



Staff Report for Council Public Meeting

Date of Meeting: November 18, 2020

Report Number: SRPI.20.012

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.20.012 - Request for Comments - Official Plan and Zoning By-law Amendment Applications - Hillcrest Property Holdings Inc. and Montez Core Income Fund Limited Partnership - 9350 Yonge Street - City Files: D01-20009 and D02-20018

Owner:

Hillcrest Property Holdings Inc. and Montez Core Income Fund Limited Partnership
100 Adelaide Street West, Suite 2100
Toronto, ON M5H 0E2

Agent:

MHBC Planning
442 Brant Street, Suite 204
Burlington ON L7R 2G4

Location:

Legal Description: Block N, Plan M-1436
Municipal Address: 9350 Yonge Street

Purpose:

A request for comments concerning proposed Official Plan and Zoning By-law Amendment applications to permit two high density residential apartment buildings (rental) on a portion of the subject lands.

Recommendation:

- a) That Staff Report SRPI.20.012 with respect to Official Plan and Zoning By-law Amendment Applications submitted by Hillcrest Property Holdings Inc. and Montez Core Income Fund Limited Partnership for a portion of the lands known as Block N on Plan M-1436 (Municipal Address: 9350 Yonge

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Street), City Files D01-20009 and D02-20018, 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
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

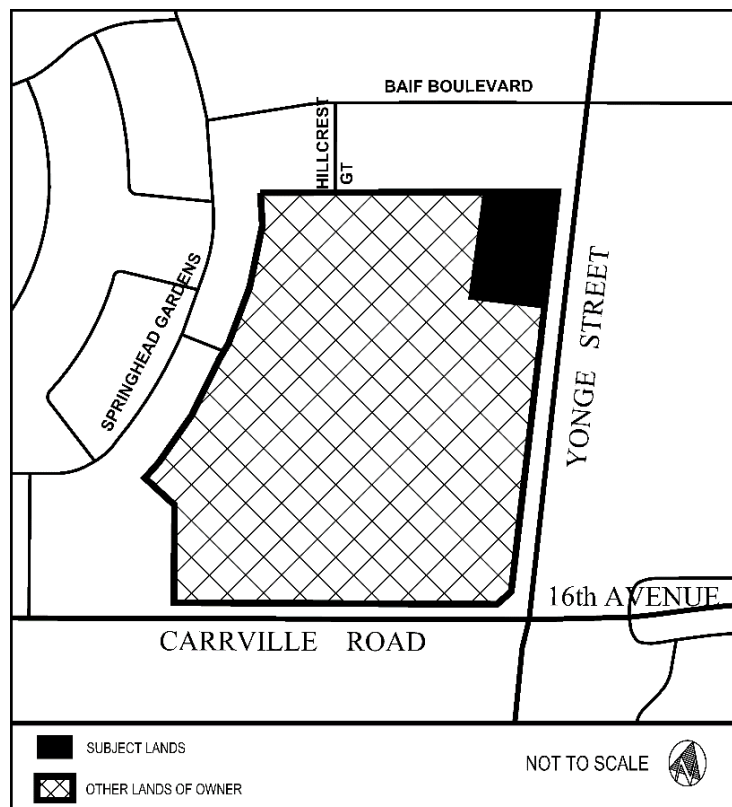
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 Information:

The subject Official Plan and Zoning By-law Amendment applications were submitted and deemed complete by the City on August 13, 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 subject applications, 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 west side of Yonge Street, north of Carrville Road and south of Baif Avenue. The lands subject to this application have a lot area of 1.11 hectares (2.74 acres) and form part of the larger 18.44 hectare Hillcrest Mall site. The site previously supported a restaurant use (Panera Bread) which is to be demolished as part of the proposed development. The remaining uses on the larger site, including Hillcrest Mall and the satellite commercial buildings, are to remain.

The subject lands have frontage on Yonge Street and can also be accessed via the existing internal network of driveways located on the larger site (refer to Map 1). The lands abut Yonge Street to the east, high density residential apartments to the north, and retail, commercial and low density residential uses to the west, and Carrville Road to the south.

Development Proposal

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit a high density, mixed-use, residential/commercial development consisting of two rental apartment buildings with heights of 26 and 29 storeys, on a shared seven storey podium. Two levels of underground parking and four levels of above grade parking are proposed. A total of 584 residential units are proposed with ground related retail/commercial uses and three live work units on the ground floor fronting onto Yonge Street.

Vehicular access is proposed through an existing private road from Yonge Street (refer to Map 9) that has registered access easements for service vehicles in favour of the apartment buildings to the north of the site. The proposal represents the first phase of the redevelopment of the overall landholding that contemplates the creation a new complete community comprised of a mix of commercial, employment, recreational and residential uses.

The following is a summary table outlining the relevant statistics of the applicant's development proposal based on the plans and drawings submitted in support of the applications:

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- **Lot Area:** 1.11 hectares (2.74 acres)
- **Total Gross Floor Area:** 79,680.1 square metres (857,670 square feet)
 - Residential 78,823.6 square metres (848,450 square feet)
 - Commercial 856.5 square metres (9,219.29 square feet)
- **Number of Buildings** 2
- **Building Height:** 26 and 29 storeys (includes 4 levels of above grade structured parking)
- **Total Number of Units:** 584 dwelling units
- **Floor Space Index:** 4.73 FSI
- **Total Parking:** 575 spaces (combined parking rate 0.98)
 - Residential 488 parking spaces
 - Commercial/Visitor 87 parking spaces (shared)
- **Bicycle Parking:** 372 spaces
- **Amenity Area (Rooftop):** 1,170 square metres (12,593.78 square feet)

At the time of preparation of this report, a related Site Plan application had not been submitted in conjunction with the subject Official Plan and Zoning By-law Amendment applications.

Supporting Documentation/Reports

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

- Planning Justification Report;
- Draft Zoning By-law Amendment;
- Draft Official Plan Amendment;
- Site Plan and Statistics;
- Conceptual Master Plan;
- P1 and P2 Underground Plans;
- Ground Floor Plan;
- Floor Plans (Floors 2-8 and Typical);
- Mechanical Penthouse;
- Roof Plan;
- Building Elevations;
- Building Sections;
- Rendered 3D Views / Perspectives;
- Plan of Survey (Part 1 and Part 2);
- Functional Servicing and Stormwater Management Report;
- Grading and Servicing Plans;
- Transportation Impact Study;
- Preliminary Hydrogeological Investigations;
- Geotechnical Investigation Report;
- Phase One and Phase Two Environmental Site Assessment;
- Pedestrian Level Wind Study;

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- 45 Degree Angular Plane Analysis;
- Building Shadow Impact Assessment Study;
- Conceptual Master Plan; and,
- Tree Inventory and Preservation Report and Plan.

Official Plan Amendment Application

The subject lands are designated **Key Development Area (KDA)** in accordance with Schedule A2 - Land Use Schedule of the City of Richmond Hill Official Plan (the “Plan”) (refer to Map 3). The applicant’s Official Plan Amendment application proposes to amend the height and density provisions of the **KDA** policies of the plan in order to facilitate the proposed development to permit the following:

- an increase in the maximum density from 3.0 to 4.73 FSI;
- an increase in the base building height from six storeys to seven storeys; and,
- an increase in the maximum building height from 15 storeys to 26 and 29 storeys.

Zoning By-law Amendment Application

The applicant is seeking approval to rezone a portion of its land holdings from **District Commercial (DC) Zone** under Zoning By-law 39-71, as amended, to a new **Key Development Area 1 (KDA1) Zone** category to be included within By-law 39-71, as amended, with site specific exceptions to facilitate the proposed high density, mixed-use, residential development. As there is no **KDA1 Zone** category in By-law 39-71, outlined below are the proposed development standards requested by the applicant:

Development Standard	Proposed Development
Minimum Lot Frontage	133.9 metres (439.3 feet)
Minimum Lot Area	1.11 hectares (2.74 acres)
Maximum Gross Floor Area	79,680.1 square metres (857,670 square feet)
Minimum Front Yard Setback (Yonge Street)	0.8 metres (2.62 feet)
Minimum Side Yard Setback (North)	23.2 metres (76.12 feet)
Minimum Side Yard Setback (South)	8.9 metres (29.2 feet)
Minimum Rear Yard Setback (West)	1.5 metres (4.92 feet)
Maximum Building Height	98.45 metres (323.0 feet)
Maximum Building Height	29 storeys
Maximum Building Height Podium	7 storeys
Maximum Floor Space Index	4.73
Outdoor Amenity Area	1,170 square metres (12,593.78 square feet)
Parking <ul style="list-style-type: none"> • Residential • Visitor 	575 spaces (0.98 combined rate) 488 spaces (0.83 spaces per dwelling) 87 spaces (0.15 spaces per dwelling - shared with commercial uses)
Bicycle Parking	372 spaces
Loading	2

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The appropriateness of the proposed new zone category and zoning provisions, as well as the need for additional development standards will continue to be evaluated through the review of the applications with regard to policy conformity, land use compatibility, urban design and function. Prior to the finalization of the Zoning By-law Amendment, a Site Plan Application will be required

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 Horseshow (2017)(Growth Plan)*, the *Regional Official Plan (ROP)* and the City's Official Plan (the Plan). Staff notes that the Plan is consistent with the *PPS* and conforms with the *Growth Plan* and the ROP that were in-force at the time of its approval. Since the Plan's approval, the *PPS* and the *Growth Plan* were updated in 2014, 2017 and 2020, respectively. Where appropriate, a more detailed review and evaluation of the applicable Provincial policies may form part of a future recommendation report to Council. 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 (Regional Structure) of the ROP. The **Urban Area** policies permit a full range and mix of urban uses which would permit a high density, mixed use, residential commercial development as proposed by the subject applications. Growth within York Region is to be accommodated within the **Urban Area**, whereby **Regional Corridors** will serve as locations for the highest densities and mix of uses, as determined by the local municipality, with consideration for local community context and character. Development within **Regional Corridors** is to be urban in form and designed to be compact, mixed-use, oriented to the street, pedestrian and cyclist friendly, and transit supportive. The site is also identified as being located on a **Regional Rapid Transit Corridor** in accordance with Map 11 – Transit Network of the ROP.

The subject applications have been circulated to York Region for review and comment, however comments have not yet been provided as of the writing of this report. As a result, a more detailed review and evaluation of the proposed amendments in the context of the applicable policies in policies in the ROP will form part of the future recommendation report to Council where deemed necessary.

City of Richmond Hill Official Plan

As noted previously, the subject lands are designated **Key Development Area (KDA)** in accordance within the Plan (refer to Map 3). **KDAs** are planned intensification areas located on a **Regional Corridor** where transit and major retail and commercial nodes intersect as is the case at Yonge Street and 16th Avenue/Carrville Road. The predominant land uses within the **KDAs** are to be mixed use, transit oriented uses and

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therefore a full range of medium/high density residential uses as well commercial, retail and office uses are permitted within this designation.

Section 4.4.1.6 of the Plan establishes the density of a development block within a **KDA** to be a minimum of 2.5 FSI and a maximum of 3.0 FSI. In addition to the density provisions, **Section 4.4.1.8** of the Plan also establishes height requirements for the KDA wherein the maximum base building height is to be 6 storeys and the maximum building height is to be 20 storeys, with the tallest buildings to be directed towards the intersection of Yonge Street and Carrville Road/16th Avenue.

Given the significance of this part of the City, the Plan directs that a Secondary Plan be prepared to effectively plan for the intensification and design of development in the **KDAs**. In this regard, Council approved the *Yonge Street and 16th Avenue Key Development Area Policy Directions and Recommendations Report* (the Recommendations Report) at its meeting of January 30, 2017 and directed staff to:

“...utilize the Yonge Street and 16th Avenue Key Development Area Policy Directions and Recommendations Report in the review and evaluation of development applications within the area, until such time as Council adopts a Secondary Plan”.

In consideration of the approved report, staff prepared a Draft Secondary Plan entitled *Yonge and Carrville/16th Key Development Area*, which was considered by Council in 2017 and 2018. However, the draft Secondary Plan and implementing draft Zoning By-law have not yet been approved by Council.

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

A preliminary review of the Plan policies and the Recommendations Report suggests that in terms of land use, the proposal is considered to be generally consistent with the provisions of the report, namely, the provision of a mixed-use, transit supportive, commercial-residential area while maintaining and enhancing the role of Hillcrest Mall as a regional retail destination. However, in terms of height and density, the proposal does not conform.

In this regard, the preferred land use scenario of the Recommendations Report recommends a maximum height of 15 storeys and a density of 3.0 FSI for these lands, whereas the proposed development seeks approval for building heights of 26 and 29 storeys on a seven storey podium (refer to Map 10) and an overall density of 4.73 FSI. Further, the subject development proposal does not currently propose any new public roads or the provision of public parkland or urban open spaces as identified in the report and within the schedules of the Draft Secondary Plan (refer to Maps 6 and 7). A more detailed review and evaluation of the proposed amendments in the context of the applicable Plan policies will form part of the future recommendation report to Council.

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Zoning

The subject lands are zoned **District Commercial (DC) Zone** under Zoning By-law 39-71, as amended (refer to Map 8), which permits places of entertainment, hotels, offices, restaurants, service establishments, retail, and public/private parking. Given that By-law 39-71 does not include a zone category that accommodates the proposed high density residential development proposed by the subject applications, the applicant is seeking to introduce a **Key Development Area One (KDA1) Zone** category into the by-law.

This zone would permit a broad range of uses, consistent with the uses outlined in the Plan for **KDA's** including townhouses, apartments, commercial uses, day nurseries, public authority uses, places of worship, long-term care facilities and senior citizen dwellings, arts and cultural and social facilities and social services. In this regard, staff will continue to assess the appropriate Zone category and evaluate the requested zoning provisions through the review of the subject applications.

City 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.

Development Planning Division

Planning staff have undertaken a preliminary review of the applicant's development proposal, including plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan and the approved *Yonge Street and 16th Avenue Key Development Area Policy Directions and Recommendations Report*, staff provides the following preliminary comments:

- **Section 3.1.5.3** of the Plan requires a minimum of 25% of new housing units to be affordable. This proposed apartment building is intended to have rental tenure. In this regard, the applicant will be required to demonstrate how this policy will be satisfied;
- **Section 3.1.5.3** of the Plan also requires a portion of the units to be accessible for people with disabilities. In this regard, the applicant has indicated the development has been designed in accordance with accessibility in mind to allow for barrier-free access. The design of the individual units will need to be addressed as part of the future Site Plan application, demonstrating accessibility and consistency with this policy;
- 5.5% (32 units) of the total dwelling units proposed are to be three bedrooms units which is consistent with **Section 3.1.5.6** of the Plan that encourages that high density residential development provide for family sized units;
- the subject proposal appears to provide angular plane and built form transition/compatibility as outlined in **Section 3.4.1.55** of the Plan which requires development within the centres and corridors to provide a 45 degree angular plane

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from the adjacent low or medium density residential uses. **Section 4.4.1.10** of the Plan further requires the provision of compatibility/built form transition abutting the **Neighbourhood** with a maximum building height of three storeys, where it abuts existing mid-rise or high-rise buildings, subject to **Section 3.4.1.55** of the Plan;

- the proposed towers include a separation distance of approximately 51 metres, which is consistent with **Section 3.4.1.58** of the Plan which requires a minimum separation distance between high-rise towers to be approximately 25 metres (82 feet) to maintain appropriate light, views and privacy;
- the proposed tower floorplates are approximately 830.4 square metres (8,938.35 square feet) in size whereas **Section 3.4.1.59** of the Plan generally requires a tower floorplate above the podium of approximately 750 square metres (8,072.93 square feet);
- **Section 3.4.1.60** of the Plan notes that high-rise buildings shall be required to be stepped back from the maximum base height in order to ***“provide a clear discernible top to the street wall and minimize impacts to the public realm.”*** While the design of the building and the appropriateness of the setback is under review, the height of the podium also exceeds the permitted height of six storeys. In this regard, the height policies with respect to transition within the public realm requires further evaluation;
- **Section 4.4.1.4** of the Plan states ***“expansions to Hillcrest Mall in the Yonge Street and 16th Avenue KDA shall be encouraged to integrate new development into a mixed-use format.”*** Additionally, **Section 4.4.1.5** also requires development fronting on Yonge Street to provide commercial, retail or community uses at grade in a mixed-use format. As the proposed residential apartment buildings integrates commercial/retail uses at grade within the podium, and proposes to integrate shared parking with the existing shopping mall parking, it appears to generally comply with the above noted policies;
- as noted above, the proposed podium building height of seven storeys exceeds the maximum podium building height of six storeys permitted in accordance with **Section 4.4.1.8 (b)** of the Plan;
- the proposed building heights of 26 and 28 storeys significantly exceeds the maximum building height permitted for the lands within this portion of the **KDA** as outlined **Sections 4.4.1.8 (c) and (d)** which states the maximum building height shall be 20 storeys and the tallest buildings are to be directed towards the intersection of Yonge Street and Carville Road/16th Avenue. Further, the Recommendations Report identifies that buildings shall have a maximum height of 15 storeys in this specific area of the **KDA** (refer to Map 4);
- in terms of density, the Recommendations Report identifies the maximum proposed density on the lands to be 3.0 FSI (refer to Map 5), whereas the applicant proposes an FSI of 4.73, which exceeds the density envisioned for the area;
- the Recommendations Report identifies that public streets and public parks or urban squares (refer to Map 6 and 7) be provided in order to improve connectivity and mobility within the **KDA**. While the Plan provides flexibility, the applicant is not

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proposing any public streets or parks/urban squares as part of this phase of development;

- the applicant is proposing a reduced parking rate for residential uses (0.83 spaces per dwelling unit), and a shared parking rate (0.15 spaces per dwelling unit) between visitor spaces and the existing commercial/retail uses of the larger site. A Transportation Impact Study (inclusive of a Transportation Demand Management Study and Parking Justification) is currently under review to determine the appropriateness from a functional and operational perspective;
- vehicular access for this development is proposed to be from an existing private road on the subject lands which is currently restricted to right-in/right-out movements only, and has registered access easements for service vehicles in favour of the apartment buildings to the north of the site. The appropriateness of this vehicular access will be evaluated during the review of the subject applications;
- the proposed development shall be assessed on the basis of the City-wide Urban Design Guidelines;
- the applicant must satisfactorily address issues and requirements identified by City departments and external agencies that have been requested to review the development proposal;
- a future Site Plan application will be required; and,
- staff will continue to review the form, content and appropriateness of the proposed draft Official Plan and Zoning By-law Amendments as well as the site specific standards requested by the applicant with respect to the form, content, and appropriateness of the amendments.

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

City Department and External Agency Comments

Comments have been received from the City's Finance Division, Alectra, Canada Post, Enbridge, and Rogers. This City department and external agencies have no objections to the subject applications and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. All of these comments have been forwarded to the applicant for consideration but have not been appended to this report.

As of the writing of this report, the subject applications remain under review by the Regional Municipality of York, Bell Canada, the York Region and York Catholic District School Boards, as well as the City's Park and Natural Heritage Planning Section, Development Engineering Division, Urban Design and Heritage Section, Zoning and Building Sections, Fire and Emergency Services Division, and the Community Services Department.

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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 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 high density, mixed use, residential/commercial development on a portion of 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 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: Official Plan Designation
- Map 4: Draft Yonge – 16th KDA Secondary Plan–Height–Schedule 1
- Map 5: Draft Yonge – 16th KDA Secondary Plan–Density–Schedule 2
- Map 6: Draft Yonge – 16th KDA Secondary Plan–Urban Open Space System–Schedule 3
- Map 7: Draft Yonge – 16th KDA Secondary Plan – Streets – Schedule 4
- Map 8: Existing Zoning
- Map 9: Conceptual Site Plan
- Map 10: Conceptual Perspectives

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Report Approval Details

Document Title:	SRPI.20.012 Request for Comment - OPA and ZBLA - 9350 Yonge Street - City Files D01-20009 and D02-20018.docx
Attachments:	<ul style="list-style-type: none">- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT.pdf- MAP_3_EXISTING OFFICIAL PLAN DESIGNATION.pdf- MAP_4_DRAFT_KDA_Height.pdf- MAP_5_DRAFT_KDA_Density.pdf- MAP_6_DRAFT_KDA_Urban_Open_Space_System.pdf- MAP_7_DRAFT_KDA_Street.pdf- MAP_8_EXISTING_ZONING.pdf- MAP_9_CONCEPTUAL_SITE_PLAN.pdf- MAP_10_CONCEPTUAL_ELEVATIONS.pdf
Final Approval Date:	Oct 29, 2020

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

Gus Galanis - Oct 28, 2020 - 5:07 PM

Kelvin Kwan - Oct 29, 2020 - 8:38 AM

MaryAnne Dempster - Oct 29, 2020 - 12:06 PM