Malone Given Parsons
140 Renfrew Drive, Suite 201
Markham ON
L3R 6B3

Location:

Legal Description: Block 284, Plan 65M-4571

Municipal Address: 0 McCague Avenue

Purpose:

A request for comments concerning proposed Official Plan and Zoning By-law Amendment applications to permit a medium density residential development comprised of 19 live-work and 16 back-to-back townhouse dwelling units on the subject lands.

Recommendation:

- a) **That Staff Report SRPRS.20.091 with respect to the Official Plan and Zoning By-law Amendment applications submitted by Leslie Elgin Developments Inc. for the lands known as Block 284, Plan 65M-4571 (Municipal Address: 0 McCague Avenue), City Files D01-20002 and D02-**

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20007, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Doris Cheng, Senior Planner – Site Plans, phone number 905-771-5563 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

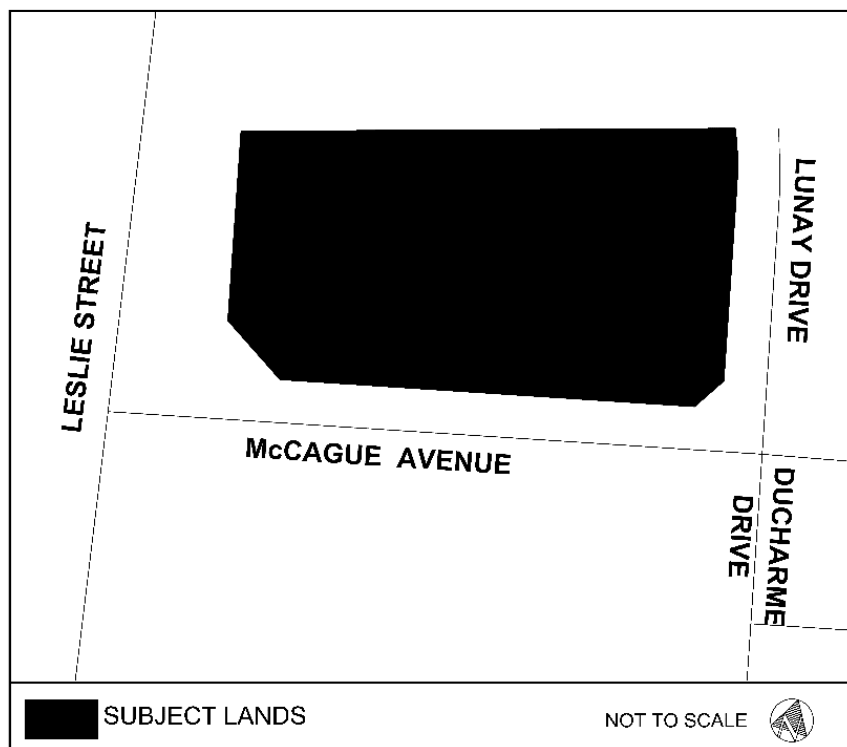
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: 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.



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Background Information:

The subject Official Plan and Zoning By-law Amendment applications were received by the City and deemed complete on March 19, 2020. 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 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 on the east side of Leslie Street, north of Elgin Mills Road East, at the north-east corner of Leslie Street and McCague Avenue (refer to Map 1). The total lot area of the subject property is 0.958 hectares (2.37 acres). The land is currently vacant and was created as part of the first phase registration of draft approved Plan of Subdivision 19T-04009. The land has frontage on Leslie Street, McCague Avenue and Lunay Drive, and abuts the York Hills Centre for Children, Youth and Families to the north.

Development Proposal

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit a medium density residential development comprised of 19 live-work and 16 back-to-back townhouse dwelling units on a private condominium road (refer to Map 7). The proposed development also includes 117 parking spaces and a private amenity space. A private condominium road is proposed to obtain vehicular access from Lunay Drive.

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:** **0.952 hectares (2.37 acres)**
 - **Open Space Area:** **0.114 hectares (0.282 acres)**
 - **Net Residential Area:** **0.838 hectares (2.07 acres)**
- **Total Number of Units:** **35**
 - **Live-Work Townhouses:** **19**
 - **Back-to-Back Townhouses:** **16**
- **Total Density:** **41.77 units per net residential hectare (16.9 units per net residential acre)**
- **Building Height:** **3.5 storeys (Live-Work Townhouses)**
4 storeys (Back-to-Back Townhouses)
- **Total Parking Spaces:** **117**
 - **Resident Spaces:** **108**
 - **Barrier Free Spaces:** **1**
 - **Visitor Spaces:** **8**

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At the time of preparation of this report, related Site Plan or draft Plan of Condominium applications had not been submitted in support of the subject Official Plan and Zoning By-law Amendment applications. Prior to the enactment of the final Zoning By-law, staff will require the applicant to submit a Site Plan application in order to inform the submitted applications.

Supporting Documentation/Reports

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

- Planning Opinion Letter;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Plan of Survey;
- Site Plan;
- Floor Plans;
- Tree Inventory and Preservation Plan;
- Traffic Impact Study Update and Access Review; and,
- Servicing and Stormwater Management Design Conformance Brief.

Official Plan Amendment Application:

The subject lands are designated **Mixed Use Commercial/Residential** and **Protected Countryside** on Schedule "A" - Land Use Plan in the North Leslie Secondary Plan (refer to Map 4). The applicant has submitted an Official Plan Amendment application to delete **Policy 9.6.3.2 (j)** of the Secondary Plan in its entirety. This policy provides for a mix of commercial and employment uses, including live-work built forms. Specifically, these lands are intended for business and professional offices, and accessory uses; however, stand-alone residential uses are not permitted. As such, the application intends to delete the policy to permit live-work and stand-alone residential uses.

Zoning By-law Amendment Application:

The subject lands are zoned **Mixed Use Three (MU3) Zone** under By-law 55-15, as amended (refer to Map 3). This Commercial Zone allows for a range of uses including clinics, offices, personal service shops, daycares, medical offices, restaurants and retail stores, with a site specific provision stipulating that where a building is used for a single non-residential use the building shall not exceed 929 square metres in Gross Leasable Floor Area (GFA). The applicant has submitted a Zoning By-law Amendment application to rezone the subject lands from **Mixed Use Three (MU3) Zone** to **Mixed Use One (MU1) Zone** under Zoning By-law 55-15, as amended, with site specific exceptions to facilitate the development proposal.

The following is a summary of the relevant development standards permitted under the By-law in comparison to what is being proposed by the applicant. Site specific exceptions are highlighted in bold:

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Proposed Live-Work, Rear Lane Townhouses

Development Standards	MU1 Zone Standards	Proposed MU1 Zone Standards for Blocks 1, 2 and 3
Minimum Lot Frontage Interior Lot Corner Lot	6.0 metres (19.68 feet) 8.4 metres (27.56 feet)	6.0 metres (19.68 feet) 7.2 metres (23.62 feet)
Minimum Lot Area Interior Lot Corner Lot	105 square metres (1,130.21 square feet) 135 square metres (1,453.13 square feet)	105.0 square metres (1,130.21 square feet) 135 square metres (1,453.13 square feet)
Maximum Lot Coverage	90%	60%
Minimum Front Yard Setback	3.0 metres (9.84 feet)	1.0 metre (3.28 feet)
Minimum Side Yard Setback	1.2 metres (3.94 feet)	0.75 metres (2.46 feet)
Minimum Flankage Yard Setback	2.4 metres (7.87 feet)	1.0 metre (3.28 feet)
Minimum Required Rear Yard	6.3 metres (20.67 feet)	5.8 metres (19.03 feet)
Minimum Number of Required Residential Parking Spaces	2 spaces per unit	4 spaces per unit
Required Visitor Parking	N/A	0.25 spaces per unit
Maximum Height	3.5 storeys	3.5 storeys

Proposed Back-to-Back Townhouses

Development Standards	MU1 Zone Standards	Proposed MU1 Zone Standards for Block 4
Minimum Lot Frontage Interior Lot Corner Lot	6.0 metres (19.68 feet) 8.4 metres (27.56 feet)	6.0 metres (19.68 feet) 8.3 metres (27.23 feet)
Minimum Lot Area Interior Lot Corner Lot	90 square metres (968.75 square feet) 110 square metres (1,184.03 square feet)	TBD TBD
Maximum Lot Coverage	55%	70%
Minimum Front Yard Setback	3.5 metres (11.48 feet)	2.2 metres (7.22 feet)
Minimum Side Yard Setback	1.2 metres (3.94 feet)	1.2 metres (3.94 feet)
Minimum Flankage Yard Setback	3.0 metres (9.84 feet)	1.0 metre (3.28 feet)
Minimum Required Rear Yard	0 metres	0 metres
Minimum Number of Parking Spaces	1.25 spaces per unit	2 spaces per unit
Required Visitor Parking	0.25 spaces per unit	0.25 spaces per unit
Maximum Height	4 storeys	4 storeys

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In this regard, the applicant is seeking approval to amend the Zoning By-law to rezone the subject lands from **MU3 Zone** to **MU1 Zone** under By-law 55-15, and to establish site specific development standards to facilitate the proposed development. Based on this information, the proposed development will comply with all other standards of the **MU1 Zone** under By-law 55-15.

The appropriateness of the proposed zoning provisions and the need for additional standards and/or restrictions will continue to be evaluated through the review of the applications with regard to policy conformity, neighbourhood compatibility, urban design, and function. Prior to the finalization of the Zoning By-law Amendment, the applicant will be required to submit a Site Plan application to inform the submitted applications.

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 (2020)* (the "PPS"), the *Growth Plan for the Greater Golden Horseshoe (2017)* (the "Growth Plan"), the *Greenbelt Plan (2017)*, 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, the Greenbelt Plan and the ROP that were in-force at the time of approval. Since the Plan's approval, the PPS, the Growth Plan and the Greenbelt Plan have been updated. Below is an outline of the proposal relative to Provincial Policy, the ROP and the Plan.

Provincial Policy Regime

The *Provincial Policy Statement (2020)* sets the policy foundation for land use planning in the Province of Ontario. It is complemented by the *Growth Plan for the Greater Golden Horseshoe*, which focuses on development challenges and opportunities. In addition, the *Greenbelt Plan (2017)* provides policy guidance to direct urbanization. These policies promote the protection to the agricultural land base and natural heritage systems to ensure the permanent protection of their ecological and hydrological features and functions upon the landscape. Through these policies, the documents provide direction on growth management, transportation, infrastructure, urban form, housing, natural heritage and resource protection. Municipalities are responsible for implementing the Provincial Policy framework at the local level. A more detailed review and evaluation of the applicable Provincial policies will be brought forward (as appropriate) as part of a future recommendation report.

York Region Official Plan

The subject lands are designated **Urban Area** and **Regional Greenlands System** in accordance with Map 1 (Regional Structure) of the Regional Official Plan ("ROP"). Lands designated **Urban Area** support a wide range and mix of uses which are intended to accommodate a significant portion of planned growth areas within the Region.

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The northeast portion of the subject lands is within a **Regional Greenlands System**. Lands within this designation are intended protect and enhance Natural Heritage and Hydrologic Features, while providing an opportunity to create a series of linked passive recreation systems throughout the Region. Development and site alteration are prohibited within the **Regional Greenlands System** and the applicable policies require any development located within 120 metres of a **Regional Greenlands System** provide sufficient environmental studies to measure impacts on nearby Natural Heritage Features

The applications have been circulated to the Region of York; however, comments have yet to be received. The Region will be required to provide written confirmation on whether the proposed Official Plan Amendment may be exempted from Regional approval and delegated to the City for final consideration. A more detailed review and evaluation of the proposed amendments in the context of the applicable policies in the ROP will form part of the future recommendation report to Council.

City of Richmond Hill Official Plan and North Leslie Secondary Plan

As noted previously, the subject lands are designated **Mixed Use Commercial/Residential** and **Protected Countryside** on Schedule “A” - Land Use Plan in the North Leslie Secondary Plan (refer to Map 4) within the City of Richmond Hill’s Official Plan (the “Plan”).

The **Mixed Use Commercial/Residential** designation is generally located at the intersection of an arterial road and a collector road, and may include a mix of uses including commercial, residential, and live-work built forms. The permitted commercial uses include service commercial and business and professional offices intended to service the community, such as medical clinics, offices, restaurants, post offices and convenience retail.

This designation also permits residential land uses and densities consistent with the **Medium Density Residential** designation in a low-rise built form such as street townhouses, block townhouses and back-to-back townhouses. Other built forms are also acceptable, subject to a maximum density of 60 units per net residential hectare (25 units per net acre) and a maximum building height of 4 storeys.

Notwithstanding the residential permissions, the North Leslie Secondary Plan contains a site specific **Policy 9.6.3.2 (j)** stating that the subject lands are to be used for retail/commercial at grade and residential or offices may be located above grade, and accessory retail uses to serve office uses, however stand-alone residential uses are not permitted.

The **Protected Countryside** designation is intended for environmental protection and to be acquired by the City or other public agency, and appropriately zoned to ensure its protection in perpetuity. Permitted uses in the **Protected Countryside** are governed by the Greenbelt Plan legislation, and are subject to **Policy 9.6.8** of the Plan.

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Department and External Agency Comments:

The subject Official Plan and Zoning By-law Amendment applications and the associated background studies and reports submitted in support of the 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:

Building Services Division – Zoning Section

The City's Zoning Section has reviewed the draft Zoning By-law submitted by the applicant and has provided preliminary comments at this time, including the need to add "Live Work Dwelling" as a permitted use and to incorporate associated parking requirements in the final form of the by-law. A comprehensive review will be required upon the receipt of a formal Site Plan application.

Development Planning Division

Development Planning staff has undertaken a preliminary review of the plans and materials submitted in support of the applicant's development proposal and provides the following comments:

- the **Mixed Use Commercial/Residential** designation is intended to provide a location for service commercial uses as well as businesses and offices to service the local community. As per **Policy 9.6.3.2 (d)** of the Secondary Plan, where the designation permits residential uses, the maximum permitted density is 60 units per net residential hectare (25 units per net acre) and the maximum permitted building height is 4 storeys. Currently, the proposed development complies with the maximum density and height provisions for medium density residential uses;
- in accordance with site specific **Policy 9.6.3.2 (j)** of the Secondary Plan, the subject lands are to be used for retail/commercial at grade and residential or offices may be located above grade, and accessory retail uses to serve office uses; however stand-alone residential units are not permitted;
- a portion of the site is subject to **Policy 9.6.8** of the Secondary Plan, as the northeast corner of the site is designated as **Protected Countryside**. Permitted uses are governed by the Greenbelt legislation and the policies contained within the Plan;
- **Policy 9.5.2 (j)** and **Policy 9.6.8 (b)** of the Secondary Plan identify that lands designated **Natural Heritage System** and **Protected Countryside** for the purposes of environmental protection are to be acquired by a public authority, at minimal or no cost. At this time, the applicant is proposing to retain these lands as a private amenity space. This request is currently under review;
- notwithstanding the Greenbelt Plan, **Policy 9.6.8 (h)** of the Plan states prohibited uses include "**any urban use or any use associated with, accessory to or serving, an urban use, such as schools, community centres, arenas, libraries, parks and condominium and subdivisions**". As such, the proposed development includes a private amenity area within the **Protected Countryside** lands. Additional

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information is required from the applicant to confirm the intended use of these lands in order to determine conformity with the Secondary Plan policies;

- the proposal provides sufficient parking for the residential component of the development and an appropriate parking standard for live-work units is to be evaluated during the review of the application;
- the proposed live-work units shall be required to demonstrate compliance with the *Ontario Building Code* (OBC) associated with maximum permitted Gross Floor Area (GFA);
- the proposed development shall be assessed on the basis of the Community-wide Urban Design Guidelines prepared for the North Leslie Secondary Plan;
- the applicant must satisfactorily address issues and requirements identified by City departments and external agencies that have been requested to review the proposed development. In this regard, it is noted that the applications are still under review by a number of City departments and external agencies; and,
- staff will continue to work with the applicant through the review of the form, content and appropriateness of the proposed draft Official Plan and Zoning By-law Amendments.

Other City Department and External Agency Comments

The City's Fire and Emergency Services Division and Financial Services Division have advised of no objections (in principle) to the applications and have provided comments to be considered by the applicant once a Site Plan application has been submitted for review to implement the details of the proposed development.

Outstanding City Department and External Agency Comments

As of the writing of this report, the submitted applications are still under review by the City's Development Engineering Division, Urban Design and Heritage Section, Community Services Department and Park and Natural Heritage Planning Section, as well as the Regional Municipality of York and the Toronto and Region Conservation Authority. In addition, comments from a number of external agencies such as the York Region District School Board, the York Catholic District School Board, Canada Post and Alectra Utilities remain outstanding.

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

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

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the Strategic Plan will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicant's development proposal.

Conclusion:

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit a stand-alone, medium density residential 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 final 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.

- Map 1: Aerial Photograph
- Map 2: Neighbourhood Context
- Map 3: Existing Zoning
- Map 4: North Leslie Secondary Plan Land Use Schedule
- Map 5: North Leslie (East) Block Plan
- Map 6: Draft Approved Plan of Subdivision
- Map 7: Proposed Site Plan

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Report Approval Details

Document Title:	SRPRS.20.091 Request for Comments-OPA and ZBL Amendment Applications-Leslie Elgin Developments D01-20002 and D02-20007.docx
Attachments:	<ul style="list-style-type: none">- MAP_1_AERIAL PHOTOGRAPH.pdf- MAP_2_Neighbourhood_Context.pdf- Map_3_Existing_Zoning.pdf- MAP_4_NORTH_LESLIE_SECONDARY_PLAN_SCHEDULE-A_LAND_USE.pdf- MAP_5_NORTH_LESLIE_(EAST) BLOCK PLAN.pdf- MAP_6_DRAFT_APPROVED_SUBDIVISION.pdf- MAP_7_PROPOSED_SITE_PLAN.pdf
Final Approval Date:	May 27, 2020

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

Gus Galanis - May 27, 2020 - 9:17 AM

Kelvin Kwan - May 27, 2020 - 9:32 AM

MaryAnne Dempster - May 27, 2020 - 1:23 PM