

February 23, 2021

Memo to: Jeff Healey, Senior Planner – Subdivision

From: Anant Patel, Planner II - Parks

File Number(s): D01-20013 (Official Plan Amendment)
D02-20025 (Zoning By-law Amendment)

Location: 11160 Yonge Street

Applicant: Hazelview Developments Inc.

Summary: A request for approval of Official Plan and Zoning By-law Amendment applications to facilitate the development of high-density mixed use residential/commercial development comprised of three towers 15, 18 and 35 storeys in height with a combined Flood Space Index of 3.66, a Gross Floor Area of 58,940 square metres (634,425 square feet), 731 residential units and 510 square metres (5,490 square feet) of commercial floor space at grade.

Background: A portion of the subject property is designated as Natural Core and identified as part of the Greenway System in the City's Official Plan. The subject lands are located within the Settlement Area of the Oak Ridges Moraine Conservation Plan (ORMCP). There are key natural heritage features (KNHFs) and key hydrological features (KHF) located on site including significant woodland, significant valleyland, fish habitat, significant wildlife habitat, permanent and intermittent stream, and Habitat of Threatened and Endangered Species. The features and buffers occupy the western portion of the subject lands.

Materials reviewed:

- Arborist & Tree Preservation Report, prepared by MEP Design Inc., dated October 9, 2020;
- L-01, Proposed Landscape Plan & Restoration Planting Plan, prepared by MEP Design Inc., revision no. 3 dated October 9, 2020;
- L-2, Landscape Details, prepared by MEP Design Inc., revision no. 3 dated October 9, 2020;
- LR-01, 5th Floor Green Roof Plan & Amenity Area, prepared by MEP Design Inc., revision no. 3 dated October 9, 2020;
- LR-02, 5th Floor Green Roof & Amenity Area Landscape Details, prepared by MEP Design Inc., revision no. 3 dated October 9, 2020;
- TS-01, Existing Tree Inventory and Preservation Plan, prepared by MEP Design Inc., revision no. 3 dated October 9, 2020;
- Natural Heritage Evaluation, prepared by Savanta, dated October 2020;
- Phase I Environmental Site Assessment, prepared by Pinchin, dated June 5, 2018.

Parkland Dedication

1. The proposed development generates a parkland dedication requirement of more than 500 square metres of parkland pursuant to in force parkland dedication policies. The parkland owing for this development does not yield a park of viable size and we recommend that council resolve to accept cash-in-lieu of parkland dedication at building permit issuance.
2. The City has initiated a Transportation Master Plan which contemplates a trail within the natural heritage system lands on this site (see Draft Active Transportation/Trails Network Map consulted on November 2018 as part of the Transportation Master Plan). The development scenario should be refined to show space for a municipal trail. Given that the trail is intended for public recreational purposes, the trail lands

may be considered as part of the parkland dedication required by this development, provided the trail lands are on tableland (i.e. located on lands other than those referenced in Policy 3.1.8.3 (h) of the Official Plan.

D01-20013 & D02-20025

3. Once the extent of the natural heritage system and buffers have been determined, these lands should be shown as separate blocks on a plan, zoned in an appropriate land use category, and dedicated into public ownership free and clear of all debris and encumbrances.
4. The current development scenario should provide for meaningful space for trees or soft landscaping. The zoning by-law amendment should seek to increase the available space within the site for tree planting and other landscaping. With respect to the proposed apartment buildings, the zoning by-law amendment should include a requirement for a minimum of 2 square metres of private outdoor amenity space per unit, similar to other recent zoning by-laws prepared for apartment developments within this area of the City. Providing private outdoor amenity space, a green roof, or other landscaping on the rooftop or podium of an apartment building functions as a means of mitigating urban heat island effect. The applicant has noted within their submission that 1,462 square metres of outdoor amenity area will be provided, which would meet the requirement noted in this comment.

Natural Heritage Evaluation

5. Figure 6 - Natural Heritage Constraints does not identify the key natural heritage features nor the buffers as per the City's Official Plan policies. To appropriately delineate the limits of the "Natural Core" designation, the applicant must clearly identify the limits of the KHNFs and KHF's on the site along with the minimum vegetation protection zone (MVPZ)/buffer for each feature in conformance with the Official Plan on a figure. This figure should, at minimum, should include the following features:
 - Significant woodland
 - Significant valleyland (use the Official Plan for technical guidance)
 - Fish habitat
 - Significant wildlife habitat
 - Permanent and intermittent stream
 - Habitat of threatened and endangered species

The NHE should include a discussion on the required buffer associated with the relevant policies. Please note according to the City's Official Plan, all development and site alteration with respect to land within a KHNFs, KHF's along with their associated MVPZ is prohibited.

6. Once the flood and erosion hazard limit is approved by TRCA, the limit of the flood/erosion hazard plus 10 metre buffer should be adding to Figure 6 to assist with identifying the limits of the "Natural Core" designation.
7. Further to comment #5, the NHE notes that 0.0372 ha of the woodland is proposed to be removed. The applicant should provide further discussion and analysis on this woodland and why it's being removed.
8. As infill development intensifies in Richmond Hill, there is potential for cumulative impacts to the Greenway System if impacts from each development proposals is not mitigated. In light of this, the NHE must identify the impacts to KHNFs or KHF's, and how these impacts can be mitigated. Also, how does the proposal maintain, improve or restore the hydrological functions of the moraine, while providing for continued development within existing urban settlement areas, as per the ORMCP. The proposal should

provide for any opportunity for meaningful landscaping or opportunity to restore the urban canopy which mitigates the urban heat island effect.

9. Section 7.4 of the NHE notes that discussions will be held with MECP to ensure the subject lands remain compliant with the *Endangered Species Act 2007*. Please include these correspondence as part of the next submission.
10. Please discuss the current condition of the outfall. Will it require to be upgraded/replaced as a result of the proposed works?
11. Please update the legend shown on Figure 4 of the NHE. The legend was not printed clearly.

Arborist & Tree Preservation Report

12. Tree #21 appears to be either co-owned or on the neighbouring property. Please note that the City's review of this report does not authorize the applicant to injure or destroy a co-owned/boundary tree or tree on the neighbouring property without obtaining the consent of the neighbouring tree owner or boundary tree co-owner. It is the applicant's responsibility to obtain necessary consent prior to undertaking any tree injury or destruction approved by the City.

To this point, the Forestry Act states that "every tree whose trunk is growing on the boundary between adjoining lands is the common property of the owners of the adjoining lands and every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the landowners is guilty of an offence under the Act."

13. A retaining wall and the underground parking appears to be located within the tree protection zone of Trees #18, 19, 20 and 22. Encroachment within the TPZ of these trees will cut into the critical rooting zone and could critically injure these trees. Please provide a development scenario that will keep development outside of these trees.
14. The underground parking appears to be located within the tree protection zone of Tree #16. Encroachment within the TPZ of this tree will cut into the critical rooting zone of these trees and could critically injure this tree. Please provide a development scenario that will keep development outside of this tree.
15. Please confirm the ownership of trees #1 to 7. The City's mapping shows that the City does not own these lands.
16. The scope of the Arborist & Tree Preservation Report will need to be expanded to include all trees that are equal to and greater than 20 cm DBH within 6 m of the proposed works. The report/plan should also include the trees located within the area identified as the 10 metre buffer/setback.
17. Please include the City's tree protection fencing details within the Arborist & Tree Preservation Report and Existing Tree Inventory and Preservation Plan.

Landscape Plan & Restoration Planting Plan

18. The City is over represented with Maple trees. Please reduce the overall percentage of Maple trees in the plan or eliminate Maple trees and replace with an alternative species that are native.
19. Once the buffer has been established and approved, the restoration planting plan should be updated.



20. The landscape architect should ensure that any proposed trees will have access to sufficient soil volume and the species are appropriate for the proposed locations. The landscape plan should include a detail that shows how a soil volume of 30 cubic metres for each tree can be achieved.
21. Structural methods will be required to support tree growth, e.g. tree trenches, silva cells, structural soils. Also, provide for a minimum of 1.5 metres of topsoil in landscape beds over the underground parking facility.

I trust the above is of assistance. Should you require any further information regarding our comments, please contact the undersigned at (905) 771-2492.

Sincerely,

Anant Patel, B.URPI
Planner II - Parks
Park and Natural Heritage Planning