



Staff Report for Council Public Meeting

Date of Meeting: October 6, 2021

Report Number: SRPI.21.087

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.21.087 – Request for Comments – Official Plan Amendment and Zoning By-law Amendment Applications –Elgin House Properties Limited– City Files D01-21005 and D02-21008 – Related File D06-21032

Owner:

Elgin House Properties Limited
8611 Weston Road, Unit 18
Vaughan, Ontario
L4L 9P1

Agent:

KLM Planning Partners Inc.
64 Jardin Drive, Unit 1B
Vaughan, Ontario
L4K 3P3

Location:

Legal Description: Part of Lots 26 and 27, Concession 2, E.Y.S.
Municipal Address: 1000 Elgin Mills Road East

Purpose:

A request for comments concerning proposed Official Plan Amendment and Zoning By-law Amendment applications to permit the construction of a 14 storey apartment building on the subject lands.

Recommendation:

- a) That Staff Report SRPI.21.087 with respect to the Official Plan Amendment and Zoning By-law Amendment applications submitted by Elgin House Properties Limited for lands known as Part of Lots 26 and 27, Concession

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2, E.Y.S. (Municipal Address: 1000 Elgin Mills Road East), City Files D01-21005 and D02-21008, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Jeff Healey, Senior Planner - Subdivisions, phone number 905-771-6452 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

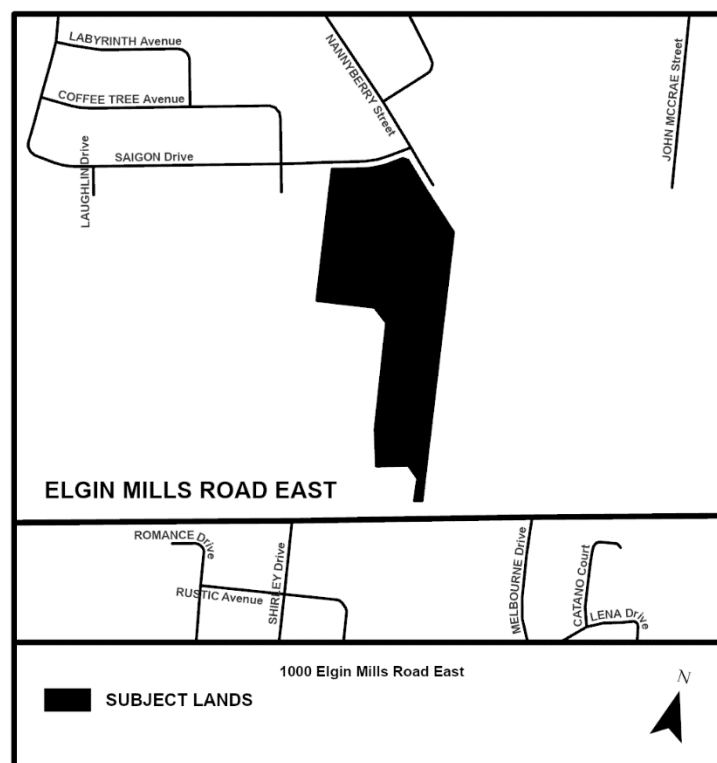
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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, in addition to a related Site Plan Amendment application, were received on June 17, 2021 and deemed complete by the City on June 30, 2021. The applications and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

By way of background, Council endorsed the recommendations of Staff Report SRPRS.17.128 at its meeting of July 10, 2017 and approved Official Plan and Zoning By-law Amendment applications to permit a medium/high density residential development on the subject lands (refer to Appendix A). In this regard, Official Plan Amendment 9 (OPA 9) was adopted by Council on December 11, 2017 and approved by York Region on April 13, 2018, while Zoning By-law 108-18 was enacted by Council on September 24, 2018 and is now in effect. The applicant obtained Site Plan approval in January 2021 to facilitate its development proposal comprised of 316 townhouse dwelling units and 284 apartment dwelling units within two 10-storey buildings on its land holdings. Additionally, lands were conveyed to the City for environmental protection and road extension (Nannyberry Street) purposes. The approved development is currently under construction on the subject lands (refer to Map 5).

The applicant is now seeking to increase the permitted height of one approved apartment building (Building “B”) from 10 to 14 storeys on the subject lands. No other significant changes to the approved development are proposed. In this regard, 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 north side of Elgin Mills Road East, between Bayview Avenue and Leslie Street, and have a total lot area of 4.035 hectares (9.97 acres). The lands contain an existing designated heritage dwelling (David-Eyer Jr. House and Creamery), and an approved medium/high density residential development which is currently under construction.

The lands abut existing retirement residences (Hilltop Place and Brookside Court) and Elgin Mills Road East to the south and southwest, approved medium density residential uses to the west, approved low density residential uses to the north, and proposed low and medium density residential uses to the east (refer to Maps 1 and 3).

Development Proposal

The applicant is seeking Council’s approval of its proposed Official Plan and Zoning By-law Amendment applications to permit an increase in the permitted height of one

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approved apartment building (Building “B”) from 10 to 14 storeys on the subject lands (refer to Maps 6 to 10). The subject applications, if approved, would revise a previously approved medium/high density development comprised of two 10 storey buildings, stacked townhouses and back-to-back townhouses and the restoration of an existing heritage dwelling, totaling 601 dwelling units. The revised development proposal would permit an additional 52 apartment dwelling units within Building “B” generally located in the northwest quadrant of the lands. The additional dwelling units are proposed as part of a requested increase in the allowable building height for Building “B” from 10 to 14 storeys (refer to Map 6 to 10). It should be noted that no additional residential units are proposed within Building “A” or the stacked townhouse and back-to-back townhouse components of the development and that no additional parking is proposed in order to accommodate the additional apartment dwellings.

An existing heritage dwelling and creamery, located on the southerly portion of the lands, are proposed to be retained with a two storey rear addition. The south end of the site also includes a bio-retention pond, pedestrian connections and maintenance access to Elgin Mills Road East. The following is a summary table outlining the relevant statistics of the applicant’s development proposal based on the current plans and drawings submitted to the City:

• Total Lot Area:	4.035 hectares (9.97 acres)
○ Development Lands:	3.829 hectares (9.46 acres)
○ Heritage House Lands:	0.158 hectares (0.39 acres)
○ Pedestrian/Maintenance Access:	0.048 hectares (0.12 acres)
• Gross Floor Area:	64,923.3 square metres (698,828.6 square feet)
• Total Number of Units:	653
○ Apartment Dwelling Units:	336
○ Townhouses:	316
○ Existing Heritage Home:	1
• Building Height:	
○ Building “B”:	14 Storeys
○ Building “A”:	10 Storeys
○ Stacked Townhouses:	4 storeys
○ Back to Back Townhouses:	3 storeys
• Proposed Density:	1.69 Floor Area Ratio (FAR)
• Amenity Space:	2,027 square metres (21,818.5 square feet)
○ Indoor Amenity Space:	656 square metres (7,061.1 square feet)
○ Outdoor Amenity Space:	1,371 square metres (14,757.3 square feet)
Loading Spaces:	1
Parking Spaces:	900
○ Residents:	737
○ Visitor (Surface):	64
○ Visitor (Underground):	99
○ Barrier Free:	14
○ Bicycle Parking Spaces:	659

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Supporting Documentation/Reports

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

- Planning Justification Addendum;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Site Plan;
- Elevation Plans, Floor Plans and Cross Section Plans for Building “B”;
- Underground Parking Plans;
- Exterior Cladding Materials Schedule for Building “B”;
- Functional Servicing Report and Stormwater Management Addendum Letter;
- Angular Plane Study;
- Sun Shadow Analysis;
- Waste Management Plan;
- Amenity Area Plan;
- Transportation Impact Study; and,
- Sustainability Metrics.

Official Plan Amendment Application

The subject lands are designated **Medium/High Density Residential** and **Natural Heritage System** in the North Leslie Secondary Plan (the “Secondary Plan”) (refer to Map 4). The applicant has submitted an Official Plan Amendment application that proposes to increase the permitted building height of Building “B” from 10 to 14 storeys in order to facilitate its development proposal. Additional information concerning the Official Plan policies governing the subject lands are set out later in this report.

Zoning By-law Amendment Application

The subject lands are zoned **Multiple Residential Ten (RM10) Zone** and **Environmental Protection Two (EPA2) Zone** under By-law 55-15, as amended (refer to Map 2). The **RM10 Zone** permits a variety of townhouse dwelling types and apartment dwellings, in addition to retail, office and personal service uses within a building containing residential uses. The **EPA2 Zone** permits agriculture, conservation, forestry and stormwater management facilities. A site-specific exception within a portion of the **EPA2 Zone** also permits a single detached dwelling and a home occupation to recognize the retention and use of an existing heritage dwelling.

The applicant is proposing amendments to the **Multiple Residential Ten (RM10) Zone** standards to facilitate its revised development proposal. Outlined below is a comparison of the proposed development standards relative to those of the current zone category, with the requested and required site specific exceptions in bold:

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Development Standard	Existing RM10 Zone Standards	Proposed Development
Minimum Lot Frontage	30.0 metres (98.42 feet)	Complies
Minimum Front Yard Setback	7.0 metres (22.96 feet)	Complies
Minimum Side Yard Setback	9.5 metres (31.16 feet)	Complies
Minimum Side Yard Setback	5.0 metres (16.40 feet)	Complies
Minimum Side Yard Setback	9.0 metres (29.52 feet)	Complies
Minimum Side Yard Setback	5.0 metres (16.40 feet)	Complies
Minimum Side Yard Setback	5.0 metres (16.40 feet)	Complies
Minimum Flankage Yard Setback	5.0 metres (16.40 feet)	Complies
Minimum Rear Yard Setback	3.5 metres (11.48 feet)	Complies
Maximum Building Height (Storeys)	10 storeys	14 storeys
Maximum Density (Floor Area Ratio or FAR)	2.0	1.69 (Complies)
Minimum Parking Standards	Block Townhouses or Apartment Dwellings: 1.5 spaces per dwelling unit Visitor Parking: 0.25 parking spaces per dwelling unit	Townhouses: 1.25 spaces per dwelling unit Apartment Dwellings: 1 Bedroom: 0.9 spaces per dwelling unit 2 Bedroom: 1.1 spaces per dwelling unit 3 Bedrooms or more: 1.25 spaces per dwelling unit Visitor: 0.25 spaces per dwelling unit
Loading Space Standards	1	Complies
Bicycle Parking Spaces	1 space per dwelling unit (minimum)	Complies

Site Plan Amendment Application

The applicant has submitted a Site Plan Amendment application in support of its development proposal. No significant changes to the previously approved Site Plan are proposed, apart from the increase in building height and the number of apartment dwelling units within Building “B”. Other changes to the development proposal include a reconfiguration of parking spaces, an increase in the number of bicycle parking spaces and additional capacity for waste storage facilities. The applicant’s Site Plan Amendment application will address detailed site design matters, including the following:

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- the appropriateness of the proposed amenity areas and building setbacks;
- any traffic impacts to the planned road network and the driveway interconnections with the adjacent development to the west;
- the appropriateness of the parking supply in relation to the increase in dwelling units; and,
- architectural design in relation to the approved Architectural Design Guidelines for North Leslie West.

It is staff's understanding that the applicant intends to file draft Plan of Condominium applications to facilitate standard condominium tenure for the development. In this regard, a draft Plan of Condominium application(s) has not been submitted to the City as of the date of the writing of this report.

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* (2020) (the "Growth Plan"), 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 with the *Growth Plan* and the ROP that were in-force at the time of approval. Since the Plan's approval, the PPS and the *Growth Plan* were both updated in 2020. In this regard, both York Region and the City are currently conducting Municipal Comprehensive Reviews (MCRs) to update their Official Plans as necessary to align with more recent Provincial planning direction. 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 **Regional Greenlands System** in accordance with Map 1 (Regional Structure) of the ROP. The **Urban Area** policies permit a full range and mix of urban uses which are intended to accommodate a significant portion of planning growth within the Region. The **Regional Greenlands System** is located at the southern end of the property and serves to identify, protect and enhance Natural Heritage Features and provide an opportunity for passive recreation systems. The subject applications will not impact the lands within the **Regional Greenlands System**.

City of Richmond Hill Official Plan

The subject lands are designated **Medium/High Density Residential** and **Natural Heritage System** on Schedule "A" - Land Use Plan of the Secondary Plan (refer to Map 4). No changes are proposed to the portion of the lands designated **Natural Heritage System**. The **Medium/High Density Residential** designation permits street townhouses, stacked townhouses, back-to-back townhouses, and low-rise to mid-rise apartment buildings at a maximum building height of 10 storeys and a density range of between 1.0 and 2.0 Floor Area Ratio (F.A.R.).

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In 2017, OPA 9 was approved by Council, which permitted the change of the designation of the majority of the lands from **Institutional** and **Low Density Residential** to **Medium/High Density Residential**. A site specific policy for the lands requires a 45 degree angular plane from the lot line of adjacent lands designated **Low Density Residential** and provided relief to **Sections 9.6.2.3 (g) and (h)** of the Secondary Plan, which address transition of building heights to **Low Density Residential** and **Medium Density Residential** designations or existing development. Furthermore, OPA 9 allowed for a “Class 4 Area” designation as defined by the then Ontario Ministry of Environment and Climate Change (MOECC) to the subject property.

Based on a preliminary review of the proposed development relative to the Secondary Plan policies, the proposal does not conform with the applicable height provisions as well as a number of design policies as required by the Plan. A more detailed review and evaluation of the proposed amendments in the context of the applicable Plan policies will be completed following the receipt of comments from Council, the public, City departments and external agencies and will form part of the future recommendation report to Council.

Department and External Agency Comments:

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

Urban Design and Heritage Section

The City’s Urban Design and Heritage Section is not in support of the applicant’s development proposal as it does not adhere to the City’s standard requirements and design parameters for high-rise buildings, including a maximum floor plate of 750 square metres above the podium and a minimum separation distance of approximately 25 metres between buildings (refer to Appendix B).

Development Planning Division

In consideration of the policies of the Plan which are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the proposed development seeks approval for an increase in building height and a high-rise built form, which is not contemplated under the policies of the Secondary Plan. Furthermore, the proposed development fails to adhere to the planning and design principles such as angular plane, maximum floor plate size and minimum tower separation distances. Staff will need to assess the cumulative impacts of greater height and built form to ensure appropriate planning for existing and future development;

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- in accordance with the “**Urban Structure Framework**” policies as identified in **Section 3.1.3** of the Plan, the majority of intensification shall occur in the centres and corridors while intensification elsewhere shall be limited in accordance with the policies of the Plan. Furthermore, high density development within the City shall be primarily focused on the centres and corridors, which includes a built form transitioning to surrounding areas. Additional review and evaluation is required to determine the appropriateness of applicant’s development proposal, particularly with respect to the increased building height, design and compatibility with the surrounding planned context of the Secondary Plan;
- it is recognized that relief to **Sections 9.6.2.3 (g) and (h)** of the Secondary Plan were provided as part of previous Official Plan Amendment approvals. A reevaluation of these policies will be required as part of the review of the proposed Official Plan Amendment application given the approved residential developments to the north and west of the subject lands;
- an approved development to the immediate west of the subject lands includes a 4 storey stacked townhouse development. In 2019, lands to the west were redesignated from **Low Density Residential** to **Medium/High Density Residential** through a separate Official Plan Amendment (OPA 14). As the subject development proposal exceeds building heights as envisioned in the Secondary Plan, a demonstration of the 45 degree angular plane must be established from the proposed development to the immediate west and additional step backs and terracing of the proposed building may be required to provide an appropriate transition to the approved development to the west;
- the proposed development includes an additional 52 dwelling units; however while the proposed development would not result in a reduction to the overall number of approved parking spaces, the additional units would be accommodated through a reduction in the apartment dwelling parking rate applicable to the lands. Further assessment from the City’s Transportation Engineering Section is required to determine whether the reduced parking rates for the development are appropriate and supportable;
- the proposed apartment building is a slab building design which would not provide a stepback to the upper floors. Furthermore, the proposed floorplate of 996 square metres (10,720.85 square feet) greatly exceeds the maximum floorplate size of 750 square metres (8,072.93 square feet) for high-rise residential buildings established per **Section 3.4.1.59** of the Plan;
- the proposed density of the development appears be in conformity with within the maximum Floor Area Ratio (F.A.R.) of the **Medium/High Density Residential** designation applicable to the lands;
- the proposed development must be consistent with the requirements and findings of the approved North Leslie Master Environmental Servicing Plan (MESP);
- it must be noted that after notice of the Council Public Meeting was mailed that the lot area of the subject lands was increased after a clarification by the applicant. Therefore, the lot area information provided within this report accurately reflects the subject land holdings;

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- comments have yet to be received from the City's Development Engineering Division and Park and Natural Heritage Planning Section, in addition to the Toronto and Region Conservation Authority and York Region. Comments from these departments and agencies are critical in determining whether there are additional technical, transportation and parking, environmental, architectural or policy related matters with the development proposal on the subject lands; and,
- the applicant shall satisfactorily address any issues identified by City departments and external agencies that have been requested to review the subject development proposal.

Other City Department and External Agency Comments

Comments have been received from the City's Development Engineering Division, Financial Services Division, Building Services Division - Zoning Section and Community Services Department, in addition to Enbridge Gas, Rogers Cable, Alectra Utilities, the York Region District School Board, the York Catholic District School Board and Conseil Scolaire Viamonde. These City departments and external agencies have no objections to the applications and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. All of the comments have been forwarded to the applicant for consideration but have not been appended to this report.

The development proposal is still under review by the City's Park and Natural Heritage Planning Section and Fire and Emergency Services Division, in addition to the Toronto and Region Conservation Authority, the Regional Municipality of York and Torontair.

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 2020-2022. An overview of how the subject applications are aligned with the 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 recommendation of this report does 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.

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Conclusion:

The applicant is seeking Council's approval to increase the maximum permitted height of one apartment building from 10 to 14 storeys 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.

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.

- Appendix A, Extract from Council Meeting C#26-17 held on July 10, 2017
- Appendix B, Correspondence from the Urban Design and Heritage Section dated August 24, 2021
- Map 1, Aerial Photograph
- Map 2, Existing Zoning
- Map 3, North Leslie (West) Overall Concept Plan
- Map 4, North Leslie Secondary Plan – Schedule “A” Land Use
- Map 5, Approved Site Plan (Under Construction)
- Map 6, Proposed Site Plan (North)
- Map 7, Proposed Site Plan (South)
- Map 8, Proposed Building “B” Elevations – North Elevation
- Map 9, Proposed Building “B” Elevations – South Elevation
- Map 10, Proposed Building “B” Elevations – East and West Elevations

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Report Approval Details

Document Title:	SRPI.21.087 - Request for Comments -1000 Elgin Mills Road East OPA and ZBA.docx
Attachments:	<ul style="list-style-type: none">- SRPI.21.087 - Appendix A - Council Extract.doc- SRPI.21.087 - Appendix B - Correspondence from Heritage and Urban Design, dated August 24, 2021.pdf- SRPI.21.087 - Map 1 - Aerial Photograph.docx- SRPI.21.087 - Map 2 - Existing Zoning.docx- SRPI.21.087 - Map 3 - North Leslie (West) Overall Concept Plan.docx- SRPI.21.087 - Map 4 - North Leslie Secondary Plan– Schedule “A” Land Use.docx- SRPI.21.087 - Map 5 - Approved Site Plan - Under Construction.docx- SRPI.21.087 - Map 6 - Proposed Site Plan (North).docx- SRPI.21.087 - Map 7 - Proposed Site Plan (South).docx- SRPI.21.087 - Map 8 - Proposed Building B Elevations - North Elevation.docx- SRPI.21.087 - Map 9 - Proposed Building B Elevations - South Elevation.docx- SRPI.21.087 - Map 10 - Proposed Building B Elevations - East and West Elevations.docx
Final Approval Date:	Sep 3, 2021

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

Gus Galanis - Sep 1, 2021 - 3:49 PM

Kelvin Kwan - Sep 1, 2021 - 5:03 PM

MaryAnne Dempster - Sep 3, 2021 - 2:12 PM