

February 25, 2021

Jeff Healey, MCIP, RPP
Senior Planner – Subdivisions
Development Planning Division
Planning & Regulatory Services Department
City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4

Dear Mr. Healey,

**Re: Proposed Official Plan Amendment
Hazelview Developments Inc.
11160 Yonge Street
City File Nos.: D01-20013 and D02-20025
York Region File Nos.: LOPA.20.R.0075 and ZBA.20.R.0141**

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 subject site is located on lands municipally known as 11160 Yonge Street, south of Gamble Road/19th Avenue and north of Elgin Mills Road, in the City of Richmond Hill. According to the applicant's Planning Justification Report, prepared by Goldberg Group, dated October 27, 2020, the proposed development consists of a total of 713 apartment units in three residential towers, with heights of 15, 18, and 35 storeys, 510 m² of ground floor retail, served by a total of 785 parking spaces in a three level underground garage. The overall gross density is 3.65 FSI and net density is 5.01 FSI. The western portion of the subject lands is undevelopable. There is a naturalized corridor which is subject to Toronto and Region Conservation Authority's review.

Regional staff do not have any comments on the site-specific rezoning application. The by-law amendment will rezone the lands from "General Commercial (GC1) Zone" to "Multiple Residential Ten (RM10) Zone" under By-law 190-87, as amended, and prescribe site-specific development standards. Regional staff considers this to be a local matter.

Purpose and Effect of the Proposed Amendment

According to the applicant's Planning Justification Report, the subject lands are designated "Regional Mixed Use Corridor" permitting maximum heights of 8-storeys and density of 2.0 FSI,

and the westernmost portion of the subject lands are designated “Countryside” by the Richmond Hill Official Plan.

The requested Official Plan Amendment application proposes to increase the maximum permitted building height from 8 to 35 storeys and increase the density from 2.0 to 3.65 FSI. Regional staff notes that the requested density should be based on the site’s net density of 5.01 FSI, as the naturalized corridor is not developable.

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 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.”

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®, ENGERGY 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.

Through the Partnership Memorandum for Planning Services, TRCA provides plan review and technical clearance services to York Region on matters of Natural Heritage Systems and the natural environment. Regional Planning staff defers the evaluation of the naturalized corridor to the subject matter experts at the TRCA and City of Richmond Hill.

Development Planning Comments

The Yonge Street corridor is identified as a Regional Corridor and will be well served by rapid transit. However, 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 have noticed a trend of proposed developments, that in some cases, request more than double the permitted site densities. While site specific impacts may be manageable, the cumulative impacts of unplanned growth will have an effect on the Region's arterial road network and water and wastewater system and its ability to accommodate growth in planned intensification areas. This together with other aspects of growth management matters is being considered through the Region's Municipal Comprehensive Review process.

The applicant's Planning Justification Report suggests that the existing 2010 City OP is outdated, as it is more than a decade old, and should reflect current Provincial Policy Statement and Growth Plan policy directions on intensification. However, Provincial and Regional intensification policy directions should not be interpreted or construed as justification to more than double planned densities, especially when the potential cumulative impacts of growth are not evaluated through comprehensive planning. We note that the City of Richmond Hill is currently undertaking an update of its Official Plan to guide future growth and development.

Appropriate levels of intensification should also contribute to complete communities. The proposed development will result in a net loss of retail commercial floor space. The proposed development, with 510 sq.m. of ground floor retail, represents only 0.87% of the total gross floor area of the entire development. This does not sufficiently contribute to the planned mixed use nature of the Yonge Street Regional Corridor nor policies that promote a complete community.

Staff note that in our estimation, this segment of Yonge Street, between Elgin Mills Road and Gamble/19th Ave., there are over 4,200 high density proposed residential units, and potentially additional units in the Yonge Bernard KDA area.

Managing the Impacts of Intensification

Intensification should optimize and make efficient use of existing infrastructure, maximize the utility of rapid transit and minimize additional private automobile trips on the road network. In addition, increasing intensification should be directed to utilize all modes of transportation, including rapid transit through the provision of Transportation Demand Management measures and programs as well as appropriate parking management; it should not result in a significant increase or reliance solely on private automobile usage.

As parking management is one of the most effective Transportation Demand Management measures, it is recommended that appropriate parking supply should be reviewed for the proposed development, consistent with the findings and recommendations of the overall Parking Strategy Study initiated by the City of Richmond Hill.

Exemption from Regional Approval

Based on review and consideration, this OPA, to increase maximum height and density, appears to be a routine matter of local significance. Furthermore, in accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests.

Pursuant to Council authorization in By-law A-0265-1999-017 the application is hereby exempted from approval by Regional Council. This allows the Amendment to come into effect following its adoption by the City of Richmond Hill and the expiration of the required appeal period.

Technical Comments

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

Transportation

Transportation Planning, Sustainable Mobility, Traffic Signal Operations, YRRTC and Development Engineering have no objections to the Local Official Planning Amendment related to land use, at this time.

The following are preliminary comments and shall be addressed as part of subsequent development applications. Additional detailed technical comments and conditions will be provided. The applicant shall provide a detailed Response Matrix which demonstrates where and how each comment has been addressed in subsequent development applications and an Addendum Transportation Study Letter or Updated Transportation Study.

Transportation Planning

1. The site plan should consider a provision for interconnection with the property to the north, should this property redevelop.
2. The Region has concerns with the proposed methodology to reduce the existing traffic counts with a forecasted trip generation which is approximately 250 and 400 two-way trips during the AM and PM peak periods with no evidence demonstrating this amount of traffic existed when the existing counts were collected.
 1. To utilize this methodology, traffic counts at the driveway to the existing plaza shall be provided.
 2. Alternatively, a factored methodology can be considered which assumes a vacancy rate based on the property owners lease records. Under this approach, the pass by trip assumptions shall also be updated.
3. The Region has no concerns if the proposed methodology seeks to compare the Trip generation of the "as of right" zoning vs the proposed amendment.
4. In Section 4.1, the mode split assumption removes "auto passenger" trips, however, the data does not show if these trips originate from the same traffic zone. The analysis should be updated to include these trips as part of the auto mode.

Traffic Signal Operations

1. The traffic analysis was conducted based on traffic data over 3 years old, which was collected before Viva Rapidway was implemented in the area. Updated counts may be required for future submissions, when traffic patterns normalize.
2. It is noticed that the existing site traffic is subtracted while developing the future total traffic volumes. As such, clarification is required as to when the vehicle trips entering/exiting the existing site driveway were captured.

Development Engineering

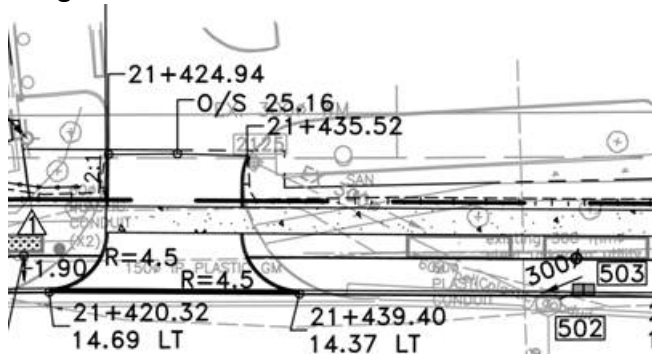
1. It should be noted that the concept plans do not reflect the Region's 22.5m right-of-way requirement, measured from the centerline of construction of Yonge Street.

Sustainable Mobility

1. Section 7.2, Item 4, the text "Presto cards with pre-loaded value to be provided to all new residents" is inaccurate and should be revised - transit incentives are provided to households with an amount determined by York Region.
2. Section 7.2, Item 5, transit screens are no longer a TDM requirement due to technical and maintenance issues, this item can be removed.
3. Section 7.3, Item 7, Smart Commute as a Transportation Management Association as such, a specific recommendation should be made to consult with Smart Commute Markham, Richmond Hill for a paid membership to discuss the needs of the subject development.
4. Table 7-1, the applicant shall include an estimated cost to be borne by the applicant for the line "Communication strategy and physical location to deliver information packages." The applicant is responsible for the coordination and for providing a venue for the distribution of transit incentives. A line item shall be included in the TDM table for a space (approximately 4 outreaches x \$400 = \$1600 is recommended for a meeting room at a library, community centre, etc.), to cover up to 4 outreach events and sustainable transportation information. Each event, approximately 4 hours of staff time, can serve approximately 150 residential units. The applicant shall coordinate specific event details with York Region/York Region Transit staff allowing a minimum of 2 months' notice.

YRRTC

1. YRRTC drawings show an existing catchbasin (2125) inside the driveway that is connected to the York Region sewers on Yonge St. This is not shown on the drawings included in the servicing report. The developer shall confirm if this catch basin will be removed/abandoned and, if so, how are they treating the lead connecting to MH 502 on Yonge St.



2. In addition, the "existing" grades along property line may have changed post viva construction so they may want to verify those.

3. 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.
4. There should be no injurious affection as a result of any Regional work in the road allowance.
5. If the applicant will be constructing its works during Regional works in the road allowance, then the applicant should be either responsible for or cooperate with the Region in tying in the road and applicant's works so they are seamless.
6. 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.
7. 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.
8. 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.
9. 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 local official plan amendment (LOPA) in conjunction with the Functional Servicing and Stormwater Management Brief dated October 9, 2020 prepared by KWA Site Development Consulting Inc.

IAM has no objection to the approval of the LOPA application subject to the following comments:

1. Servicing Allocation

Residential development in the City of Richmond Hill requires servicing capacity allocation prior to final approval. If the City of Richmond Hill does not grant this development allocation from the existing capacity assignments to date, then the development may require additional regional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modification – 2021 expected completion
- Other projects as may be identified in future studies.

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.

2. Municipal Servicing

The FSR indicates that the water and wastewater services for the proposed OPA area will be provided through connections to the existing local municipal infrastructure on Yonge Street.

Should there be any change in the servicing strategy, revised plans shall be submitted to the Region for review and record.

Further, the site servicing plan in the FSR does not acknowledge or show the 1050mm Regional trunk sewer Richmond Hill Collector located on Yonge Street relative to the proposed works. Please revise the plan for the next submission so that an appropriate assessment of potential construction impacts, if any on the trunk sewer can be made.

3. Potential Construction Impact on Regional Infrastructure

The integrity of the 1050mm diameter regional trunk sewer located on Yonge Street shall be protected and maintained at all times during construction and grading work for the proposed development. Any dewatering, shoring and tie-back system designs, if used in the vicinity of the Region's infrastructure shall be submitted as part of an engineering submission to the Region for review and comments. All construction drawings showing works in close proximity to the Region's infrastructure shall include the following note for the Contractor (as applicable).

"Integrity of the Region's 1050mm diameter trunk sewer is to be protected at all times."

The Region's Construction Administrator shall be invited to attend the pre-construction meeting and to do site inspection of the construction works in relation to regional infrastructure. At least two weeks advance notice is required.

Water Resources

Water Resources does not have any objections/concerns subject to the following comments with the OPA 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

The property is located within the WHPA-Q (Recharge Management Area). As such the CTC Source Protection Plan water quantity recharge policy will apply. The proponent must make best effort to maintain predevelopment recharge at the site using best management practices. The contact person for this requirement is Quentin Hanchard at TRCA. The approving body for compliance with the policy will be the local municipality.

Recommended Best Management Practices - 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.

While Water Resources noted the Terrapex Hydrogeological Review (October 6, 2020), the report does not address surrounding water takings. Please note the following future requirement.

AOC Geotechnical Considerations

Water Resources would like to note the proximity of the development to 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 and 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.

Please note to expect the following conditions for future site plan approval:

Due to the above-noted concerns, Water Resources staff would like to request that the following conditions be incorporated into the future approval of the subject site plan and that the applicant be advised of these future conditions at the OPA stage of their application:

- 1) Prior to the execution of the 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 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. 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 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 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 Site Plan Agreement, the Owner shall reassess the geotechnical recommendations for the subject site, based on the Hydrogeologic Assessment in Condition 4, and submit an Addendum Geotechnical Report to Water Resources group of York Region for review and approval.
- 6) Prior to the execution of the Site Plan agreement, 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 requested Official Plan Amendment application increases the maximum permitted building height from 8 to 35 storeys and increases the density from 2.0 to 3.65 FSI. Regional staff notes that the requested density should be based on the site's net density of 5.01 FSI, as the naturalized corridor is not developable.

The subject property is located on a Regional Corridor, and 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.

This OPA application appears to be a matter of local significance that does not conflict with Regional Official Plan policies. OPA Application, D01-20013, is exempt from Regional approval. However, the proposed density increase is a result of past precedent setting density increases. The cumulative impacts of all these density increases need to be comprehensively evaluated and should be comprehensively planned.

We respectfully request a copy of the Notice of Adoption be forwarded to this office. 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]

for

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

Copy to: TRCA