



Staff Report for Council Meeting

Date of Meeting: March 9, 2022

Report Number: SRPI.22.019

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.22.019 – Request for Direction – Official Plan Amendment Zoning By-law Amendment and Draft Plan of Subdivision Applications – Yonge MCD Inc. – City Files D01-16002, D02-16012 and D03-16003 – Related City File: D06-20023**

Owner:

Yonge MCD Inc.
81 Zenway Boulevard, Unit 24
Vaughan, ON L4H 0S5

Agent:

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

Location:

Legal Description: Part of Lots 1, 2 and 23, Registered Plan 1642, Part of Lots 1, 2 and 3, Registered Plan 3600 and Lot 4 and Part of Lot 1, Registered Plan 3766
Municipal Addresses: 0, 47 and 59 Brookside Road, 12 and 24 Naughton Drive and 0, 11014, 11034, 11044 and 11076 Yonge Street

Purpose:

The purpose of this report is to request direction from Council regarding a request by the applicant to include additional lands as part of the Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision approvals applicable to the applicant's larger land holdings and to address other minor changes resulting from this request.

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Recommendations:

- a) That Staff Report SRPI.22.019 be received for information purposes;
- b) That the Ontario Land Tribunal (OLT) be advised as follows:
 - i) That Council supports the proposed revisions to the approved Official Plan Amendment, Zoning By-law Amendment and draft approved Plan of Subdivision as provided in Appendices “B” and “C” and as illustrated on Map 6 of Staff Report SRPI.22.019; and,
- c) That appropriate City staff be directed to appear at the Ontario Land Tribunal as necessary in support of Council’s position concerning the proposed revisions.

Contact Person:

Jeff Healey, Senior Planner - Subdivisions, phone number 905-771-6452 and/or
Deborah Giannetta, Manager of Development-Site Plans, phone number 905-771-5542

Report Approval:

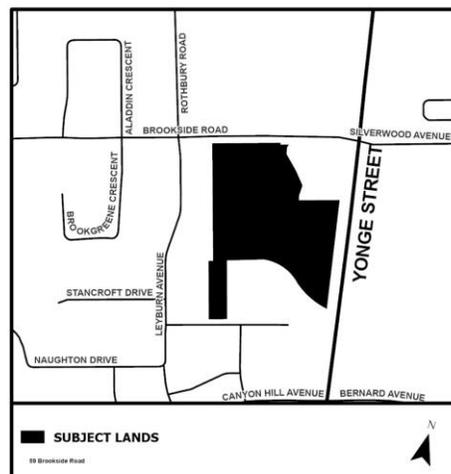
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, Interim 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:

On July 9, 2019, Council considered Staff Report SRPRS.19.133 for direction with respect to a settlement of the appeals related to Official Plan Amendment, Zoning By-Law Amendment and draft Plan of Subdivision Applications applicable to the applicant's larger land holdings that sought approvals for a residential development to be comprised of a six storey apartment building (seniors adult lifestyle building), 156 stacked townhouse dwelling units, 28 semi-detached dwelling units and 2 single detached dwelling units (Phase 1 lands) (refer to Appendix "A"). The remaining portion of the applicant's lands (Phase 2), which included future development Block 19 (high density uses) and Block 20 (medium density uses) remained under appeal as part of the appeals of the Yonge and Bernard Key Development Area (KDA) Secondary Plan.

Council approved the proposed settlement and directed staff to advise the OLT of same. On April 17, 2020, the OLT approved the development for the Phase 1 lands in principle, subject to the finalization of the related planning instruments and a number of conditions which were outlined as part of its Order. The implementing Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications for the Phase 1 lands were approved by the OLT on September 30, 2020. However, the Phase 2 lands remained subject to the OLT appeals associated with the Yonge and Bernard Key Development Area (KDA).

On February 26, 2021, the OLT issued partial approval of the Yonge and Bernard KDA Secondary Plan which established the northern boundary of the KDA along the east-west local street known as Street "A" in the subject draft approved Plan of Subdivision (refer to Maps 6 and 7). As a result, Block 20 of the applicant's land holdings was determined to be outside of the KDA limits. The owner has been working actively with City staff regarding its existing Site Plan Application for the Phase 1 lands (City File D06-20023) and has requested that Block 20 be incorporated as part of the Phase 1 lands and approvals.

In order to facilitate this request, the applicant is seeking Council's approval to revise the Official Plan Amendment, Zoning By-Law Amendment and draft approved Plan of Subdivision approvals for the Phase 1 lands to include the Block 20 lands. The applicant has proposed that these revisions be undertaken administratively by the OLT as the lands always formed part of the applicant's larger land holdings but were not included as part of the OLT's decision on the Phase 1 lands. As such, the purpose of this report is to seek Council's direction on the proposed revisions to the approved Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications.

Summary Analysis:

Site Location and Adjacent Uses

The applicant's larger land holdings have a total lot area of 4.6 hectares (11.5 acres), which are divided into two distinct development phases. Phase 1 of the development

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consists of the lands located west of Yonge Street and south of Brookside Road having a total lot area of approximately 3.95 hectares (9.76 acres) (refer to Map 1). Phase 2 of the development comprises of lands located generally in the southeast quadrant of the site and south of Street “A” having a total lot area of approximately 0.82 hectares (2.02 acres). This phase includes the Block 20 lands which have a lot area of approximately 0.17 hectares (0.42 acres) (refer to Map 1). The subject lands are currently vacant and abut Brookside Road to the north, existing commercial uses to the east, existing residential uses and Naughton Drive to the south and existing residential uses to the west. A tributary of the Rouge River runs through the eastern portion of the lands.

Proposed Revisions

As noted previously, Block 20 was proposed to form a future development block within the Phase 2 component of the applicant’s larger land holdings. The applicant is seeking Council’s approval to incorporate Block 20 into the subject lands and extend the permissions already granted through the previous approvals for the applicant’s larger land holdings. The applicant is proposing the construction of a second six storey apartment building (rental) intended to contain 60 dwelling units and a ground floor day nursery on the Block 20 lands. Vehicular access to Block 20 is proposed from a private lane through the subject lands and two levels of underground parking are proposed that will be shared between Block 20, the six storey building (adult lifestyle) on Block 17 and the stacked townhomes (refer to Map 8). The following is a summary table outlining the relevant statistics of the proposed revision to the subject lands (refer to Map 6):

	OLT Approved Development	Proposed Revisions
• Total Lot Area (Phase 1 and 2)	4.6 hectares (11.5 acres)	4.6 hectares (11.5 acres)
○ Phase 1 Area	2.6 hectares (6.4 acres)	3.95 hectares (9.76 acres)
○ Future Development Block –Phase 1 (Block 20)	0.17 hectares (0.42 acres)	0.13 hectares (0.32 acres)
○ Park Blocks	0.35 hectares (0.89 acres)	0.36 hectares (0.89 acres)
○ Open Space Blocks	0.93 hectares (2.3 acres)	0.92 hectares (2.27 acres)
• Total Gross Floor Area:	34,500 square metres (371,354.91 square feet)	35,525 square metres (382,387.91 square feet)
○ Residential GFA:	34,500 square metres (371,354.91 square feet)	35,175 square metres (387,620.54 square feet)
○ Commercial GFA:	Nil	350 square metres (3,821.2 square feet)
• Density:	101.4 Units Per Hectare (41.1 Units Per Acre)	103 Units Per Hectare (41.59 Units Per Acre)
• Phase 1 Total Number of Dwelling Units	294	298
○ Single Detached Dwelling Units	2	0
○ Semi-Detached Dwelling Units	28	38 ⁽¹⁾
○ Stacked Townhouse Dwelling Units	156	102

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○ Residential Apartment Dwelling Units	108	158
• Building Height		
○ Block 17 Apt, Building	6 storeys (23.2 metres)	6 storeys (23.2 metres)
○ Block 20 Apt. Building	N/A	6 storeys (20.9 metres)
○ Stacked Townhouse	4 Storeys of 12.5 metres	4 Storeys of 12.8 metres
• Total Parking:	470	413
○ Residential:	Not Specified	359
○ Visitor and Commercial:	Not Specified	39
○ Car Share:	Not Specified	15
○ Barrier Free	Not Specified	8
• Loading Spaces	1	2
• Bicycle Spaces	Not Specified	165

(1) The number of semi-detached dwelling units is based upon an approximate number of semi-detached units proposed within Future Development Block (Block 18). Approximately 10 semi-detached dwelling units are conceptualized within Block 18 while 28 semi-detached dwelling units are proposed within Lots 1 to 14 fronting Street “B”.

Further to the above, the key proposed revisions are summarized as follows:

- the addition of a second six storey apartment building (rental) to front onto Street ‘A’ with 350 square metres (3,767.4 square feet) of commercial floor area to accommodate a day nursery use on the ground floor;
- an increase in the total gross floor area from 21,855 square metres (235,245.3 square feet) to 26,625 square metres (286,589.1 square feet) for the subject lands;
- the removal of two single detached lots fronting onto Naughton Drive and incorporating these lots into Future Development Block 18 to facilitate semi-detached dwelling units;
- an increase in the overall site density from 100 UPH to 105 UPH;
- a decrease in the total parking provided on the subject lands, from 470 spaces to 413 spaces.

It should be noted that an associated Site Plan application (City File D06-20023) to facilitate the development of Block 17 (stacked townhouses and the six storey adult lifestyle building) was submitted in May 2020 (refer to Map 7) and remains under review by the City. A revised Site Plan application to include the six storey rental building on the Block 20 lands has not been submitted to date by the applicant.

Planning Analysis:

Planning staff has undertaken a comprehensive review of the applicant’s proposed revisions and are in support of same, for the following principle reasons:

- staff’s position on the policy framework remains unchanged from that outlined in Staff Report SRPRS.19.133 with respect to conformity with the *PPS*, the *Region of York Official Plan* and the City’s Official Plan;

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- Block 20 is identified as **Medium-Density Residential Overlay Area** similar to the adjacent Block 17 as per Schedule 1 in the South Brookside Tertiary Plan (refer to Map 4). The general intent of the **Medium-Density Residential Overlay Area** is to allow for a greater mix of built form by permitting low rise townhouse and apartment forms along the eastern edge of the Tertiary Plan to provide a transition in built form between established low-rise neighborhoods to the west and the **Yonge and Bernard KDA** to the southeast. Block 17 forms part of the applicant's Phase 1 lands and was approved to permit a six storey building through the OLT. As such, the proposed six storey building on Block 20 is consistent in building height and overall massing with the proposed six storey adult lifestyle building to be constructed on the Block 17 lands and therefore continues to provide an appropriate transition between the established residential neighbourhood to the west and the **Yonge and Bernard KDA** to the southeast;
- the proposed revision to the Official Plan Amendment to increase the density to 105 units per hectare represents a minor increase to the overall site density of the subject lands as a result of the additional six storey building proposed for Block 20. No other changes to the approved Official Plan Amendment are required; and,
- the Natural Heritage System lands to the east of Block 20 have been previously identified, protected and zoned through the Phase 1 Zoning By-law Amendment and draft Plan of Subdivision applications. The administrative zoning change reinforces the intent for the disposition of these lands to be protected.

On the basis of the preceding, it is recommended that the revisions to the approved Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications as proposed by the applicant be supported as they represent proper and orderly planning.

Proposed Revisions to Planning Instruments

As noted previously, the applicant is proposing to facilitate the proposed revisions administratively through the OLT. Outlined in this section are the proposed revisions to the to the applicant's approved Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications.

Official Plan Amendment

In order to facilitate the proposed revision to include Block 20 within the subject lands, the approved Official Plan Amendment (refer to Appendix "B") needs to be revised to reflect an increase in the maximum density of the site from 100 units per hectare to 105 units per hectare. No other changes to facilitate the proposed revision is required.

Zoning By-Law Amendment

In terms of Zoning, Block 20 is currently zoned **Residential Single Family Six (R6) Zone** under By-law 190-87, as amended (refer to Map 2). In order to facilitate the proposed revision to include the Block 20 lands, the applicant is proposing to extend the zone category of the adjacent Block 17 lands being **Multiple Residential Two (RM2)**

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Zone under By-law 190-87, as amended, to Block 20. Site specific revisions are required to the previously approved **RM2 Zone** under By-law 110-20 to incorporate the Block 20 lands and the associated six storey apartment building such as site specific rear yard, interior side yard, flankage yard, parking standards and provisions for a proposed mezzanine (refer to Appendix “C”). It should be noted that a Day Nursery is listed as a permitted use under the **RM2 Zone**, therefore additional use permissions for this use are not required. Outlined below is a comparison of the proposed revisions to the development standards relative to the standards approved by the OLT for the subject lands, under By-law 110-20, with the revisions requested in bold:

Development Standard (Townhouse Dwellings)	RM2 Zone Standard, By-law 190-87, as amended by By-law 110-20	Proposed RM2 Zone Standards
Minimum Lot Frontage	30.0 metres (98.43 feet)	Complies
Minimum Lot Area	5000 square metres (53,819.55 square feet)	Complies
Maximum Lot Coverage	60%	Complies
Minimum Front Yard Setback	3.0 metres (9.84 feet)	Complies
Minimum Interior Side Yard Setback—Apartment Dwellings	1.5 metres (4.92 feet)	Nil
Minimum Flankage Yard Setback –Apartment Dwelling	7.5 metres (24.60 feet)	2.5 metres (8.2 feet)
Minimum Rear Yard Setback	4.5 metres (14.76 feet)	1.5 metres (4.92 feet)
Maximum Building Height	6 storeys	Complies
Maximum Number of Apartment Dwellings	1	2
Minimum Parking Spaces	1.5 spaces per dwelling unit, 20% of which shall be visitor parking Day Nursery: 1 parking space plus one parking space per 10 children	Stacked Townhouse: 1.0 space/unit Rental Apartment: 1 bedroom: 0.85 spaces/unit 2 bedroom: 1.0 space/unit 3 bedroom: 1.2 spaces/unit Condominium (Adult Lifestyle Building): 1 bedroom: 1.0 space/unit 2 bedroom: 1.2 spaces/unit 3 bedroom: 1.5 spaces/unit Visitor (stacked townhouse, rental and condominium apartments): 0.15 spaces per dwelling unit Day Nursery: the greater of 1 space per 6 children or 0.8 spaces per employee

In addition to the above, the applicant is seeking approval for a number of minor revisions to their existing approvals. Firstly, the proposed single detached lots fronting onto Naughton Drive at the southwest corner of the subject lands are to be removed and incorporated into Future Development Block 18. As these lots are currently zoned

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Residential Single Family Four (R4) Zone under By-law 190-87, as amended by By-law 110-20, these lands are proposed to be zoned **Residential Semi-Detached or Duplex Two (RD2) Zone** to be consistent with the zoning on the adjacent Block 18. No site specific provisions are proposed for this zone change and staff have no concern with the proposed minor revision in this regard.

Secondly, the parking rates for the proposed apartment buildings and the stacked townhouse dwellings are proposed to be reduced from the 1.5 spaces per unit and 20% visitor parking rate as per By-law 190-87, as amended. These rates are not consistent with the 2010 Draft Parking Strategy as the by-law predated the Strategy. The proposed reduced residential and non-residential parking standards as outlined in the by-law attached hereto as Appendix “C” are consistent with the parking rates provided for Rapid Transit Corridors under the 2010 Draft Richmond Hill Parking Strategy. Transportation Engineering staff have reviewed the proposed parking rates for the proposed residential and Day Nursey uses and find the rates are appropriate.

Lastly, an administrative update is proposed for the **Open Space (OS) Zone** category, which applies to the natural heritage system blocks on the subject lands. Staff are proposing to revise its classification to **Open Space (O) Zone** on the basis that the **Open Space (OS) Zone** category is not a zone category existent within By-law 190-87 and therefore no zoning provisions are attached to this zone category. The proposed **Open Space (O) Zone** category was added to By-law 190-87 through By-law 272-99 and contains the appropriate provisions that were intended to apply to these lands, namely with respect to conservation and forestry uses. This change has been brought forward for administrative purposes only and will have no impact on the permitted uses of the **Open Space Zone**.

Draft Plan of Subdivision

The proposed revisions to the approved draft Plan of Subdivision includes three changes to the original draft approval issued by the OLT (refer to Map 6). These changes are considered minor and will not impact the overall built form of the subject lands. These are as follows:

- the western boundary of Block 20 has been shifted approximately 14.8 metres to the east, immediately east of the private road access to Street “A” to reflect the separate ownership and operation of the proposed 6 storey rental building will be separately owned and operated from the apartment building contemplated on Block 17 (Adult Lifestyle building) and the stacked townhouses. The lot line adjustment is required to ensure compliance with setback requirements relative to the stacked townhouse units located immediately west of Block 20;
- the removal of the two single detached lots fronting onto Naughton Drive and the incorporation of these lands into Future Development Block 18 that is contemplated for semi-detached dwelling units. Zoning for the lands will be consistent with the **RD2 Zone** applicable to Block 18; and,
- the right-of-way width of Street “A” has been reduced from 21.5 metres to 18 metres along with refinements to the intersection of Street “A” at Yonge Street. The proposed

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right-of-way reduction and refinements will allow for adequate turning lanes at the Yonge Street intersection; facilitate a future multi-use path connection to the Open Space lands; and, is in accordance with City standards.

Financial/Staffing/Other Implications:

The recommendation of this report does not have any financial, staffing or other implications. It is noted that staff and/or the City's legal counsel may be required to attend OLT proceedings in support of Council's position on the proposed revisions.

Relationship to Council's Strategic Priorities 2020-2022:

The recommendations of this report are aligned with **Balancing Growth and Green** in recognizing the balance between economic development and environmental protection.

Climate Change Considerations:

The proposed revisions reinforce the previous development approval that is intended to connect the subject lands to a future City trail system, thereby contributing to climate change mitigation by encouraging zero-emission modes of transportation. Furthermore, the proposed development will incorporate LED or photocell light fixtures on all exterior lights and proposes to incorporate a cool roof design on the apartment buildings, which will help conserve energy within the development and reduce the urban heat island effect.

Conclusion:

Staff are seeking Council's direction with respect to proposed revisions to the approved Official Plan Amendment, Zoning by-law Amendment and draft approved Plan of Subdivision applications applicable to the subject lands as issued by the OLT in order to incorporate remnant lands that are intended to permit a six storey rental apartment building with a ground floor daycare. Staff have reviewed the proposed revisions and consider them appropriate as they represent good planning and are consistent with the applicable policies of the City's Official Plan, the Tertiary Plan and the OLT approvals issued for the applicant's larger land holding.

In consideration of the preceding, staff recommends that Council support the applicant's proposed revisions to the approved Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision and to advise the OLT accordingly. Staff also recommends that Council direct staff to appear at any future OLT proceedings in support of Council's position.

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Attachments:

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 Public Meeting C#30-19 held on July 9, 2019
- Appendix B, Revised Official Plan Amendment
- Appendix C, Revised Zoning By-law Amendment
- Map 1 Aerial Photograph
- Map 2 Existing Zoning
- Map 3 Official Plan Designation
- Map 4 Schedule 1- South Brookside Tertiary Plan
- Map 5 Plan of Subdivision
- Map 6 Revised Plan of Subdivision (2022)
- Map 7 Site Plan (2020)
- Map 8 Revised Site Plan (2021)

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Report Approval Details

Document Title:	SRPI.22.019 - Request for Direction - ZBA - 59 Brookside Road.docx
Attachments:	<ul style="list-style-type: none">- SRPI.22.019 - Appendix A - Council Extracts.doc- SRPI.22.019 - Appendix B - Revised Official Plan Amendment.docx- SRPI.21.019 - Appendix C - Revised Zoning By-law.doc- SRPI.22.019 - Map 1 - Aerial Photograph.docx- SRPI.22.019 - Map 2 - Existing Zoning.docx- SRPI.22.019 - Map 3 - Official Plan Designation.docx- SRPI.22.019 - Map 4 - South Brookside Tertiary Plan.docx- SRPI.22.019 - Map 5 - Draft Plan of Subdivision.docx- SRPI.22.019 - Map 6 - Revised Draft Plan of Subdivision (2022).docx- SRPI.22.019 - Map 7 - Original Site Plan (2020).docx- SRPI.22.019 - Map 8 - Revised Site Plan (2021).docx
Final Approval Date:	Feb 15, 2022

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

Gus Galanis - Feb 14, 2022 - 3:51 PM

Kelvin Kwan - Feb 15, 2022 - 12:56 PM

Darlene Joslin - Feb 15, 2022 - 5:25 PM