

February 24, 2022

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Development Planning Division
Planning and Infrastructure Department
City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4

Dear Kaitlyn Graham,

**Re: Proposed Official Plan Amendment
Taheri Developments Inc.
9218 Yonge Street
City File Nos.: D01-21010 and D02-21020
York Region File Nos.: LOPA.21.R.0077 and ZBA.21.R.0146**

This is in response to your circulation and request for comments for the above-captioned Official Plan Amendment (OPA) application and Zoning By-law Amendment application.

The 0.738 ha (1.824 ac) subject site is municipally known as 9218 Yonge Street, located at the southwest corner of Yonge Street and Carrville Road. According to the applicant's Planning Justification Report, prepared by MPlan Inc., dated October 2021, the proposed development consists of 796 apartment units in two towers, 36 and 42 storeys in height, 8,986.8 sq.ft, of ground floor retail, and 697 parking spaces in a four level underground garage. The total net density is 8.35 FSI.

Regional staff do not have any comments on the site-specific rezoning application. The by-law amendment will permit the proposed development and prescribe site-specific development standards.

Ontario Municipal Board Approved OPA

In March 2017, the Ontario Municipal Board (now known as Ontario Land Tribunal) approved Official Plan Amendment and Zoning By-law Amendment applications on the subject lands. The Board's approval of the OPA was for:

- a) A maximum total gross floor area of 39,900 m²
- b) Maximum height to be determined by the application of the 45 degree angular plane from the nearest low density neighbourhood limits

- c) A requirement that the most southerly 8m of the property shall be maintained free of buildings and structures at, above and below grade.

The proposed development consisted of 500 apartment units in two towers, 24 and 29 storeys, 27,000 sq.ft. retail, at a density of 5.4 FSI.

Purpose and Effect of the Proposed Amendment

According to the applicant's Planning Justification Report, the subject lands are located along the Yonge Street Regional Corridor and designated "Key Development Area" by the Richmond Hill Official Plan. The Official Plan Amendment application proposes to:

- a) increase in the maximum permitted gross floor area of all buildings from 39,900 m² to 61,653.1 m²
- b) determine the maximum height of the two residential buildings by the application of a 45 degree angular plane measured from the western extent of the new north-south public right-of-way
- c) permit the maximum building floorplate above the podium to be 750 m²

York Region Official Plan

Under the York Region Official Plan 2010, the subject lands are designated "Urban Area", located along the Yonge Street Regional Corridor. The mixed-use nature of the proposed OPA generally conforms with the Region's 2010 Official Plan. The proposed development is in an urban form and design that is compact, oriented to the street, pedestrian- and cyclist-friendly, and transit supportive (Policy 5.4.5); and, will contribute to the Regional Corridor function as an urban mainstreet (Policy 5.4.28).

The evaluation of the proposed Amendment should have regard to Policy 5.4.30, which states:

"That the boundaries of the Regional Corridors be designated by the local municipality, based on:

- a) reasonable and direct walking distances between the Regional Corridor street frontage and adjacent lands;
- b) contiguous parcels that are desirable and appropriate locations for intensification and mixed-use development; and,
- c) compatibility with and transition to adjacent and/or adjoining lands."

In addition to being on the Yonge Street Regional Corridor, the subject lands within the Yonge Carrville/16th Avenue Key Development Area. Regional Official Plan policy 5.4.32 requires local municipalities to prepare Secondary Plans for Key Development Areas. This ensures comprehensive planning is in place to support the appropriate level of intensification.

The approval of site-specific Official Plan Amendments may be appropriate in advance of a comprehensive Secondary Plan, but Regional Staff are concerned about cumulative impacts of site-specific intensification proposals being approved in advance of a completed Secondary Plan, especially given the remaining redevelopment potential for this area. Due to recent examples of

significant density increases, the full build-out potential of this KDA is currently unknown. To assist in city building efforts, the full build-out population and job numbers are required to ensure adequate services are available, such as parks, community services, schools, roads, as well as water and wastewater capacity.

In order to appropriately plan for intensification in KDA's, the Regional Official Plan requires Secondary Plans to also establish and implement a fine grid local street network (policy 5.4.6.b) and to plan to achieve a minimum of 35% of new housing to be affordable (as defined in the ROP) (policy 5.4.6.e).

The final building height, density and number of units will be determined by the City of Richmond Hill. Local Planning staff typically determines built form compatibility with adjacent structures and land uses. Regional planning staff are of the opinion that local planning staff are best able to determine the appropriate context sensitive building heights and densities.

Regional staff encourages the proposed development to have an integrated and innovative approach to water management, be water efficient, and minimize stormwater volumes and contaminant loads and maximize infiltration through an integrated treatment approach (Policy 5.2.11).

We would also recommend the development be designed to achieve energy efficiency levels that exceed the Ontario Building Code (Policy 5.2.20); to achieve 10% greater water efficiency than the Ontario Building Code (Policy 5.2.22); be designed to maximize solar gains, be constructed in a manner that facilitates future solar installations (i.e. solar ready) (Policy 5.2.26); and, incorporate green building standards, such as LEED®, ENERGY STAR®, or other emerging technologies (Policy 7.5.12).

Another important consideration for intensification developments in Regional Corridors is the provision of Transportation Demand Management measures to reduce single occupancy automobile trips (Policy 7.1.1) and to provide all new home buyers with information on available pedestrian, cycling and transit facilities and carpooling options within the community (Policy 7.1.8). The details of such considerations should be dealt with through the site plan approvals process.

To promote sustainable new residential developments beyond Ontario Building Code requirements, the Region offers development incentive programs that benefit local municipalities and development proponents/applicants. More specifically, the Sustainable Development Through LEED® (Leadership in Energy and Environmental Design) program provides water and wastewater servicing capacity assignment credits (up to 30 per cent) for new residential high-rise buildings four storeys or higher. The applicant is encouraged to participate in this program and more information is available at www.york.ca/waterincentives.

Residential development requires servicing capacity allocation prior to final approval. If the City does not grant this development allocation from the existing capacity assignments to date, the proposal may require additional Regional infrastructure based on conditions of future capacity assignments.

Affordable rental housing is a priority for York Region. On October 17, 2019 Regional Council approved a new interest free Development Charge Deferral for Affordable, Purpose-Built Rental Buildings policy to support development of rental housing affordable to mid-range income households. Further details of the program can be found in the [staff report](#) and associated policy.

Draft 2021 York Region Official Plan

Upper tier Official Plans are required by the Provincial Growth Plan to identify Major Transit Station Areas (“MTSA”) and prescribe minimum population and job densities. The subject lands are within MTSA #40 – the 16th-Carrville BRT Station MTSA, which has a planned minimum density of 300 persons and jobs per hectare.

The proposed development has a net site area of 0.738 ha and is proposing 796 apartment units. Using the 2016 Census persons per unit ratio for apartment units in Richmond Hill of 1.88, the population density on this property is 2,028 persons per net hectare.

While a population density of 2,028 persons per hectare appears to far exceed the planned minimum density of 300 persons per hectare, the determination of the appropriate level of intensification, along a Regional Corridor and within a MTSA, is best determined by the local municipality relative to a site’s local context and area’s planned function. Draft Regional Official Plan Policy 4.2.2.9 sets out requirements for MTSA’s, including identifying the planned function and minimum and maximum heights and densities for each MTSA.

Technical Comments

Below is a summary of technical comments received from Regional Departments.

Transportation

Transportation Planning, Development Engineering, and YRRTC have reviewed the proposed the local Official Planning Amendment related to land use to increase the density, approved at the OMB in 2017, from a density of 5.4 FSI to 8.35 FSI. Based on various discussions with City staff, it is our understanding that there are a number of proposed development applications located within this area that will have increased densities through individual local Official Plan Amendment applications, similar to the subject site. It should be noted that there has not been an adopted/approved Secondary Plan and Transportation Master Plan for the area to demonstrate whether the cumulative impacts of the proposed densities can be appropriately mitigated. A comprehensive study is required to identify infrastructure improvements needed to accommodate the full buildout potential of this KDA.

It is our understanding that in the previous draft Secondary Plan Area Study process, an east-west connection was identified and required to support the future developments located south-west quadrant and along the south side of Carrville Road, west of Yonge Street. A draft transportation study was also conducted to support a fine grid network and proposed density in the Yonge/16th Area to build a complete community on the south side of Carrville Road. This potential east-west connection will provide travel options for all residents who live south of Carrville Road, west of Yonge Street, to travel east-west and connect to both Yonge Street and Carrville Road. This connection is very important to service the proposed developments in the event of an emergency. A secondary road provides alternative access in the event access from Yonge Street or Carrville Road is compromised due to an accident or closure due to emergency road works (i.e. watermain breaks). In addition, this east-west connection will provide accessibility for servicing and emergency vehicles, school buses, mobility plus vehicles and active transportation such as walking and cycling.

It is our understanding that the proposed conceptual site plan for the subject site eliminates the potential east-west connection, which was identified and envisioned in the Draft Yonge and Carrville Secondary Plan to provide a fine grid road network to support the proposed communities. It is our opinion that the Owner's Transportation Study shall provide sufficient technical justifications and recommended mitigation measures to address the impacts of the elimination of the east-west connection to the Regional intersections and corridors. Our concerns are related to the potential queuing on both Carrville Road eastbound and Yonge Street southbound that may block the proposed development accesses, as well as potential weaving due to U-turn activities and lack of connections. Blocking of site accesses will impact emergency response time, school bus and servicing vehicle operations. Access blockage and lack of inter-connections will result in aggressive driver behaviours that will have negative impacts on pedestrian and cyclist safety on Carrville Road and Yonge Street when they are crossing these accesses. In addition, elimination of the east-west connection will result in disconnected communities, impacting adjacent proposed developments and properties beyond the subject site.

Therefore, with the absence of an area wide transportation study and the proposed elimination of an east-west connection to support a fine grid road network, the Region continues to have concerns with this proposed Official Plan Amendment at this time for the reasons noted above. The individual transportation study does not provide a clear picture of the overall impacts of the cumulative development proposals, especially with significant increase in densities in this area without a fine grid network or mitigation measures to address the lack of travel options and disconnected communities as indicated above.

Based on the concerns noted above, the following comments shall be addressed prior to the approval of the Official Plan Amendment:

1. The applicant shall provide an updated Transportation Study that is consistent with the scope and study area for the Yonge and Carrville Secondary Plan Area.
 - a. The applicant and consultant shall provide a response matrix which provides page references to demonstrate how each comment has been addressed.
 - b. The Transportation Study shall provide justification as to how a 40 per cent non-auto modal split can be achieved in this Secondary Plan Area and what measures and incentives will be required. It should be noted that the Regional Official Plan (2010) target is 30% for corridor as this is not a growth centre.
 - c. The Transportation Consultant is advised that according to the 2022 10-year Roads and Transit Capital Construction Program that Carrville Road improvements are not scheduled to occur before the horizon year 2031. As such, the Transportation analysis for the 2031 shall be updated accordingly to assume a 4-lane cross section on Carrville Road. The Study shall be updated accordingly.
 - d. The 2031 traffic analysis shall be updated to include AM peak hour.
 - e. The existing conditions for Yonge Street / Spruce Avenue shall be updated to be analyzed as right-in/right-out. It should be noted that the rapidway does not allow for left-turn movements. This shall be noted in the updated report.
 - f. Due to the proposed density of the proposed Local Official Plan Amendment and the lack of fine grid road network in the area, the Transportation Study shall be updated to include the review of the Yonge Street and Northern Heights Drive intersection to show how the u-turn volumes will impact the queueing and weaving in the area due to the lack of fine grid road network options.
 - g. The Transportation Study shall discuss the operational constraints for residents entering and exiting the site, specifically addressing the study findings that the eastbound queues, at the intersection of Yonge Street and Carrville Road, consistently block the proposed driveway to Carrville Road.
 - h. The Study shall evaluate the appropriateness of this access, given that the increased densities will put further demand on the access which is consistently blocked by queues on Carrville Road, and the impact to pedestrians along Carrville Road.
 - i. The Study shall review and discuss the benefits of the implementation of a fine grid road network to both the operations on Carrville Road and the ability for the

fine grid road network to provide alternative routing options to residents, as well as service vehicles such as garbage and emergency vehicles.

2. The proposed site plan shall review opportunities with the City of Richmond Hill Staff to protect and provide for a vehicular interconnection to the west. This is consistent with the east-west road that is identified in the Draft Yonge and Carrville Secondary Plan and is consistent with Regional Official Plan Policy, 7.2.53, for the Region to support the City in the create of a fine grid road network to maximize the efficiency of the Regional Road network.
3. The proposed site plan shall be updated to demonstrate that the applicant will modify the existing eastbound right-turn lane to extend the parallel storage component past the proposed driveway to Carrville Road. This will demonstrate that the proposed driveway access is located within the parallel portion of the right-turn lane.

Development Engineering and YRRTC

1. No comments at this time.

York Region Realty

The following comments are provided for subsequent development applications (site plan):

1. At a minimum, a road widening conveyance should be required to satisfy the Region's roads and transit capital construction program and any other Regional capital projects that require fee simple rights along the property frontage.
2. By approving the application, there should be no injurious affection as a result of any Regional work in the road allowance.
3. If the applicant will be constructing its works during Regional works in the road allowance, then the applicant should be responsible for or cooperate with the Region in tying in the road and applicant's works so that they are seamless.
4. There should be a minimum separation distance of any structure, including but not limited to, buildings and signs, within the swing buffer area of any contemplated hydro (power) utility poles along the right-of-way line.
5. If possible, require the applicant to allow temporary working areas along its property frontage to construct the Region's current and future works in the road allowance.
6. The drainage plan should prevent sheet flow on to the Region's future sidewalk and flooding, especially in areas where the Region's future sidewalk will be higher than the proposed elevations on the drainage plan.
7. Tie-backs should not interfere with any current or future Regional works in the road allowance. If a temporary encroachment permit/agreement is required to construct the applicant's works, then approval is required from the Regional business unit responsible for constructing works in the road allowance.

Water and Wastewater Servicing

Infrastructure Asset Management (IAM) has reviewed the subject development proposal in conjunction with the Functional Servicing Report, Prepared by Valdor Engineering, dated August 2021 and provide the following comments.

Water and Wastewater Servicing

The FSR indicates that water and wastewater servicing will be provided by local municipal infrastructure on Yonge Street and Carrville Road. Sewage from this development will flow to the Regional North Don Collector. The downstream capacity analysis indicates that there is sufficient capacity in the system to service this development. However, the "third" future scenario indicates that the "Carrville Road local sewer will operate at between 41% and 113% capacity with one length of sewer surcharging". The Carrville sewer connects to the Regional North Don Collector. Should future analysis determine that upgrades will be required at the connection point to the Regional Sewer, the owner will submit an engineering submission detailing the upgrades for Regional Approval.

Servicing Allocation

The residential development proposed within the subject development area will require water and wastewater servicing allocation from the City of Richmond Hill. If the City of Richmond Hill does not grant this development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modification – 2023 expected completion
- Other projects as may be identified in future studies, or other appropriate servicing agreements

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

Proximity to Regional Infrastructure

The Owner is advised that the proposed development is in close proximity to the 1067mm diameter watermain on Yonge Street. Integrity of the above Regional infrastructure shall be protected and maintained at all times during construction and grading of the proposed development. Please be advised that any construction works in close proximity of the watermain, including tie-back and shoring systems require Region's approval prior to construction.

Further requirements related to construction works in close proximity of Regional infrastructure will be provided when the Region has the opportunity to review the proposed works as part of associated subsequent development applications.

Water Resources

Water Resources does not have any objections/concerns subject to the following comments with the Local Official Plan Amendment application as it relates to Source Protection policy. Should

the proposal change and/or the application be amended, Water Resources will require recirculation for comment and/or approval.

Recharge Management Area

While Section 3.3 of the WSP Hydrogeological Investigation (September 20, 2021) states that the site is not within any Source Protection Areas including WHPA-Q, the property is partially within the WHPA-Q (Recharge Management Area). As such the CTC Source Protection Plan water quantity recharge maintenance policy will apply. The proponent will be required to maintain recharge as demonstrated through a hydrogeological study that shows the existing (i.e. pre proposed development) water balance can be maintained in the future (i.e. post proposed development). The CTC Source Protection Plan Water Balance Requirements document and TRSPA Water Balance Tool (<https://trca.ca/conservation/drinking-water-source-protection/trspa-water-balance-tool/>) should be consulted. The contact person for the scoping and review of the water balance for Source Protection Plan conformity is Don Ford at TRCA. The approving body for compliance with the policy will be the local municipality.

Geotechnical and Hydrogeological Support

For your reference the Oak Ridges Moraine (YPDT-CAMC) Groundwater Management Tool: <https://oakridgeswater.ca/> can be accessed for geological data in support of geotechnical and hydrogeological analysis.

Construction Best Management Practices

As the site is within a wellhead protection area, Water Resources does encourage the use of best management practices during construction and post construction with respect to the handling and storage of chemicals (such as used oil, degreasers and salt) on site. It is strongly recommended that Risk Management Measures are put in place with respect to chemical use and storage including spill kits, secondary containment, a spill response plan and training.

Area of Concern for Groundwater

Water Resources would like to note the site is in an identified area of concern due to known high water table conditions and confined artesian aquifer conditions, which could have geotechnical implications with respect to construction activities including, but not limited to, dewatering (short-term or long-term), foundation construction, and building stability. Should there be a need for a permanent dewatering system and/or temporary dewatering for construction purposes, any geotechnical or hydrogeological reports must take into account that the groundwater levels in this area may currently be artificially depressed at the site due to third party dewatering systems in the area. Because new development should not rely on the influence of nearby third party dewatering systems in its geotechnical/hydrogeological studies, the assessment for the subject site must account for third party dewatering systems in the surrounding area. It is recommended that the Owner arrange for a pre-consultation meeting with the applicable regulatory agencies, including the Ministry of Environment, Conservation and Parks (MECP) to assist in this process.

Water Resources has reviewed the WSP Hydrogeological Investigation (September 20, 2021). Please note that seasonal representation of groundwater levels was not obtained and wet season sampling (March), when levels are anticipated to be higher, was not completed as noted in the report. Water Resources recommends wet season water levels should be used in the dewatering assessment and the Factor of Safety increased to 3. Contingency for dewatering estimates within the AOC should be built in. Water Resources recommends considering adding one to two metres to the static water levels used in the calculations as a contingency. The report was well done.

Please note the following conditions will apply to any future site plan application for this site.

Dewatering Plan (DWP) comments for Future Site Plan Approval

Due to the above-noted concerns, Water Resources staff would like to request that:

1. Prior to the execution of the future site plan agreement, the owner shall arrange, to the satisfaction of the Water Resources group of York Region, for the proper assessment, design, and supervision of temporary construction dewatering on the subject property. The assessment, design and construction of the construction dewatering system(s) shall be based on conservative estimates of groundwater levels given that current groundwater levels may be influenced by third-party groundwater control systems in the area.
2. Prior to the execution of the future site plan agreement, the owner shall arrange, to the satisfaction of the Water Resources group of York Region, for the proper assessment, design, and supervision of permanent groundwater control (including dewatering and/or drainage) on the subject property, if it is required. The assessment, design and construction of the permanent groundwater control system(s) shall be based on conservative estimates of groundwater levels given that current groundwater levels may be influenced by third-party groundwater control systems in the area.
3. Prior to the execution of the future site plan agreement, the Owner shall provide confirmation to the Water Resources group of York Region that they have received, where necessary, from Ontario Ministry of the Environment, Conservation and Parks (MECP), Permits To Take Water for the groundwater withdrawals associated with the temporary and permanent dewatering systems on the subject property as well as any discharge permitted associated with the subject property.
4. Prior to the execution of the future site plan agreement, the Owner shall undertake a Hydrogeologic Assessment for the design of the temporary and permanent groundwater control systems on the subject lands, to the satisfaction of the Water Resources group of York Region, to determine the adequacy of the existing proposed systems under conditions where third party groundwater control systems are not in place. The design

of the groundwater control systems shall be based on true static groundwater levels and shall not rely on third-party groundwater control. The hydrogeologic assessment shall include an assessment of the local and regional hydrogeology of the area, including all relevant aquifer units.

5. Prior to the execution of the future site plan agreement, the Owner shall assess the geotechnical recommendations for the subject site, in conjunction with the results of the Hydrogeologic Assessment in Condition 4.
6. Prior to future site plan approval, the Owner shall submit detailed Engineering drawings for the building and permanent groundwater control system(s) to the Water Resources group of York Region for review and approval.

Summary

The proposed OPA application has the effect of increasing maximum permitted heights and densities to permit 796 apartment units in two towers, 36 and 42 storeys in height, 8,986.8 sq.ft, of ground floor retail, 697 parking spaces in four levels of underground parking, at a total net density is 8.35 FSI. The subject property is located along the Yonge Street Regional Corridor and within the Yonge and Carrville/16th Key Development Area.

Regional planning staff are of the opinion that local planning staff are best able to determine the appropriate building heights and densities. However, since this KDA has the potential to add significant population growth, a comprehensive analysis to determine the full buildout potential is required to ensure there is adequate local and Regional infrastructure to accommodate this growth.

Please contact Augustine Ko, Senior Planner, at 1-877-464-9675, ext. 71524 or at augustine.ko@york.ca should you have any questions or require further assistance.

Sincerely,

Originally Signed

Karen Whitney, M.C.I.P., R.P.P
Director of Community Planning and Development Services