



Staff Report for Council Meeting

Date of Meeting: September 23, 2020

Report Number: SRPRS.20.011

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.20.111 – Request for Approval – Official Plan and Zoning By-law Amendment Applications – Goldenville Development Inc. – City Files D01-17001 and D02-17003**

Owner:

Goldenville Development Inc.
c/o 2483676 Ontario Inc.
15 Wertheim Court, Unit 302
Richmond Hill, Ontario
L4C 6E4

Agent:

Goldberg Group
2098 Avenue Road
Toronto, Ontario
M5M 4A8

Location:

Legal Description: Lots 135, 136, 137, 138, 139 and Part of Lots 134, 285 and 286, Plan 1960

Municipal Addresses: 39, 41, 45, 53, 59, 69, 79, 81, 89, 91 and 97 Carrville Road

Purpose:

The purpose of this report is to provide Council with an overview and recommendations concerning revised Official Plan Amendment and Zoning By-law Amendment applications to facilitate the construction of a high density, mixed-use residential/commercial development on the subject lands.

Recommendations:

- a) That Staff Report SRPRS.20.111 be received for information purposes;

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- b) That the Local Planning Appeal Tribunal be advised as follows:**
- i) that Council supports the revised development proposal in principle as described in Staff Report SRPRS.20.111 for the Official Plan and Zoning By-law Amendment Applications (City Files D01-17001 and D02-17003) submitted by Goldenville Development Inc. for lands known as Lots 135 to 139 and Part of Lots 134, 285 and 286, Plan 1960 (Municipal Addresses: 39, 41, 45, 53, 59, 69, 79, 81, 89, 91 and 97 Carrville Road) subject to the following:**
 - i. that final approval of the Official Plan and Zoning By-law Amendments required to implement the applicant's revised development proposal as described in SRPRS.20.111, is subject to the submission of the technical information as required by the City and the Region of York as outlined in this report, and the submission of a Site Plan application, to the satisfaction of the Commissioner of Planning and Regulatory Services;**
 - ii. that the Official Plan Amendment include the requirement for the provision of an eight metre wide east/west easement across the southern portion of the subject lands for vehicular and pedestrian connectivity purposes, without any obstructions, to the satisfaction of the City and the Region of York;**
 - iii. that Council authorize the Chief Administrative Officer and the Commissioner of Planning and Regulatory Services to negotiate a revised Section 37 Community Benefits package based on the revised development proposal as described in Staff Report SRPRS.20.111, to be incorporated into the implementing Zoning By-law to the satisfaction of the Commissioner of Planning and Regulatory Services;**
 - iv. that Council authorize staff to secure the requisite easement(s) associated with the provision of an eight metre wide east/west easement across the southern portion of the subject lands for vehicular and pedestrian connectivity purposes necessary to implement the revised development as described in Staff Report SRPRS.20.111 to the satisfaction of the City and the Region of York.**
- c) That the Mayor and Clerk be authorized to execute Minutes of Settlement, and any further agreements or documentation as necessary to implement the revised development proposal and secure a Section 37 Community Benefits Package; and,**

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- d) That appropriate City staff be directed to appear at the Local Planning Appeal Tribunal in support of Council’s position concerning the subject applications.

Contact Person:

Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-2465

Report Approval:

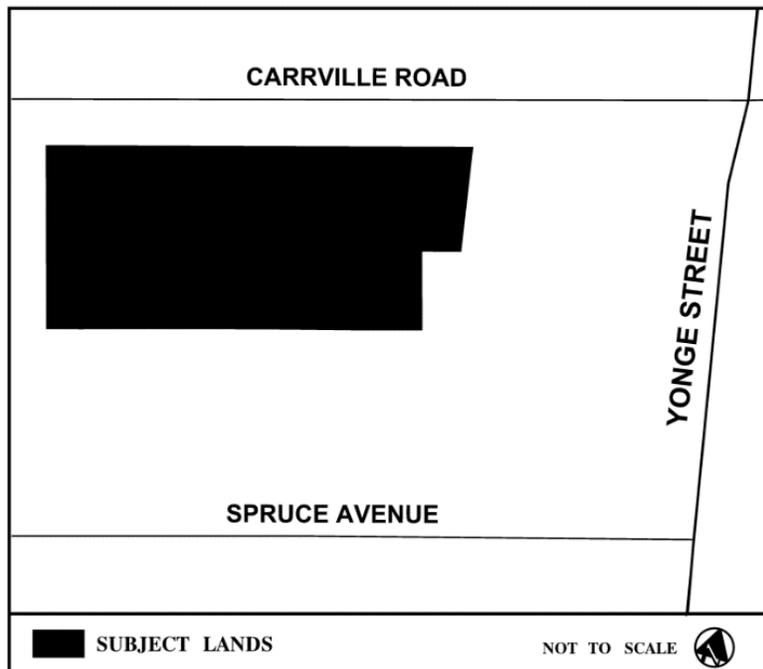
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Mary-Anne Dempster, 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:

On February 11, 2019, Council supported a revised development proposal as described in Staff Report SRPRS.19.041 to permit a high density, mixed-use residential/commercial development comprised of two 24 storey apartment buildings, a 15 storey apartment building, stacked townhouse dwellings, a new north-south local road and a new east-west local road and a revised Section 37 package to be negotiated by the Chief Administrative Officer (refer to Appendix A). The revised approval was premised on a settlement reached between City Staff and the applicant in response to the applicant's appeal of their applications to the Local Planning Appeal Tribunal (LPAT).

As a result, on April 1, 2019, the LPAT issued an interim Order approving the applicant's revised Official Plan Amendment and Zoning By-law Amendment applications, in principle; however, the LPAT withheld its final Order pending the finalization of the implementing Official Plan and Zoning By-law Amendments which were to include, amongst other matters, a Section 37 Community Benefits package to the satisfaction of the City.

At the July 9, 2019 Council Meeting, Council directed staff through a Member Motion to advise the LPAT of the removal of the requirement to protect for a new east-west road connection to Yonge Street between Carrville Road and Spruce Avenue, as conceptually shown in the draft Yonge and 16th Avenue Key Development Area Secondary Plan within the southwest quadrant of the Key Development Area and as it related to the subject proposal (refer to Appendix B).

On October 24, 2019, the LPAT issued an Order to notify the City that final approval of the applications previously approved in principle by the LPAT would be transferred to the City, subject to any difficulties that may arise, at which point the Tribunal could be spoken to.

On December 20, 2019, the applicant submitted a revised development proposal (deemed complete on January 17, 2020) to permit a high density, mixed-use residential/commercial development consisting of three apartment buildings having proposed heights of 20, 30 and 32 storeys on the subject lands. The revised applications and supporting materials were subsequently circulated to internal departments and external agencies for review and comment.

Following meetings with City staff to address concerns with its revised proposal, the applicant has further revised its proposal, as outlined in detail in this report. As the revised development proposal materially differs from that which was approved in principle by the LPAT, the applications will be required to go back before the LPAT for approval. Accordingly, the purpose of this report is to seek Council's direction with respect to the applicant's revised development proposal and to seek Council's authorization for City Staff to attend the LPAT in support of Council's position. It should

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be noted that at this time, further LPAT proceedings in consideration of the applicant's revised development have not been scheduled.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Carrville Road, west of Yonge Street and are comprised of 11 contiguous properties currently occupied by a mix of residential and commercial uses. Together, the lands have a total lot frontage of 171.51 metres (562.7 feet) along Carrville Road and a total lot area of approximately 1.185 hectares (2.93 acres). Uses surrounding the subject lands include Carrville Road and Hillcrest Mall to the north, low density residential uses to the south and west, and existing commercial uses to the east (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 to permit a high density mixed-use residential/commercial development comprised of three apartment buildings having heights of 16, 32 and 32 storeys, respectively, at a density of 5.66 FSI on its land holdings. 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 (refer to Map 5):

| | Development Approved in Principle by LPAT (April 2019) | Revised Development Proposal (December 2019) | Current Revised Development Proposal (September 2020) |
|----------------------------------|---|---|--|
| • Lot Area: | 1.185 hectares (2.93 acres) | 1.185 hectares (2.93 acres) | 1.185 hectares (2.93 acres) |
| • Total Gross Floor Area: | 55,282.20 sq. metres (595,052.65 sq. feet) | 67,056.80 sq. metres (721,793.39 sq. feet) | 67,022.60 sq. metres (721,425.26 sq. feet) |
| ○ Residential: | 53,908.20 sq. metres (580,263.03 sq. feet) | 65,830.70 sq. metres (708,595.75 sq. feet) | 65,796.50 sq. metres (708,227.63 sq. feet) |
| ○ Commercial: | 1,374.00 sq. metres (14,789.61 sq. feet) | 1,226.10 sq. metres (13,197.63 sq. feet) | 1,226.10 sq. metres (13,197.63 sq. feet) |
| • FSI: | 4.66 | 5.66 | 5.66 |
| • Residential Units: | 686 | 832 | 827 |
| • Building Height | | | |
| ○ (Tower A): | 24 storeys | 32 storeys | 32 storeys |
| ○ (Tower B): | 24 storeys | 30 storeys | 32 storeys |
| ○ (Tower C): | 15 storeys | 20 storeys | 16 storeys |
| • Tower Floor Plate: | 750 sq. metres (8,072.93 sq. feet) | 750 sq. metres (8,072.93 sq. feet) | 750 sq. metres (8,072.93 sq. feet) |
| • Total Parking: | 807 spaces | 966 spaces | 961 spaces |

Key differences between the development proposal that received approval in principle at the LPAT and the current revised proposal are as follows:

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- an increase in residential gross floor area of 11,740.40 square metres (126,372.61 square feet);
- an increase in FSI from 4.66 to 5.66;
- an increase of 141 residential dwelling units;
- an increase in building height of eight storeys on Tower A, eight storeys on Tower B, and one storey on Tower C; and,
- replacement of the east-west local road with an eight metre wide east/west easement for vehicular and pedestrian connectivity.

Planning Analysis:

Planning staff has reviewed the applicant's revised development proposal and are in support of same, in principle, for the following reasons:

- the proposal conforms with the provisions of the York Region Official Plan (the ROP) which designates the subject lands **Urban Area**, and encourages intensification and redevelopment within the Urban Area boundary;
- the proposal is permitted and encouraged from a land use perspective within the **Key Development Area (KDA)** designation and implements the City's Urban Structure policies contained in the Official Plan (the Plan), the *Yonge Street and 16th Avenue Key Development Area Policy Directions and Recommendations Report* (the Report), and is generally consistent with the draft Yonge and Carrville/16th Avenue Key Development Area Secondary Plan (the draft Secondary Plan);
- although the applicant's revised development proposal exceeds the maximum permitted site density of 3.0 FSI and the maximum building height of 20 storeys set out under the Plan, the proposal will be able to achieve the City's built form and design objectives in providing slender tower floor plates of generally 750 square metres (8,072.93 square feet), maintaining a minimum tower separation distance of 25 metres (82 feet), and providing for an appropriate transition to the existing adjacent low density **Neighbourhood**, including the provision of the required 45 degree angular view plane, subject to further refinements through the submission and review of a detailed Site Plan application. Further, contextually, the revised proposal is consistent with LPAT approvals on adjacent and surrounding lands for comparable high density mixed-use developments and Council's recent direction on the Yonge and Bernard KDA with respect to height and densities;
- through the provision of an eight metre wide continuous easement for vehicular and pedestrian connectivity from the easterly to the westerly limits of the site along the southern boundary of the property, the revised proposal will contribute to the creation of a fine-grain grid of streets and blocks as contemplated within the **KDA**; and,
- in accordance with the City's affordable housing targets set out in the Plan, the Report, and the draft Secondary Plan, the applicant has indicated that 290 of the proposed dwelling units or 35% of the total units, will meet the Region's current threshold for "affordable" housing, and that at least 50 of the proposed dwelling units (or 6%) provided will be three bedrooms or larger to accommodate a range of

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household sizes and types.

Notwithstanding the above, a number of technical requirements have been identified by City departments and external agencies to demonstrate the feasibility of the applicant's development proposal prior to finalizing the form and content of the implementing draft Official Plan and Zoning By-law Amendments. On the basis of the preceding, staff supports the revised development proposal subject to the submission of the technical information as required by the City and the Region of York.

Section 37 Community Benefits Package

As noted previously in this report, on February 11, 2019, Council delegated authority to the Chief Administrative Officer to negotiate and accept a revised Section 37 Community Benefits Package to support the applicant's proposal that exceeded the permitted height and density of the Plan. Given that the applicant's revised development proposal still exceeds the heights and density of the Plan, staff recommends that Council provide further direction for staff to continue to work with the applicant to negotiate an appropriate Section 37 Community Benefits Package, relative to the revised development proposal.

Public Comments:

City staff has received public comments related to the revised development proposal. The comments received to date are similar to those previously raised by the public with respect to the applicant's previous proposal through written submissions, as well as those identified at the Residents Meetings held on April 18, 2017 and May 16, 2017, and at the statutory Council Public Meeting held on May 3, 2017. The comments focus on the following issues:

- excessive height and density;
- compatibility of the proposed development with the adjacent low density residential neighbourhood;
- shadow and privacy concerns as a result of the height of the proposed buildings;
- increased levels of traffic through the neighbourhood and resultant vehicular and pedestrian safety;
- increased noise levels; and,
- adequacy of existing and future infrastructure to accommodate the proposed high density development.

Staff has reviewed the revised applications and are of the opinion that the heights and density proposed are appropriate, in principle, given the intent of the City's Urban Structure and the **KDA** policies that direct intensification along the City's corridors and at intensification nodes such as **KDAs**. With respect to compatibility and neighbourhood transition, the revised development proposal achieves the built form and transition direction as espoused in the Plan with respect to maintaining slender tower floor plates,

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achieving an appropriate tower separation distance and providing for a 45 degree angular view plane to the adjacent **Neighbourhood** designation.

It is noted that staff's support of the revised proposal is subject to the submission and acceptance of further technical materials through a detailed Site Plan application demonstrating the feasibility and technical appropriateness of the development proposal. Vehicular and pedestrian safety as well as noise concerns related to specific design matters will also be required to be addressed through the submission and review of the required Site Plan application.

Department and External Agency Comments:

The following is a summary of comments from the City's Urban Design Section, and Development Engineering Division, as well as Toronto and Region Conservation Authority and York Region.

Urban Design Section

Urban Design staff do not object to approval of the applications in principle, and have provided high level design comments relating to the provision of appropriate setbacks to the building podiums and achieving a transitional built form to the adjacent low-density residential **Neighbourhood** on the western portion of the site. These comments among more detailed comments will be required to be addressed through the submission and review of the required Site Plan application, prior to the finalization of the implementing Official Plan Amendment and Zoning By-law Amendment.

Development Engineering Division

Development Engineering staff has reviewed the applicant's revised development proposal and advise that they do not object to approval of the proposal in principle, subject to the resolution of outstanding technical matters pertaining to transportation planning and operations, hydrogeology, noise and functional servicing (including sanitary and water capacity in the system and conformance with Urban MESP) which will be required to demonstrate the feasibility of the proposal. Engineering staff has also noted that these technical comments are required to be addressed prior to the finalization of the implementing Official Plan and Zoning By-law Amendments through the submission of the required Site Plan application.

Toronto and Region Conservation Authority

Toronto and Region Conservation Authority (TRCA) staff has reviewed the applicant's revised development proposal and expressed no objections to the Official Plan Amendment and Zoning By-law Amendment applications, in principle, subject to the resolution of groundwater related matters. The TRCA has requested that additional work be completed with respect to groundwater characterization, the provision of a dewatering assessment, and a site-specific Water Balance Study, which are required to be addressed through the submission and review of the required Site Plan application

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prior to the finalization of the implementing Official Plan and Zoning By-law Amendments.

York Region

York Region staff has reviewed the subject applications and have expressed no objections to the applicant's revised development proposal, in principle, subject to the applicant providing an eight metre wide continuous easement from the easterly to the westerly limits of the site, without any obstructions, as provided for in the applicant's recently revised concept plan. Further to this requirement, the Region has provided detailed technical comments with respect to the applicant evaluating the impacts of the development proposal and demonstrating its feasibility as it relates to transportation and traffic, water and wastewater servicing, stormwater management, geotechnical and hydrogeological considerations and dewatering systems, as well as the requirement to provide road widening and daylighting triangle conveyances, the provision of affordable housing, and providing sustainable development. The aforementioned items are required to be addressed through the submission and review of the required Site Plan application, prior to the finalization of the implementing Official Plan and Zoning By-law Amendments.

Other City Department and External Agency Comments

The City's Building Division – Zoning Section, Community Services Department, Fire and Emergency Services Division, Financial Services Division and Park and Natural Heritage Planning Section as well as Alectra Utilities, Canada Post, Enbridge, Rogers, Toronto Air, the York Region District School Board and the York Catholic District School Board have advised of no objections to the applications and/or have provided comments solely to be considered by the applicant during the more detailed implementation stage of the required Site Plan application process.

Richmond Hill Sustainability Metrics:

The applicant has not yet submitted a Sustainability Performance Metrics Tool for consideration by the City as part of its review and approval of the subject development applications as a Site Plan application has not yet been submitted to the City. The Sustainability Performance Metrics Tool will be required to be submitted in conjunction with any future Site Plan application for the proposed development, which will also serve to provide the basis for the allocation of servicing capacity to the proposed development.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications. However, as the subject applications are to be forwarded back to the LPAT for consideration, there may be a draw on financial resources for staff to attend proceedings in this regard.

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Relationship to the Strategic Plan:

The applicant's development proposal aligns with **Goal Two - Better Choice in Richmond Hill** by providing for a range of housing options, as well as **Goal Four - Wise Management of Resources in Richmond Hill** by using land responsibly.

Conclusion:

Staff are seeking Council's direction with respect to a revised development proposal to permit a high density mixed-use residential/commercial development on the subject lands. Staff has reviewed the applicant's revised development proposal and consider it appropriate, in principle. As such, staff recommends approval of the revised development proposal subject to the provision and approval of the required technical information outlined in this report which is required to demonstrate the feasibility of the proposal, including but not limited to the provision of an eight metre wide east/west continuous easement to the satisfaction of the City and the Region of York, the provision of a Section 37 Community Benefits Package and the submission and approval of a Site Plan application. Accordingly, staff recommend that Council direct staff to advise the LPAT of Council's approval of the applicant's revised Official Plan and Zoning By-law Amendment applications, in principle, subject to the recommendations as outlined in this report. Further, staff recommend Council direct appropriate staff to appear before the LPAT in support of Council's position in this regard.

Attachments:

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 – Item 13.4, C#05-19
- Appendix B – Item 14.2, C#30-19
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Official Plan – Land Use Designation
- Map 4 Zoning
- Map 5 Proposed Site Plan

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Report Approval Details

| | |
|----------------------|---|
| Document Title: | SRPRS.20.011-Request for Direction-Official Plan and Zoning By-law Amendment Applications-Goldenville Developments Inc.docx |
| Attachments: | <ul style="list-style-type: none">- SRPRS.20.111_MAP_1_AERIAL_PHOTOGRAPH.pdf- SRPRS.20.111_MAP_2_NEIGHBOURHOOD_CONTEXT.pdf- SRPRS.20.111_MAP_3_OFFICIAL_PLAN-LAND USE DESIGNATION.pdf- SRPRS.20.111_MAP_4_ZONING.pdf- SRPRS.20.111_MAP_5_PROPOSED_SITE_PLAN.pdf- SRPRS.20.111_Appendix A.pdf- SRPRS.20.111_Appendix B.pdf |
| Final Approval Date: | Sep 9, 2020 |

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

Gus Galanis - Sep 9, 2020 - 10:05 AM

Kelvin Kwan - Sep 9, 2020 - 11:06 AM

MaryAnne Dempster - Sep 9, 2020 - 12:45 PM