



Staff Report for Council Public Meeting

Date of Meeting: June 16, 2021

Report Number: SRPI.21.069

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.21.069 – Request for Comments – Official Plan and Zoning By-law Amendment Applications – 9750 Yonge Limited – 9750 and 9760 Yonge Street – City Files: D001-21003 and D02-21005 (Related File: D06-21017)

Owner:

9750 Yonge Limited
7100 Woodbine Avenue, Suite 301
Markham, ON L3R 5J2

Agent:

Weston Consulting
201 Millway Avenue, Suite 19
Vaughan, ON L4K 5K8

Location:

Legal Description: Block 39, Registered Plan 65M-2079 and Part of Block 3, Registered Plan 65M-2368

Municipal Addresses: 9750 and 9760 Yonge Street

Purpose:

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

Recommendation:

- a) That Staff Report SRPI.21.069 with respect to Official Plan and Zoning By-law Amendment Applications submitted by 9750 Yonge Limited for lands known as Block 39, Registered Plan 65M-2079 and Part of Block 3, Registered Plan 65M-2368 (Municipal Addresses: 9750 and 9760 Yonge

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Street), City Files D01-21003 and D02-21005, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Sandra DeMaria, Senior Planner – Subdivisions, phone number 905-747-6312 and/or Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

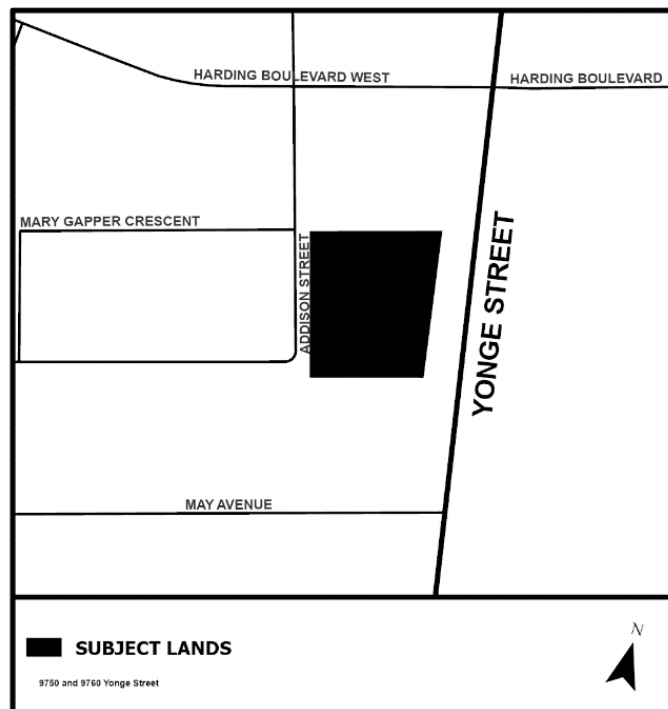
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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:

In April of 2012, Official Plan and Zoning By-law Amendment applications were received by the City to permit a high density mixed use residential/commercial development comprised of 15 and 16 storey residential apartment buildings with ground floor retail/commercial uses at grade and a mid-rise four storey apartment building having an overall FSI of 3.51 on the subject lands. This proposal was later revised to include reduced apartment building heights of 13 and 15 storeys with ground floor retail space and second floor office space having an FSI of 3.12 (refer to Map 5). At its meeting of July 8, 2013, Council approved Zoning By-law 75-13 to facilitate the revised development proposal, subject to the provision of Section 37 contributions.

The lands were subsequently purchased by 9750 Yonge Limited. The landowner has submitted new Official Plan and Zoning By-law Amendment applications in support of a revised development proposal for its land holdings. The applications were received and deemed complete on April 19, 2021. The applications and supporting materials have been circulated to relevant City departments and external agencies for review and comment. Accordingly, 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, between May Avenue and Harding Boulevard and have a total lot area of 0.85 hectares (2.10 acres) (refer to map 1). The lands are currently vacant and have frontage along both Yonge Street and Addison Street.

Abutting uses include an existing senior's residence (Sunrise of Richmond Hill) to the north, Addison Street to the west beyond which are existing two storey single detached and townhouse dwellings, an existing 11 metre easement for a trunk storm sewer along the southern limits of the property beyond which are existing restaurant uses (The London Pub and Mr. Congee) and Yonge Street to the east, beyond which is an existing one storey retail/commercial plaza and a 14 storey apartment building (refer to Map 2).

It should be noted that the subject lands are within 800 metres of MTSA 40 which is the newly constructed Viva Bus Rapid Transit station located to the south of the Yonge Street and Major Mackenzie Drive intersection.

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 on its land holdings. The proposed development is to be comprised of two apartment buildings 22 and 18 storeys in height to be connected by a five storey podium

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and containing a total of 522 apartment dwelling units and ground related retail and commercial uses. A total of 18 townhouses are also proposed along the Addison Street frontage of the property. Vehicular access is to be provided via a new public road which is to be established along the southern property boundary. Four levels of underground parking and a total of 643 parking spaces are to be provided on the site, of which 7 spaces are to be provided at grade (refer to Maps 6 to 13).

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 its development proposal:

• Lot Area:	0.85 hectares (2.10 acres)
• Total Gross Floor Area:	41,576 square metres (447,535 square feet)
○ Residential	40,729 square metres (438,418 square feet)
○ Commercial	847 square metres (9,117 square feet)
• Number of Buildings	
○ Apartment Buildings	2
○ Townhouses	18
• Building Heights:	
○ Apartment Buildings:	18 and 22 Storeys
○ Townhouses	3 storeys
• Total Dwelling Units:	540 dwelling units
○ Apartment units:	522
○ Townhouses	18
• Floor Space Index:	4.9 FSI
• Total Parking:	643
○ Residential	561
○ Commercial/Visitor	82
• Bicycle Parking:	136
• Amenity Space (indoor):	701 square metres (7,542 square feet)
(outdoor):	663 square metres (7,139 square feet)

A related Site Plan Application (City File D06-21017) has been submitted in conjunction with the subject Official Plan and Zoning By-law Amendment applications.

Supporting Documentation/Reports

- Planning Justification Report;
- Draft Zoning By-law Amendment;
- Draft Official Plan Amendment;
- Plan of Survey;
- Site Plan and Statistics;
- Conceptual Master Plan;
- Underground Parking plans;
- Floor Plans;

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- Mechanical Floor plans;
- Rooftop plans;
- Building Elevations;
- Building Sections;
- Rendered 3D Views/Perspectives;
- 45 Degree Angular Plane Analysis;
- Urban Design Brief;
- Functional Servicing and Stormwater Management Reports;
- Grading and Servicing Plans;
- Transportation Impact Study/Parking Study;
- Hydrogeological Report;
- Geotechnical Report;
- Phase One Environmental Site Assessment;
- Pedestrian Level Wind Study;
- Waste Management Plan;
- Construction Management Plan;
- Photometric Lighting Analysis;
- Noise Report;
- Landscape Plans;
- Tree Inventory and Preservation Report and Plan; and
- Sun and Shadow Study

Official Plan and Zoning By-law Amendment Applications

The applicant's Official Plan Amendment application proposes to amend the height and density provisions of the **Regional Mixed Use Corridor** policies of the City's Official Plan in order to facilitate the proposed development to permit the following:

- an increase in the maximum permitted density from 2.5 to 4.9 FSI;
- an increase in the base building height from four storeys to five storeys; and,
- an increase in the maximum building height from 15 storeys to 18 and 22 storeys.

The subject lands are currently zoned **Residential Office Complex (RO) Zone** under Zoning By-law 181-81, as amended by By-law 75-13 (refer to Map 3). The applicant is seeking approval of a related Zoning By-law Amendment application that would, amongst others, remove a number of the current permitted uses including private recreation, assisted living residence and retirement home/residence and establish site specific development standards in order to facilitate the proposed development. Below is a summary table outlining the proposed site specific development standards:

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Development Standard	Proposed Development
Minimum Lot Frontage Yonge Street Addison Street	101 metres (331.4 feet) 100 metres (328.1 feet)
Minimum Setbacks Yonge Street Addison Street South property line North property line	3.0 metres (9.8 feet) 2.2 metres (7.2 feet) 1.5 metres (4.9 feet) 1.6 metres (5.2 feet)
Minimum setbacks from Underground Parking Garage (from Addison and Yonge Streets, north and south property lines)	0.0 metres (0.0 feet)
Maximum Building Height	22 storeys
Maximum Gross Floor Area	42,000 square metres (452,084 square feet)
Maximum Floor Space Index	4.9
Minimum Landscape Area	0.0 metres (0.0 feet)
Parking • Residential • Visitor/commercial shared	643 spaces 561 82

In addition to the above, the applicant is proposing to add Dental Offices as an additional permitted use under the **RO Zone**. It is noted that Townhouses will need to be included as a permitted use for the subject lands.

The appropriateness of the proposed 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 finalization of the Zoning By-law Amendment, a full review of the associated Site Plan Application will be required.

Planning Analysis:

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

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Staff notes that the City's in force 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* was updated in 2020 and the *Growth Plan* was updated in 2019. In this regard, both York Region and the City are currently undertaking Municipal Comprehensive Reviews (MCRs) to update their respective Official Plans as necessary to align with more recent Provincial planning direction. Below is a more detailed outline of the proposal relative to the current Regional and City Official Plans.

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 and further identified as being located on a **Regional Rapid Transit Corridor** in accordance with Map 11 (Transit Network) of the ROP. Lands designated **Urban Area** are intended to support a full range and mix of urban uses which are intended to accommodate a significant portion of planned growth within the Region. **Regional Corridors** are intended to 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. Further, 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. In this regard, the **Urban Area** policies would permit a high density mixed use residential commercial development as proposed by the subject applications.

Further to the above, at its meeting of September 24, 2020, Regional Council adopted the recommendations, as amended, of a staff report entitled "Major Transit Station Areas Endorsement Report", thereby endorsing boundary delineations, minimum density targets and preliminary policy directions for each of the Region's identified Major Transit Station Areas (MTSAs). These recommendations serve to guide the ROP update currently being undertaken through a Municipal Comprehensive Review (MCR) in order to implement the policies of the *Growth Plan for the Greater Golden Horseshoe* (2019). In this regard, the subject lands are within 800 metres of MTSA 40 which is the newly constructed Viva Bus Rapid Transit station located to the south of the Yonge Street and Major Mackenzie Drive intersection.

The subject applications have been circulated to York Region for review and comment; however, comments have not yet been provided from the Region 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 the ROP will form part of the future recommendation report to Council where deemed necessary.

City of Richmond Hill Official Plan

The subject lands are designated **Regional Mixed Use Corridor** in accordance with Schedule A2 – Land Use (refer to Map 4) of the City of Richmond Hill Official Plan (the Plan). Additionally, the site is located along Yonge Street which is identified as a **Regional Rapid Transit Corridor** on Appendix A5 of the Plan. The **Regional Mixed**

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Use Corridor designation supports a broad range and mix of land uses and activities in a compact, pedestrian friendly and transit-oriented built form. Accordingly, development within the **Regional Mixed Use Corridor** is encouraged to provide a mix of uses within the same building or separate buildings integrated on the same site. The maximum permitted density permitted within the **Regional Mixed Use Corridor** designation is 2.0 FSI and the maximum building height for developments on Yonge Street south of the Downtown Local Centre designation is 15 storeys.

Based on a preliminary review of the proposed development relative to the **Regional Mixed Use Corridor** policies, it appears the subject proposal is generally consistent with respect to land use; however, the proposal does not conform with the applicable height and density provisions of the Plan applicable to the subject lands.

Zoning

The subject lands are zoned **Residential Office Complex (RO) Zone** under Zoning By-law 181-81, as amended by Zoning By-law 75-13 (refer to Map 3). The **RO Zone** category permits site specific development standards intended to facilitate the previously approved mixed-use, high density development as well as a range of commercial and residential uses as follows:

- Apartment Dwelling Units;
- Private Recreational Use;
- Retail Store;
- Convenience Store;
- Business, Medical or professional Offices, including medical laboratories;
- Financial Institution;
- Eating Establishment;
- Personal Service Shop;
- Tuck Shop;
- Assisted Living Residence;
- Independent Seniors Living Residence;
- Retirement Home;
- Retirement Residence; and,
- Long Term Health Care Facility

It is noted that the subject applications do not include Assisted Living Residence, Retirement Home, Retirement Residence and Long Term Health Care among the uses to be permitted uses on the subject lands. Additionally, the existing **RO Zone** permissions include site specific Section 37 requirements that are to be provided in exchange for the additional height and density provisions permitted on the lands.

Staff will continue to review the appropriateness of the existing and proposed zoning provisions, as well as the need for additional development standards and/or provisions through the review of the subject applications.

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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 this report.

Development Planning Division

Planning staff have undertaken a preliminary review of the applicant's development proposal, including the plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan, 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. In this regard, the applicant has indicated that the various unit sizes are to be provided within the proposed apartment buildings and the townhouses to satisfy this requirement. The applicant will be required to further demonstrate how this policy has been 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 advised that the proposed 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 Site Plan application review process to demonstrate accessibility and consistency with this policy;
- 4.4% (24 units) of the dwelling units proposed within the apartment buildings are to be three bedroom units which is consistent with **Section 3.1.5.6** of the Plan that encourages high density residential development to provide for family sized units;
- **Section 3.4.1.55** of the Plan requires development within the centres and corridors to provide a 45-degree angular plane from 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** designation with a maximum building height of three storeys. The proposed development appears to provide the required angular plane and built form transition consistent with the policies of the Plan;
- the proposed towers are to provide a separation distance of approximately 25 metres (82 feet) which is consistent with **Section 3.4.1.58** of the Plan to maintain appropriate light, views and privacy conditions;
- the proposed tower floorplates range from approximately 1,356 square metres (14,596 square feet) just above the podium and slim down to 800 square metres (8,610 square feet) 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) to adequately limit shadow, wind impacts and loss of skyview;

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- **Section 3.4.1.60** of the Plan requires that high rise development be stepped back from the maximum base height in order to ***“provide a clear discernable top to the street wall and minimize impacts to the public realm.”*** While the design of the buildings and the appropriateness of the setbacks are still under review, it should be noted that the height of the podium also exceeds the permitted height of four storeys. In this regard, the height policies with respect to transition within the public realm requires further evaluation;
- in terms of density and height, the development exceeds both the height and density envisioned for this portion of the **Regional Mixed Use Corridor**. The proposed FSI of 4.9 and building heights of 18 and 22 storeys do not comply with **Sections 4.6.1.5 and 4.6.1.6** of the Plan that permit a maximum FSI of 2.5 and maximum building height of 15 storeys;
- the applicant is proposing a reduced parking rate for residential uses (a blended rate of 0.80 to 1.04 parking spaces per unit) and a shared parking rate (0.15 parking spaces per dwelling unit) for visitor spaces and the commercial/retail uses. A Transportation Impact Study (inclusive of a Parking Justification Study) is currently under review by City staff to determine the appropriateness of the proposed parking rates from a functional and operational perspective;
- a new public road along the southerly property boundary of the lands which is intended to serve as a connection between Yonge Street and Addison Street is proposed as part of the proposed development and will serve as the primary vehicular access to the site. The appropriateness of the proposed public road (standards and minimum required width) will be evaluated through 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 the issues and requirements identified by the City departments and external agencies that have been requested to review the development proposal; 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 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.

Other City Department and External Agency Comments

Due to the recent submission of the subject applications, as of the writing of this report, no comments have been received and the subject applications remain under review by all City Departments and applicable External Agencies.

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Financial/Staffing/Other Implications:

The recommendation of this report does not have any financial, staffing or other implications.

Relationship to Council's Strategic Priorities 2020-2022:

The recommendation of this report does not have any direct implications with respect to Council's Strategic Priorities. An overview of how the subject applications are aligned with Council's Strategic Priorities will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicant's development proposal.

Climate Change Considerations:

The recommendations of this report do not have any direct implications with respect to Council's Climate Change Considerations at this time. An overview of how the subject applications support Council's climate change mitigation and/or adaptation measures to reduce carbon emissions 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 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.

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Appendix Contents and Maps:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. 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 Existing Official Plan Designation
- Map 5 Previous Site Plan (City File D06-12103)
- Map 6 Proposed Site Plan
- Map 7 Site Plan Rendering
- Map 8 Proposed East Elevation
- Map 9 Proposed South Elevation
- Map 10 Proposed West Elevation
- Map 11 Proposed North Elevation
- Map 12 Proposed Townhouse East Elevation
- Map 13 Proposed Townhouse West Elevation

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Report Approval Details

Document Title:	SRPI21.069 - Request for Comments - City Files D01-21003 and D02-21005.docx
Attachments:	<ul style="list-style-type: none">- Map 1 Aerial Photograph.docx- Map 2 Neighbourhood Context.docx- Map 3 Existing Zoning.docx- Map 4 Existing Official Plan Designation.docx- Map 5 Previous Site Plan (City File D06-12103).docx- Map 6 Proposed Site Plan.docx- Map 7 Site Plan Rendering.docx- Map 8 Proposed East Elevation.docx- Map 9 Proposed South Elevation.docx- Map 10 Proposed West Elevation.docx- Map 11 Proposed North Elevation.docx- Map 12 Proposed Townhouse East Elevation.docx- Map 13 Proposed Townhouse West Elevation.docx
Final Approval Date:	May 25, 2021

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

Gus Galanis - May 25, 2021 - 3:19 PM

Kelvin Kwan - May 25, 2021 - 3:32 PM

MaryAnne Dempster - May 25, 2021 - 4:12 PM