



Staff Report for Council Public Meeting

Date of Meeting: October 20, 2021

Report Number: SRPI.21.096

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.21.096 – Request for Comments – Official Plan and Zoning By-law Amendment Applications – Mason Sanglakhi and 2101071 Ontario Inc. – City Files: D01-21006 and D02-21011**

Owner:

Mason Sanglakhi and 2101071 Ontario Inc.
10212 Yonge Street, Unit 200
Richmond Hill, ON L4C 3B6

Agent:

Evans Planning Inc.
8481 Keele Street, Unit 12
Vaughan, ON L4K 1Z7

Location:

Legal Description: Part of Lot 69, Concession 1 W.Y.S.
Municipal Addresses: 13564 and 13580 Yonge Street

Purpose:

A request for comments concerning proposed Official Plan and Zoning By-law Amendment applications to permit an eight storey residential apartment building on the subject lands.

Recommendation:

- a) **That Staff Report SRPI.21.096 with respect to Official Plan and Zoning By-law Amendment Applications submitted by Mason Sanglakhi and 2101071 Ontario Inc. for lands known as Part of Lot 69, Concession 1 W.Y.S. (Municipal Addresses: 13564 and 13580 Yonge Street), City Files D01-21006**

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and D02-21011, 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:

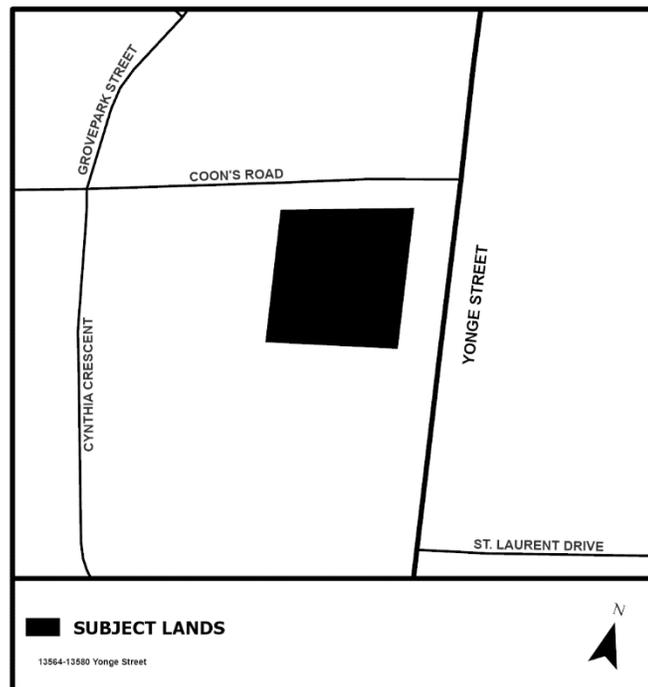
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

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 May 2015, the applicants submitted Zoning By-law Amendment and Site Plan Applications (City Files D02-15014 and D06-15039) to the City to permit a commercial development comprised of two freestanding buildings with a combined total gross floor area of 2,495.19 square metres (26,858 square feet) on the subject lands. The applications were heard at the September 9, 2015 Council Public Meeting at which a number of concerns were raised including increased traffic in the area, child safety, pollution, loitering and noise resulting from the proposed commercial development. Furthermore, a desire to maintain the lands for residential purposes was also expressed. On the basis of the preceding, the applicants decided not to pursue their original development proposal.

On June 28, 2021, the applicants submitted the subject Official Plan and Zoning By-law Amendment applications which were deemed complete on July 13, 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 comprised of two contiguous properties located at the southwest corner of Yonge Street and Coons Road having a total combined lot area of 0.549 hectares (1.36 acres) (refer to Map 1). The lands presently support a single detached dwelling that is to be demolished to facilitate the proposed development. Abutting uses include an established low-density residential neighbourhood to the north and west, vacant lands subject to a mixed use development proposal to the south (City Files D01-18006, D02-18032 and D03-18017) and Yonge Street to the east (refer to Map 2). The lands are located along the Yonge Street Rapid Transit Corridor and within 400 metres of the Yonge Street and Bloomington Road transit stop.

Development Proposal

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit an eight storey residential apartment building consisting of 214 units on its land holdings (refer to Maps 5 to 10). Access to the development is proposed from both Coons Road and Yonge Street and parking is to be provided within three levels of underground parking with some visitor parking spaces located at grade.

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:

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- **Lot Area:** 0.549 hectares (1.36 acres)
- **Gross Floor Area:** 16,581.90 square metres (178,488 square feet)
- **Number of Buildings** 1
- **Building Height:** 8 storeys or 26.23 metres (86.06 feet)
- **Total Dwelling Units:** 214 dwelling units
- **Density:** 390 units per ha (157.4 units per acre)/3.05 FSI
- **Total Parking:** 341
 - **Residential:** 288 spaces
 - **Visitor:** 48 underground spaces, 5 surface spaces
- **Bicycle Parking:** 232 spaces
- **Amenity Space:** 1,158.47 square metres (12,470 square feet)
 - **Indoor:** 230.37 square metres (3,488 square feet)
 - **Outdoor:** 838.10 square metres (9,021 square feet)

It should be noted that at the time of the preparation of this report, a related Site Plan application had not yet been submitted to the City in conjunction with the subject Official Plan and Zoning By-law Amendment applications.

Supporting Documentation/Reports

- Planning Justification Statement;
- Concept Plan;
- Site Plan;
- Adjacent Property Plan;
- Elevation Plans;
- Floor Plans;
- Underground Parking Plans;
- Mechanical Floor Plans;
- Phase One Environmental Site Assessment;
- Tree Inventory and Preservation Report and Plan;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Functional Servicing Report;
- Traffic Impact Study/Parking Study;
- Noise Report;
- Hydrogeological Report;
- Geotechnical Investigation;
- Natural Heritage Evaluation;
- Oak Ridges Moraine Conformity Statement;
- Urban Design Brief;
- Streetscape Renderings;
- 45 Degree Angular Plane Analysis;
- Pedestrian Level Wind Study;
- Landscape Plans;

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- Tree Inventory and Preservation Report and Plan;
- Sun and Shadow Study; and
- Sustainability Metrics.

Official Plan and Zoning By-law Amendment Applications

The applicant's Official Plan Amendment application seeks to amend the density and height provisions of the **Neighbourhood** designation policies of the City's Official Plan in order to facilitate the proposed development in order to permit the following:

- an increase in the maximum permitted density from 50 units per hectare (20 units per acre) to 390 units per hectare (157.4 units per acre); and,
- an increase to the maximum permitted building height from four storeys to eight storeys.

Further, the applicant is also seeking approval of a related Zoning By-law Amendment application to rezone the lands from **General Commercial Two (GC2) Zone** under Zoning By-law 366-86, as amended, to **Multiple Residential One (RM1)** under By-law 313-96, as amended, in order to permit a residential apartment building with site specific development standards (refer to Map 3). Below is a summary table that outlines the proposed site specific development standards:

Development Standard	Proposed Development
Minimum Lot Frontage (Coons Road)	73 metres (239.5 feet)
Minimum Setbacks	
Front Yard (Coons Road)	4.0 metres (13.12 feet)
Side Yard	13.0 metres (42.65 feet)
Exterior Side Yard	3.0 metres (9.84 feet)
Rear Yard	9.5 metres (31.16 feet)
Maximum Building Height	8 storeys or 26.23 metres (86.06 feet)
Maximum Gross Floor Area	42,000 square metres (452,084 square feet)
Maximum Floor Space Index	3.5
Maximum Lot Coverage	50%
Parking	
• Residential	288
Visitor	53

The appropriateness of the proposed zoning provisions, as well as the need for the establishment of 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. Should Council approve the applicant's

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development proposal, a full review of an associated Site Plan Application will be required prior to finalization of the subject Zoning By-law Amendment,.

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").

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** 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. In this regard, the **Urban Area** policies would permit a mid-rise residential development as proposed by the subject applications.

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.

It should be noted that the subject lands are not located within proximity of a Major Transit Station Area (MTSA).

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use (refer to Map 3) of the City of Richmond Hill Official Plan (the Plan). The **Neighbourhood** designation permits low density residential uses including single detached dwellings and provides opportunities for small-scale infill development, including medium density residential uses such as low-rise townhouses and walk up apartments. Further, the **Neighbourhood** designation allows development up to a maximum of three storeys, except on an arterial street where the maximum building

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height can be four storeys. In accordance with **Section 4.9.2** of the Plan, development is to be compatible with the character of the adjacent and surrounding areas with respect to the predominant building forms and types, massing, general patterns of streets, blocks and lots, landscaped areas and treatments, and the general pattern of yard setbacks.

Based on a preliminary review of the proposed development relative to the **Neighbourhood** designation policies of the Plan, the proposal does not conform with the applicable height and density policies of the Plan.

The subject lands are also situated within the **Settlement Area** of the Oak Ridges Moraine, as defined in accordance with the *Oak Ridges Moraine Conservation Plan* (“ORMCP”). In accordance with **Section 3.2.1.1 (18)** of the Plan, all uses, including the creation of new lots which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area** and permitted uses shall be subject to the requirements of Section 19(3) and 31(4) of the ORMCP.

In accordance with Schedule A1 – Urban Structure and Schedule A4 – Key Natural Heritage Features (KNHF) and Key Hydrological Features of the Plan (KHF), the subject lands are adjacent to a **Greenway System** which includes a Significant Woodland feature to the east. **Policy 3.2.1.1 (27)** of the Plan requires applications for development or site alteration on lands within the minimum area of influence but outside the KNHF to submit a Natural Heritage Evaluation. In this regard, the applicant has submitted a Natural Heritage Evaluation which is currently being reviewed by City staff and the Toronto and Region Conservation Authority.

The lands are located within an Area of High Aquifer Vulnerability in accordance with Schedule A5 – ORM Areas of High Aquifer Vulnerability and Wellhead Protection Areas of the Plan. Lands located within an Area of High Aquifer Vulnerability are susceptible to contamination from both human and natural impacts on water quality. **Section 3.2.1.1 (37)** of the Plan identifies specific uses prohibited within an Area of High Aquifer Vulnerability such as storage of hazardous waste or liquid industrial waste and waste disposal sites.

The lands are also located within a **Category 1 Oak Ridges Moraine Landform Conservation Area** in accordance with Schedule A6 – Landform Conservation Areas of the Plan. A Landform Conservation Area serves an important role in the ecological functions of the Oak Ridges Moraine. **Section 3.2.1.1 (35)** of the Plan identifies that disturbance within a Landform Conservation Area should be kept to a minimum for development within the **Settlement Area** and must demonstrate conformity with the provisions of the ORMCP.

A more detailed review of the subject applications and the supporting studies and documents will be undertaken to ensure the proposed development is in keeping with the policies of the ORMCP and the Plan.

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Zoning

The subject lands are zoned **General Commercial Two (GC2) Zone** under Zoning By-law 366-86, as amended, (refer to Map 4), which generally permits a range of business and professional offices as well as retail/commercial uses but does not permit residential uses as proposed. Accordingly, the applicant is seeking Council's approval to rezone the subject lands to a site specific **Multiple Residential One (RM1) Zone category** under By-law 313-96, as amended, to permit the proposed multi-unit residential apartment building.

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 has completed a preliminary review of the applicants development proposal, including plans and materials submitted in support of the proposed development. In consideration of the policies of the Plan that are relevant to the evaluation of the proposed development, staff provides the following preliminary comments:

- the applicants must demonstrate conformity with the applicable provisions of the ORMCP. Specifically, the applicant must demonstrate conformity with the Category 1 Landform Conservation policies of the Plan through the submission of a Landform Conservation Assessment;
- the proposed eight storey residential apartment building is considered a mid-rise building which is not contemplated as a built form in the **Neighbourhood** designation wherein walkup apartments up to four storeys (subject to specific criteria) are permitted. Further, the proposal is inconsistent with the maximum building height of four storeys for properties fronting onto an arterial street and greatly exceeds the maximum permitted site density of 50 units per hectare (20 units per acre) as outlined in the Plan;
- **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 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;

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- staff has concerns with the compatibility of the proposed development relative to the existing built form and character of the surrounding area; in particular with respect to the proximity and height of the proposed residential building relative to the existing single detached dwellings in the established neighbourhood to the north and west.
- the applicant should consider exploring pedestrian and vehicular connectivity with the proposed mixed use residential/commercial development to the south (Files D01-18006 and D02-18032);
- the applicant must satisfactorily address comments and requirements identified by City departments and external agencies that have been requested to review the development proposal;
- future Site Plan and Draft Plan of Condominium applications will be required to facilitate the proposed development. Staff recommends submission of a Site Plan Application prior to a recommendation being brought forward and the finalization of the Zoning By-law amendment; 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.

Other City Department and External Agency Comments

As of the writing of this report, the subject applications remain under review by all circulated City Departments and External Agencies.

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 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

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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 an eight storey mid-rise residential apartment building on the subject lands. 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.

- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Official Plan Designation
- Map 4 Existing Zoning
- Map 5 Proposed Concept Site Plan
- Map 6 Rendering
- Map 7 North Elevation
- Map 8 South Elevation
- Map 9 East Elevation
- Map 10 West Elevation

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Report Approval Details

Document Title:	SRPI.21.096 OPA-ZBA 13564 and 13580 Yonge Street.docx
Attachments:	<ul style="list-style-type: none">- Map 1 - Aerial Photogrphah.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Official Plan Designation.docx- Map 4 - Existing Zoning.docx- Map 5 - Concept Site Plan.docx- Map 6 - Rendering.docx- Map 7 - North Elevation.docx- Map 8 - South elevation.docx- Map 9 - East Elevation.docx- Map 10 - West Elevation.docx
Final Approval Date:	Sep 29, 2021

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

Gus Galanis - Sep 29, 2021 - 10:44 AM

Kelvin Kwan - Sep 29, 2021 - 11:00 AM

MaryAnne Dempster - Sep 29, 2021 - 4:22 PM