



Staff Report for Council Meeting

Date of Meeting: June 8, 2022

Report Number: SRPI.22.072

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.22.072 – Request for Approval – Official Plan and Zoning By-law Amendment Applications – 607919 Ontario Limited – City Files D01-20012 and D02-20024 (Related City File D06-22014)**

Owner:

607919 Ontario Limited
2 Hunters Point Drive, Unit 5
Richmond Hill, Ontario
L4C 9Y4

Applicant:

2572939 Ontario Limited
4800 Dufferin Street
Toronto, Ontario
M3H 5S9

Location:

Legal Description: Part of Lot 38, Concession 1, W.Y.S.
Municipal Address: 8905 Bathurst Street

Purpose:

A request for approval concerning Official Plan and Zoning By-law Amendment applications to permit a high-density residential development on the subject lands.

Recommendations:

- a) **That the Official Plan and Zoning By-law Amendment applications submitted by 607919 Ontario Limited for lands known as Part of Lot 38, Concession 1, W.Y.S. (Municipal Address: 8905 Bathurst Street), City Files D01-20012 and D02-20024, be approved, subject to the following:**

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- (i) that the City's Official Plan be amended to include site specific policies as outlined in Staff Report SRPI.22.072;
 - (ii) that Official Plan Amendment 33 attached hereto as Appendix "B" be adopted at the June 8, 2022 Council meeting, and subsequently forwarded to York Region for approval;
 - (iii) that the subject lands be rezoned from Agricultural (A) Zone under By-law 2523, as amended, to Multiple Residential Ten (RM10) Zone under By-law 2523, as amended, with site specific development standards to facilitate the development proposal as outlined in Staff Report SRPI.22.072;
 - (iv) that the Zoning By-law Amendment attached hereto as Appendix "C" be enacted at the June 8, 2022 Council meeting;
- b) that Council approve the Section 37 Community Benefits package as outlined in Staff Report SRPI.22.072;
 - c) that in accordance with the provisions of Subsection 45(1.4) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, that the owner of the subject lands is hereby permitted to submit a Minor Variance application to the Committee of Adjustment in order to seek relief from the provisions of the Zoning By-law Amendment, if required, prior to the second anniversary of the day on which the subject Zoning By-law Amendment is approved; and,
 - d) That all comments concerning the applicant's related Site Plan Application (City File D06-22014) be referred back to staff.

Contact Person:

Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

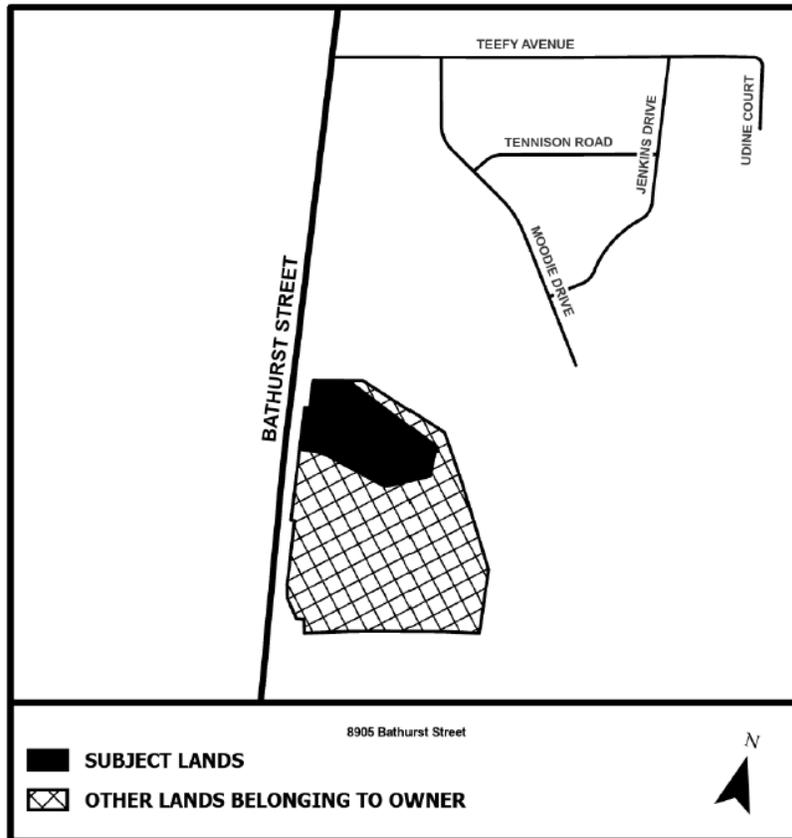
Approved by: Darlene Joslin, Interim City Manager

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:

A statutory Council Public Meeting was held on April 7, 2021 related to the subject Official Plan and Zoning by-law Amendment applications wherein Council received Staff Report SRPI.21.036 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). The Council Public Meeting was preceded by a Residents Meeting hosted by the local Ward Councillor on March 30, 2021 and was attended by approximately 40 residents. A number of comments and concerns were raised regarding the proposal at the meetings, related to height and density, massing, traffic and parking, noise and light pollution, servicing capacity, environmental concerns, and the need for comprehensive planning, which are discussed in detail in later sections of this report.

The applicant has satisfactorily addressed the comments and technical requirements related to the subject Official Plan and Zoning by-law Amendment applications and all remaining technical matters will be required to be addressed as part of the related Site Plan approval process. Accordingly, the purpose of this report is to seek Council's approval of the applicant's Official Plan and Zoning By-law Amendment applications as well as to seek comments from Council respecting the related Site Plan application.

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Summary Analysis:

Site Location and Adjacent Uses

The subject lands form part of a larger land holdings located on the east side of Bathurst Street, south of Teefy Avenue and have a total area of approximately 4.73 hectares (11.69 acres) (refer to Map 1). Surrounding land uses include Bathurst Street to the west, medium density residential uses (townhouses) to the north, Webster Park and environmental lands to the east and north, and the Nicolas Cober House that is listed on the City's Inventory of Cultural Heritage Resources to the south (refer to Map 2). The lands support the existing Richmond Hill Country Club and related amenities which are proposed to remain.

The lands that are subject to these applications are to be severed from the larger land holding, which will establish a new parcel of approximately 1.08 hectares, excluding lands to be dedicated to the City. To permit the continued function of the existing country club that is proposed to remain, a separate Site Plan application (City File D06-21004) has been submitted to the City in order to facilitate the construction of a proposed parking structure to serve the existing country club as well as various modifications to the layout of the site as a result of the proposed development.

Development Proposal

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit the construction of a high-density residential development comprised of 20 and 15-storey apartment buildings connected by a second storey amenity area podium (refer to Maps 6 to 10). The following is a summary outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the City:

- **Total Lot Area:** 12,193.61 sq. metres (131,250.93 sq. feet)
- **Development Area:** 10,773.05 sq. metres (115,960.15 sq. feet)
- **Area of Lands to be Conveyed:** 1,420.56 sq. metres (15,290.78 sq. feet)
- **Total Dwelling Units:** 394
 - **Building A:** 165
 - **Building B:** 229
- **Building Heights:**
 - **Building A:** 15 storeys
 - **Building B:** 20 storeys
- **Gross Floor Area (GFA)** 37,657 sq. metres (405,336.57 sq. feet)
- **Total Amenity Space:**
 - **Indoor:** 610 sq. metres (6,565.99 sq. feet)
 - **Outdoor:** 792 sq. metres (8,525.02 sq. feet)
- **Floor Space Index (FSI):** 3.5
- **Total Parking Spaces:** 581

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Vehicular access for the proposed development is to be provided via the existing signalized entrance to the country club from Bathurst Street at the north end of the lands. The proposed internal driveway is to connect to drop-off and loading areas to serve the proposed residential development, as well as Webster Park and the existing country club that is to remain on the southern portion of the land holdings. A secondary vehicular access to Bathurst Street from the country club lands is proposed in association with a separate Site Plan application (City File D06-21004). Parking is to be provided at-grade and within a three level underground parking structure.

In response to the comments and concerns regarding the proposed development, including those provided by City departments, the applicant has made the following modifications to the development proposal:

- the reduction of the height of the proposed tower to be located adjacent to Bathurst Street (“Building A”) from 20 storeys to 15 storeys in order to conform with the angular view plane policies of the City’s Official Plan and provide transition to abutting residential uses;
- an increase in height of the proposed east tower (“Building B”) from 16 storeys to 20 storeys, to establish a greater height differentiation between the towers; and,
- modifications to the massing of the proposed buildings as well as incorporating architectural articulation to the building designs to mitigate shadow impacts on adjacent properties and the Bathurst Street streetscape.

At the time of writing of this report, the applicant has submitted an associated Site Plan application, City File D06-22014. A comprehensive technical review of the development proposal will be undertaken as part of the Site Plan approval process. Future applications for Consent (severance) and draft Plan of Condominium will also be required to facilitate the development proposal as contemplated.

Planning Analysis:

City staff has undertaken a comprehensive review and evaluation of the applicant’s development proposal based on the policy framework as outlined within the *Provincial Policy Statement* (“PPS”) (2020), the *Growth Plan for the Greater Golden Horseshoe* (“Growth Plan”) (2020), the York Region Official Plan (“ROP”) (2010) and the City’s Official Plan (“Plan”). Staff notes that the City’s in-force Plan is consistent with the PPS and conforms to 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 have been updated. At the time of writing of this report, both York Region (“Region”) and the City are undertaking a mandatory Municipal Comprehensive Review (MCR) and Official Plan update. A more detailed outline of the applicant’s proposal relative to the relevant policies of the ROP and the Plan is provided in the sections below.

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York Region Official Plan

The subject lands are presently shown within the **Parkway Belt West Plan** area in accordance with Map 1 (Regional Structure) of the ROP. As set out in **Policy 8.4.10** of the ROP, the boundaries and policies of the PBWP as amended take precedence over the designation shown on Map 1 of the ROP. However, where the PBWP is amended to remove lands, the Regional land use designation of the abutting lands outside of the PBWP will apply without amendment to the ROP. In this regard, the subject lands are designated **Urban Area** in accordance with the ROP, which is intended to support a wide range of land uses and built forms, including high density residential uses as proposed by the subject applications; therefore the proposed development is considered to conform with the ROP.

On November 25, 2021, a draft ROP was endorsed by Regional Council, wherein the subject lands are located within the boundaries of the “Bathurst-Highway 7 BRT Station” Major Transit Station Area (MTSA) in accordance with Appendix 2 of the draft ROP. A density target of 160 people and jobs per hectare is contemplated within the ROP for this MTSA. As set out within **Chapter 4.0** of the draft ROP, MTSA's represent a key component of the Region's intensification and growth management strategy and are intended to support higher density, mixed-use and transit-oriented development.

The Region has not advised of any objections to the proposed development and have advised that the appropriateness of the increased height and density and the consideration of compatibility are to be determined by the local municipality. Notwithstanding, the proposed Official Plan Amendment will require Regional approval following adoption by the City.

City of Richmond Hill Official Plan

In accordance with Schedule A1 (Urban Structure), the applicant's land holdings are located within the **Parkway Belt West Plan Area** with a **Greenway System** underlay and are designated **Parkway Belt West** in accordance with Schedule A2 (Land Use) of the Plan (refer to Maps 3 and 4). Pursuant to Ontario Regulation 467/20, the Minister's Zoning Order was removed along with the PBWP designation for the subject lands in August, 2020. In this regard, the applicant's Official Plan and Zoning By-law Amendment applications affect only the lands that have been removed from the PBWP, excluding the portion of the owner's total land holdings that contain the country club.

As set out in **Policy 4.10.8.2** of the Plan, where lands are removed by the Province from the PBWP, it is the intent of the Plan that such lands containing *key natural heritage features* (“KNHFs”) or *key hydrological features* (“KHF”) and their functions or that provide connections between or within the City's Greenway System and the Regional Greenlands System shall remain within the Greenway System in either a **Natural Core** or **Natural Linkage** land use designation. Staff is satisfied that the proposed development will not result in any negative impacts to the KNHFs, KHF and hazard lands that remain subject to the PBWP. As set out in **Section 4.10.8** of the Plan,

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permitted uses for lands that are to remain within the Parkway Belt West designation shall continue to be governed by the PBWP.

For lands that have been removed from the PBWP, **Policy 4.10.8.3** of the Plan sets out four criteria that must be met, to the satisfaction of the City, as part of an Official Plan Amendment application for development. These criteria are as follows:

- *“Adequate demand and need exists for the proposed land uses in relation to the land use permissions outlined in this Plan;*
- *The proposed development is compatible with the surrounding area;*
- *key natural heritage features or key hydrological features and their functions have been protected and enhanced; and,*
- *The proposed development enhances the ecological integrity of the Regional Greenlands System and the City’s Greenway System.”*

Notwithstanding the above, the Plan does not provide direction for intensification within this area of the City nor does it establish specific land-use policies with respect to the subject lands. However, as outlined in the Key Directions Report for the Richmond Hill Official Plan Update (the “Report”) endorsed by Council on February 9, 2022, the Bathurst and Highway 7 area of the City has been identified as an emerging **Local Centre** that is envisioned to support transit-oriented development comprising a mix of uses in consideration of the existing and planned transit infrastructure in proximity to this area. The Report provides several key directions for this area of the City, including but not limited to the provision of a gateway feature and to support a mix of uses that enable residents to live, work and play, and to preserve the majority of the area in a natural state.

As part of the implementation of the Report, the City has prepared a draft Official Plan Amendment (“OPA”) 18.3 to update the vision for the Plan as part of the City’s Plan Update. Among other matters, draft OPA 18.3 seeks to update the city structure and clarifies the intensification hierarchy of the City. In this regard, the addition of a **Bathurst and Highway 7 Local Centre** designation is contemplated within the draft OPA 18.3, wherein **Local Centres** are recognized within the City’s urban structure framework as areas for intensification and a mix of uses. The applicant’s development proposal is in keeping with the general policy direction for this area of the City at both the local and Regional level.

The applicant has submitted an Environmental Impact Study (EIS) in support of its proposed development, which identifies a number of KHF, KHF, natural hazards and their associated minimum vegetation protection zones (“MVPZs”)/buffers on and in proximity to the applicant’s land holdings. For lands located south of the Oak Ridges Moraine, **Section 3.2.1.2** of the Plan provides that a minimum vegetation protection zone of 30 metres shall be provided and enhanced from the outer limits of all KNHFs, except for significant woodlands and significant habitat of endangered and threatened species, which are governed in accordance with **Policies 3.2.1.2.25** and **3.2.1.2.15**,

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respectively. Furthermore, **Policy 3.2.1.2.9** sets out that development or site alteration shall not be permitted within the minimum vegetation protection zone of KNHFs and KHF's unless it has been demonstrated through a Natural Heritage Evaluation that the development or site alteration will not result in a negative impact on the feature or its functions to the satisfaction of the City.

The proposed development contemplates encroachments into the MVPZs applicable to identified KNHFs on and adjacent to the land holdings. Notwithstanding the foregoing, the EIS submitted in support of the proposal concludes that the proposed incursion into the recommended MVPZs will not result in negative impacts to the respective KNHFs and will not result in any loss to existing vegetation. It should be noted that the subject lands, including portions of the MVPZs, have been largely disturbed and comprise paved areas associated with the existing Richmond Hill Country Club operations and parking areas.

The Toronto and Region Conservation Authority ("TRCA") and the City's Park and Natural Heritage Planning Section have reviewed the development proposal, including the aforementioned supporting studies, and have identified no objections with respect to the proposed development limits as identified above. Accordingly, staff is satisfied that the proposed development will not result in negative impacts to the **Greenway System** and that the associated KNHFs and KHF's and their functions have been appropriately protected and enhanced. Pursuant to **Policy 3.2.1.8** of the Plan, the dedication of KNHFs and KHF's and their associated MVPZs will be required to be dedicated to a public agency at no expense. The lands to be conveyed, including paved portions of the MVPZs, will be required to be restored and enhanced to the satisfaction of the City and the TRCA and will remain within the City's **Greenway System**.

Section 3.2.2.3 of the Plan stipulates that a minimum buffer of 10 metres shall be provided and enhanced from the outer limits of *hazardous lands* and *hazardous sites*, as defined by the City and the Conservation Authority, or such greater distance as may be determined through the completion of various studies. The proposed development accommodates a minimum buffer of 10 metres to the Long Term Stable Top of Slope ("LTSTOS") line with the exception of a minor encroachment into the minimum buffer at the northeast corner of the site. The TRCA has advised that the encroachment is considered to be minor and acceptable from a geotechnical perspective. In this regard, the applicant's Official Plan Amendment attached as Appendix B to this report provides a site-specific exception to **Policy 3.2.2.3.7** to acknowledge this encroachment. Further it is noted that in accordance with **Policy 3.2.2.3.8** of the Plan, hazardous lands and hazardous sites will be required to be conveyed to a public agency through the development approval process which will include the portion of the site that remains subject to the PBWP, namely those lands between the subject lands and the north-east boundary of the land holding.

Section 3.4.1 of the Plan outlines policies to guide high rise built forms addressing matters including minimum separation distance of approximately 25 metres between

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towers to maintain appropriate light, view and privacy conditions; the provision of slender floorplates above the podium to adequately limit shadow and wind impacts and loss of skyview; and, a step back above the base building height in order to provide a clearly discernible street wall and to minimize shadow impacts on the public realm. The proposed development does not strictly adhere to the aforementioned policies of the Plan, particularly as they relate to the provision of a slender floor plate and step back above the base building; however, staff is satisfied that intent and principles of the Plan have been addressed through the use of unique design elements, including but not limited to a series of terraced step backs and a curvilinear building form to reduce the larger floor plates of the towers.

Section 3.4.1 of the Plan also outlines various for development abutting the **Greenway System** in order to achieve appropriate visual and physical access as well as to provide for an appropriate interface and transition between development and the City's **Greenway System**. In this regard, the proposed development contemplates a pedestrian access linkage to Webster Park, which would connect through the country club lands to the park that will be secured through a permanent public access easement linking Bathurst Street to Webster Park, through the subject lands and the country club lands.

Policy 3.1.5.3 of the Plan provides that a minimum of 25% of new housing units within the settlement area shall be affordable and should be coordinated across the City including secondary plan and tertiary plan areas. A portion of these units should also be designed to be accessible, and affordable housing units should include a mix and range of unit sizes, among other variables. The subject development proposal does not provide an affordable housing component however, it does contemplate a range of unit sizes ranging from 1-bedroom to 3-bedroom units having a maximum size of approximately 2,290 square feet. The proposed 3-bedroom units will comprise approximately 20% of the total proposed number of units which would contribute to a diversified range of housing typologies and sizes within the City.

Staff has carefully reviewed the applicant's development proposal and considers that the proposed land use and built form are appropriate and compatible with existing and planned land uses within the adjacent and surrounding area. On the basis of the preceding, staff is of the opinion that the revised development proposal has appropriate regard for and is consistent with the overarching planning principles in the Plan and that it represents good planning. Accordingly, staff recommends that Council approve the applicant's Official Plan and Zoning By-law Amendment applications.

The proposed Official Plan Amendment as submitted by the applicant originally sought Council's approval to re-designate a portion of its land holdings from **Parkway Belt West to Neighbourhood**, including site-specific exceptions to facilitate the proposed high-density residential development. However, high-density residential uses as proposed are not permitted within the **Neighbourhood** designation wherein the predominant use of land shall be low-rise residential uses. In consideration of the

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emerging policy direction for this area of the City as contemplated through the ongoing Official Plan Update process, it is anticipated that a new **Local Centre** designation will be established for the subject lands and the surrounding lands. As such, the Official Plan Amendment as outlined in Appendix B to this report, includes site specific provisions to facilitate the proposed development within the existing **Parkway Belt West** land use designation until such time as the Plan Update process has been completed and a specific land use designation has been established for the area.

Zoning By-law Amendment

The applicant is seeking approval to rezone a portion of its land holdings from “**Agricultural (A) Zone**” to a site-specific “**Multiple Residential Ten (RM10) Zone**” under By-law 2523, as amended, to permit an apartment dwelling and to establish site-specific development standards to facilitate its revised development proposal on the subject lands (refer to Map 5). As there are no general provisions associated with the **RM10 Zone** under By-law 2523, as amended, the development standards with respect to the proposed development are proposed on a site-specific basis (refer to Appendix C).

Staff have evaluated the additional uses and proposed development standards and consider them to be appropriate for the development of the lands. In this regard, the proposed development standards are considered to be sufficient to provide for appropriate setbacks and separation with respect to adjacent land uses, limit shadowing impacts and achieve skyview and establish suitable minimum standards with respect to parking and loading, among other matters.

Section 37 Community Benefits Package:

Section 37 of the *Planning Act* provides municipalities with the means to secure community benefits where a proposal exceeds the permitted height and/or density provisions of its Official Plan. Based on the review of the development proposal outlined in this report, the applicant is proposing a form of development that was not permitted for this area of the City on the basis of the **Parkway Belt West** land use designation.

A community benefits package has been negotiated with the applicant with respect to its development proposal. In this regard, the applicant has agreed to provide a cash contribution in the amount of \$2.1 million dollars towards a trail and valleyland enhancement project between Webster Park and Udine Court. This project is intended to create a 500 metre trail loop and associated valleyland enhancements for existing and new residents of the area to enjoy in an area that otherwise lacks active park amenities.

City staff has carefully reviewed the proposed community benefits package and can advise that it is appropriate in the context of the applicant’s development proposal and will directly serve the existing and planned community in which the subject lands are located. As such, it is recommended that Council approve the proposed community benefits package as agreed to by the applicant and staff.

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Council and Public Comments:

Comments from members of Council and the public were raised at the Residents' Meeting and the Council Public Meeting held on March 30, 2021 and April 7, 2021 respectively. A summary of the comments received and staff responses are outlined in the sections below.

Height, Density and Compatibility

Concerns were raised with regard to the proposed height and density and the resulting incompatibility of the proposed built form with respect to adjacent and surrounding land uses. As noted previously, the distribution of height across the subject lands has been modified relative to the applicant's original submission wherein the proposed tower adjacent to Bathurst Street has been reduced from 20 storeys to 15 storeys and the taller tower has been shifted eastward away from Bathurst Street and the existing townhouses to the north of the subject lands. As a result of the aforementioned modifications, the proposal conforms to the angular view plane policies of the Plan and achieves transition to the abutting medium density residential uses thereby minimizing the impact of the proposed development on surrounding lands.

Massing, Shadowing and Privacy

Concerns were identified regarding the proposed massing of the buildings and its resultant impact on privacy and shadowing on adjacent residential properties. To this end, the applicant has reduced the height of the tower adjacent to Bathurst Street and south of the existing townhouse dwelling units. In addition, terracing and step backs have been incorporated into the design of the buildings to reduce the massing and visual impacts of the development and to address concerns related to transition, with the tallest portions of the proposed development to be focused away from the existing residential uses. As noted previously, the proposed development conforms with the angular view plane policies of the Plan in relation to the abutting medium density residential uses. Further, the applicant has submitted Shadow Studies in support of its development proposal, which have been comprehensively reviewed and found satisfactory by City staff.

Traffic, Parking and Light Pollution

Concerns regarding the potential impacts of increased traffic and the appropriateness of parking provided were raised with respect to the proposed development. The Region and the City's Transportation Section have reviewed the proposed development, including studies submitted in support of same and have identified no objections to the proposed development as it relates to transportation-related matters. Specifically, as it relates to parking, the City's Transportation Planning staff have advised that the proposed parking ratios are consistent with the applicable standards for this area of the City as the subject lands are located within an MTSA area.

Concern regarding increased light pollution as a result of the proposed high-density development was also raised. As part of the applicant's related Site Plan application, a

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comprehensive technical review of the submitted lighting plan will be conducted by City staff in accordance with City standards.

Adequacy of Servicing Capacity

Comments were identified indicating a concern regarding the adequacy of municipal services, including but not limited to sanitary and water services and stormwater management to serve the proposed development. In this regard, the applicant submitted the requisite Functional Servicing and Stormwater Management Brief and supporting plans. The Region and the City's Development Engineering Division have reviewed the materials submitted to the City and have identified no objections or concerns as it relates to servicing considerations for the proposed development. Additionally, TRCA has also reviewed the proposal with respect to proposed stormwater outfall and stormwater management strategies and are satisfied that the remaining technical comments can be addressed as part of the related Site Plan application process.

Environment, Parkland and Landscaping

Concerns have been identified regarding the potential impacts of the proposed development on sensitive environmental features and existing parkland located in proximity to the proposed high-density residential development. As part of the requisite supporting documents for the proposed development, an Environmental Impact Study (EIS) was required to identify and evaluate environmental features and constraints on and adjacent to the subject lands pursuant to the policies of the Plan. Both the TRCA and City staff have reviewed the EIS and are satisfied that the proposed development will not impact the identified KNHFs, KHFs and natural hazards and, maintains adequate buffers to the features. Further in this regard, as a condition of approval, the conveyance of KNHFs, KHFs and their associated MVPZs as well as hazard lands and their minimum buffers into public ownership will be required in addition to an appropriate and robust restoration plan for the natural heritage system, to be completed to the satisfaction of the City and the TRCA.

With respect to the impact on parkland, the proposed development will not impact the City's Webster Park immediately abutting the subject lands. Currently, Webster Park is not served by road or public pedestrian access; however, through the proposed development, a publicly-accessible linkage will be secured between Bathurst Street, the subject lands and Webster Park through a permanent public access easement.

In terms of landscaping, the proposed development contemplates on-site landscaped and amenity areas and a requirement to provide for a minimum outdoor amenity area of 2 square metres per dwelling unit has been reflected in the applicant's Zoning By-law Amendment (refer to Appendix C). Additionally, as part of the Site Plan application, the applicant has provided detailed landscape plans, including restoration plans for the natural heritage system that will be reviewed in detail by City staff and relevant external agencies.

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Comprehensive Planning

A number of comments were identified relating to the appropriateness of the proposed development within the **Neighbourhood** designation, as contemplated by the applicant's development proposal, as well as the need to establish a long-term and comprehensive vision for the broader area and the Bathurst Street corridor. As noted previously in this report, Regional Council endorsed the draft ROP, which included the expanded boundaries of the "Bathurst - Highway 7 BRT Station" MTSA that are inclusive of the applicant's landholdings. As set out in the Region's draft ROP, MTSA's are among other intensification areas within the Region that will accommodate a mix of high-density land uses and amenities to support transit-oriented development. In this regard, each MTSA represents a unique growth potential and will accommodate varying levels of intensification on the basis of local context and conditions. For this MTSA, the Region has set a minimum density target of 160 residents and jobs per hectare in accordance with the targets established within the Growth Plan for MTSA's that are served by bus rapid transit.

Additionally, as outlined in the Key Directions Report for the Richmond Hill Official Plan Update (the "Report") endorsed by Council on February 9, 2021, the Bathurst Street and Highway 7 area has been identified as an emerging **Local Centre** that is envisioned to support transit-oriented development comprising a mix of uses to align with the existing and planned transit infrastructure in proximity to this area. The Report provides several key directions for this area of the City, including but not limited to the provision of a gateway feature and support for a mix of uses as well as to preserve the majority of the area in a natural state in order to protect KNHFs, KHFs and their functions while planning for future growth. Staff is of the opinion that it is aligned with the emerging vision and general policy direction for this area of the City as outlined by the City and the Region.

Larger Dwelling Units

A comment was provided with regard to the need to accommodate larger dwelling units within the proposed development. Based on the information submitted to the City, approximately 20% of the total number of dwelling units contemplated within the proposed development are to be 3-bedroom units.

Recommendation:

Planning staff has undertaken a comprehensive review and evaluation of the subject Official Plan and Zoning By-law Amendment applications and are in support of same, for the following principle reasons:

- the subject lands, pursuant to Ontario Regulation 467/20, the Minister's Zoning Order was removed along with the PBWP designation in August 2020;
- the high-density residential land use, as proposed, is permitted within the **Urban Area** land use designation in accordance with the in-force ROP and is located within an MTSA as endorsed by Regional Council;

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- in consideration of the directions outlined within the Key Directions Report as endorsed by City Council, the development proposal is consistent with the emerging policy direction for this area of the City;
- staff is satisfied that the criteria as set out under **Policy 4.10.8.3 of the Plan** regarding lands removed by the Province from the PBWP have been met with respect to the proposed development;
- the proposed development of the lands will not result in negative impacts to the **Greenway System** and that the associated KNHFs and KHF's and their functions have been appropriately protected and enhanced. In addition, the dedication of the environmental and hazard lands in accordance with the policies of the Plan will be acquired as part of the Site Plan application;
- the proposed development satisfies the intent and principles of **Section 3.4.1** of the Plan building design, shadowing, skyview, transition and development interface and access to the **Greenway System**;
- the proposal contemplates a range of unit sizes, in particular larger units, which contributes to a diversified range of housing typologies and sizes within the City;
- the comments received from Council and members of the public have been satisfactorily addressed; and,
- the applicant has satisfactorily addressed all City Department and external agency comments as it relates to the Official Plan and Zoning By-law Amendment applications. The remaining technical matters will be required to be addressed as part of the related Site Plan approval process to the satisfaction of the City and relevant external agencies.

On the basis of the preceding, it is recommended that the proposed Official Plan Amendment and Zoning By-law Amendment applications be approved.

Site Plan Application:

A related Site Plan application was submitted to the City on March 25, 2022. The submitted Site Plan application, consistent with the Official Plan and Zoning by-law Amendment applications, proposes two residential apartment buildings 15 and 20 storeys with heights decreasing in a step-like manner, with the tallest portions of the buildings directed along the southern boundaries of the subject lands. The applicant's Site Plan application has been circulated to relevant City departments and external agencies and is under review at the time of preparation of this report. Technical comments outlined below include detailed comments received with respect to the Site Plan application as well as preliminary site plan application comments that were identified by departments agencies as part of the review of the Official Plan and Zoning by-law Amendment applications. Due to recent submission of the Site Plan application, more detailed and comprehensive comments will be forthcoming.

It is noted that as part of the Site Plan application, the vehicular access for a portion of the subject development which will facilitate access to loading areas serving the proposed development can only be obtained through the continuation of the proposed

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internal driveway on the country club lands, which is currently under review under separate Site Plan application, City File D06-21004. As such, prior to Site Plan approval for the subject development proposal, the proposed internal driveway serving both the proposed residential development and the existing country club will need to be finalized and the appropriate rights of access will be required in order to facilitate an interconnection between the sites.

City Department and External Agency Comments

The following sections provide a summary of the comments received from circulated City departments and external agencies at the time of writing of this report that are required to be addressed as part of the detailed design review of the applicant's development proposal. Detailed comments on the Site Plan application from a number of City departments and external agencies have not yet been received due to its recent submission.

Park and Natural Heritage Planning Section

Park and Natural Heritage Planning staff have advised that all environmental and hazard lands and their minimum vegetation protection zones/buffers will be required to be dedicated to the City. In addition, in order to facilitate public access from Bathurst Street to Webster Park, the City will require conveyance of a permanent public access easement on the subject lands that will be secured through the Site Plan application for this development. Matters to be further reviewed addressed as part of the Site Plan application include restrictions regarding works within City-owned lands, restoration and design of the proposed stormwater outfall, construction access, on-site landscaping and restoration of City-owned lands, tree protection, on-site infiltration, and Webster Park, among other matters.

Development Engineering Division

As part of the review of the applicant's Official Plan and Zoning By-law Amendment applications, technical comments with respect to servicing, municipal works, stormwater management, shoring, erosion and sediment control and hydrogeological requirements, among other matters, are required to be addressed by the applicant as part of the related Site Plan application process. Similarly, transportation planning staff have also provided technical comments to be addressed at the detailed design stage of the review process with respect to the submitted Noise Feasibility Study and pedestrian connections, among other matters. At the time of writing of this report, comments with respect to the applicant's Site Plan application had not been received.

Community Services Department (Waste Management)

The City's Community Services Department has provided various technical comments related to access routes for waste collection vehicles, including curb radii and turning movement information, and standards required for the storage, separation and collection of waste in residential buildings. These technical comments will be required to

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be addressed as part of the Site Plan application submitted with respect to the applicant's development proposal.

Regional Municipality of York

The Region has provided comments on technical matters to be addressed as part of the related Site Plan application concerning traffic analysis, traffic demand management, planned Bathurst Street improvements, sustainable features and design, servicing capacity and municipal servicing, construction, water quantity recharge with respect to the *CTC Source Protection Plan*, and the right-in-right-out movements for the Bathurst Street access proposed on the southern portion of the applicant's landholdings, among other matters. The Region has provided specific conditions to be addressed as they relate to identified geotechnical and hydrological concerns.

Toronto and Region Conservation Authority

The subject lands are located within the TRCA's Regulated Area and as such, a permit will be required from the TRCA with respect to any proposed works to occur within the regulation limit in accordance with Ontario Regulation 166/06. The TRCA encourages the transfer of the natural system, where appropriate, into public ownership and has also provided various technical comments related to such matters as tree removals, landscaping and enhancement, storm sewer works, erosion and sediment control, shoring and hydrology, among other comments to be addressed as part of the Site Plan application.

Interim Growth Management Strategy:

Council has approved and implemented a comprehensive strategy comprised of eight growth management criteria as a means of assessing and prioritizing development applications for the receipt of servicing allocation. The applicant has submitted a Sustainability Metrics Tool (the "Metrics") in support of its Site Plan application demonstrating an overall "Application" score of 58, which achieves a "very good" score and meets the threshold score for Site Plan applications. At the time of writing of this report, the applicant's Site Plan application and Metrics remain under review with respect to the feasibility and appropriateness of the proposed sustainability measures. In this regard, staff will continue to work with the applicant in meeting the City's minimum score requirements applicable to the subject development in order to enable the consideration of servicing allocation assignment in the future.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications.

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Relationship to Council’s Strategic Priorities 2020-2022:

The recommendations of this report are aligned with **Balancing Green and Growth** in supporting an appropriate level of intensification together with the enhancement and protection of the City’s Greenway System. The recommendations of this report are also generally aligned with **Strong Sense of Belonging** on the basis that the development proposal supports a diversified range of dwelling unit sizes within the City.

Climate Change Considerations:

The recommendations of this report are generally aligned with Council’s climate change considerations as the development proposal contemplates intensification within the boundaries of an MTSA as endorsed by Regional Council, which supports the long-term objectives of achieving transit-oriented development. The design of the proposed development includes bicycle parking and pedestrian walkways, which support options for zero-emission modes of transportation and public transit usage. In addition, the development proposal incorporates green roofs and bird-friendly glass treatment. Notwithstanding the above and as indicated in the earlier sections of this report, a more detailed evaluation of technical and design-related matters will be undertaken as part of the review of the related Site Plan application.

Conclusion:

The applicant is seeking Council’s approval of its Official Plan Amendment and Zoning By-law Amendment applications to permit the construction of a high-density residential development comprising 394 dwelling units in two towers, 20 and 15 storeys in height, on the subject lands. Staff has completed a comprehensive review and evaluation of the applicant’s development proposal and is of the opinion that the submitted applications conform with the overarching principles of the Plan, are appropriate in the context of the emerging vision for the area and represent good planning. On the basis of the preceding, staff recommends that Council approval the subject applications, subject to the conditions and direction outlined in this report.

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#14-21 held April 7, 2021
- Appendix “B”, Official Plan Amendment 33
- Appendix “C”, Zoning By-law Amendment, By-law 87-22
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Official Plan (Schedule A1)
- Map 4, Official Plan Designation (Schedule A2)

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- Map 5, Existing Zoning
- Map 6, Proposed Site Plan
- Map 7, Proposed East Elevation
- Map 8, Proposed South Elevation
- Map 9, Proposed West Elevation – Bathurst Streetscape
- Map 10, Proposed North Elevation
- Map 11, Original Site Plan
- Map 12, Original West Elevation – Bathurst Streetscape

Report Approval Details

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| Document Title: | SRPI.22.072 - Request for Approval.docx |
| Attachments: | <ul style="list-style-type: none">- SRPI.22.072 - Appendix A.pdf- SRPI.22.072 - Appendix B - OPA 33.docx- SRPI.22.072 - Appendix C- By-law 87-22.docx- SRPI.22.072 Map 1 Aerial Photograph.docx- SRPI.22.072 Map 2 Neighbourhood Context.docx- SRPI.22.072 Map 3 Official Plan (Schedule A1).docx- SRPI.22.072 Map 4 Official Plan Designation (Schedule A2).docx- SRPI.22.072 Map 5 Existing Zoning.docx- SRPI.22.072 Map 6 Proposed Site Plan.docx- SRPI.22.072 Map 7 Proposed East Elevation.docx- SRPI.22.072 Map 8 Proposed South Elevation.docx- SRPI.22.072 Map 9 Proposed West Elevation.docx- SRPI.22.072 Map 10 Proposed North Elevation.docx- SRPI.22.072 Map 11 Original Site Plan.docx- SRPI.22.072 Map 12 Original West Elevation.docx |
| Final Approval Date: | May 26, 2022 |

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

Task assigned to Gus Galanis was completed by delegate Deborah Giannetta

Deborah Giannetta on behalf of Gus Galanis - May 26, 2022 - 9:21 AM

Kelvin Kwan - May 26, 2022 - 10:04 AM

Darlene Joslin - May 26, 2022 - 10:44 AM