



Staff Report for Committee of the Whole Meeting

Date of Meeting: March 22, 2023

Report Number: SRCM.23.05

Department: Office of the City Manager
Division: Richmond Hill Centre and Economic Development

Subject: **SRCM.23.05 – Request for Direction – Request for Direction – Metroview Developments (GARDEN) Inc. – 8700 and 8710 Yonge St**

Owner:

Metroview Developments (GARDEN) Inc.
5690 Steeles Avenue West
Vaughan, Ontario L4L 9T4

Agent:

Goldberg Group
2098 Avenue Road
Toronto, Ontario M5M 4A8

Location:

Legal Description: Part of Lots 1, 2, 3 and 4, Registered Plan 1984
Municipal Addresses: 8700 and 8710 Yonge Street

Purpose:

To request direction regarding revised Official Plan and Zoning By-law Amendment applications to permit a high density mixed use residential/commercial development on the subject lands.

Recommendations:

- a) **That the Ontario Land Tribunal be advised that Council does not support the revised Official Plan and Zoning By-law Amendment applications submitted by Metroview Developments (GARDEN) Inc. for lands known as Part of Lots 1, 2, 3 and 4, Registered Plan 1984 (Municipal Addresses: 8700 and 8710 Yonge Street), City Files D01-18007 and D02-18033 for the principle reasons outlined in SRCM.23.05;**

Page 2

- b) **That City staff and the applicant continue discussions towards a resolution of the outstanding appeals and the submission of a revised development proposal that is supportable and represents good planning; and,**
- c) **That appropriate City staff be directed to appear at the Ontario Land Tribunal in support of Council’s position concerning the subject applications.**

Contact Person:

Ferdi Toniolo, Senior Planner, Development, Richmond Hill Centre, 905-771-2442;
and/or,
Deborah Giannetta, Manager of Development, Subdivisions, 905-771-5542.

Report Approval:

Submitted by: Anthony Ierullo, Director of Economic Development and Richmond Hill Centre

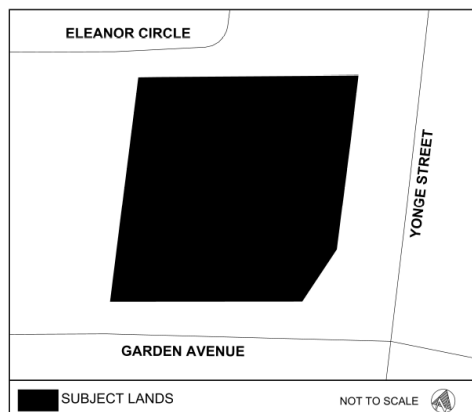
Approved by: Kelvin Kwan, Commissioner of Planning and Infrastructure Department

Approved by: Darlene Joslin, 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 “Contact Person” above.



Page 3

Background:

At the February 10, 2021 Council meeting, Council considered staff report SRPI.21.005 with respect to the applicant's previous development proposal to permit a high density 54-storey apartment building with an FSI of 6.54 on the subject lands (Appendices A and B). At the meeting, Council approved the following resolution to refuse the applications:

“a) That the Local Planning Appeal Tribunal be advised that Council does not support the Official Plan and Zoning By-law Amendment applications submitted by Metroview Developments (GARDEN) Inc. for lands known as Part of Lots 1, 2, 3 and 4, Plan 1984 (Municipal Addresses: 8700 and 8710 Yonge Street), City Files D01-18007 and D02-18033 for the principle reasons outlined in staff report SRPI.21.005; and,

b) That appropriate City staff be directed to appear at the Local Planning Appeal Tribunal in support of Council's position concerning the subject applications.”

On October 27, 2021, the applicant requested an adjournment of the Ontario Land Tribunal (OLT) hearing that was scheduled to begin on March 14, 2022 in order to have further discussions with City staff and to participate in the public process associated with the **Draft Richmond Hill Centre Secondary Plan**. As a result, the March 14, 2022 hearing was converted to a one day Case Management Conference (CMC) which was further postponed by the applicant to September 16, 2022. At this time, the tribunal was advised that a settlement had not been reached and that a new formal revised submission was forthcoming. A new Procedural Order was issued scheduling a third CMC meeting on April 12, 2023 and an associated hearing was also scheduled for 15 days beginning on September 18, 2023.

In mid-November 2022, the applicant finalized a submission to the City which reflects a revised development proposal to permit a 45-storey apartment building with a seven storey podium, at-grade retail/commercial space, 633 residential units and an FSI of 5.81 on the subject lands (Maps 11 and 12). Additional details regarding the applicant's current development proposal are further outlined in this report. The revised applications and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

The purpose of this report is to seek Council's direction with respect to the applicant's revised development proposal and to direct City staff to appear at the OLT in support of Council's position concerning the subject applications.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the northwest corner of Yonge Street and Garden Avenue and have a combined lot area of approximately 0.76 hectares (1.88 acres). The

Page 4

northern portion of the lands is vacant, whereas the southern portion supports the Emerald Isle Motel which is proposed to be demolished to facilitate the subject development proposal (Map 1). The lands abut Garden Avenue to the south, Yonge Street to the east, existing low density residential uses to the west, and Eleanor Circle and an existing public walkway to the north.

Revised Development Proposal

The applicant is seeking approval for revised Official Plan and Zoning By-law Amendment applications to permit a high density mixed-use residential/commercial development comprised of a 45-storey apartment building on a seven-storey podium and a portion of a new 20 metre north-south local road on its land holdings (Maps 11 and 12).

The proposed tower is to be located at the southeast corner of the property with pedestrian accesses from a residential lobby to the intersection of Yonge Street and Garden Avenue, an access located along Yonge Street at the north end of the building and another located on the west side of the building facing the future north-south street. The proposed at-grade retail/commercial space is to be located along Yonge Street. The ground related residential units are proposed along Garden Avenue and the proposed north-south local road and along the north property boundary. Vehicular access is proposed via a portion of the new 20 metre north-south public road. Four levels of underground parking are proposed, which will accommodate 503 parking spaces.

Table 1 (below) outlines the relevant statistics of the applicant's revised applications based on the plans and drawings submitted to the City relative to the previously submitted proposals (Maps 7 to 12):

Table 1: Proposal Statistics

Statistics	Original Proposal (2018)	Revised Proposal (2019)	Revised Proposal (2022)
Total Lot Area	0.76 hectares (1.88 acres)	0.76 hectares (1.88 acres)	0.76 hectares (1.88 acres)
Number of Units	336 (plus one guest suite)	710	633
Building Height	20 storeys/13 storeys	54 storeys	45 storeys
Total Gross Floor Area	30,602 square metres (329,397.2 square feet)	49,963 square metres (537,797.3 square feet)	44,367 square metres (477,385.0 square feet)
Retail/Commercial Area	267 square metres (2,874.0 square feet)	520 square metres (5,597.2 square feet)	744 square metres (8,008.6 square feet)
Indoor Amenity Area	585 square metres (6,296.9 square feet)	1,839 square metres (19,794.8 square feet)	1,388.9 square metres (14,950.5 square feet)

Page 5

Statistics	Original Proposal (2018)	Revised Proposal (2019)	Revised Proposal (2022)
Underground Parking	4 levels	4 levels	4 levels
Parking	424 spaces	572 spaces	503 spaces
Floor Space Index	4.01	6.54	5.81

The proposed key revisions are summarized below for reference:

- a decrease in building height from 54 storeys to 45 storeys;
- a decrease in density from 6.54 FSI to 5.81 FSI;
- a decrease in the number of residential units from 710 to 633;
- an increase in the podium height from 6 to 7 storeys; and,
- an increase in the retail/commercial area from 520 square metres (5,597.2 square feet) to 744 square metres (8,008.6 square feet).

Revised Official Plan and Zoning By-Law Amendment Applications

In order to facilitate its revised development proposal, the applicant is seeking approval to amend the City’s Official Plan (the “Plan”) to permit the following site-specific exceptions:

- one 45-storey residential tower, whereas the Plan permits a maximum building height of 15 storeys;
- a maximum FSI of 5.81, whereas the Plan permits a maximum development block density of 2.5 FSI; and,
- an exemption from **Policy 4.2.2.11** of the Plan which requires that an angular plane of 45 degrees be maintained from the edge of the adjacent property line on the opposite site of the proposed north/south local street.

With respect to the revised Zoning By-law Amendment application, the applicant is proposing to rezone the subject lands from **General Commercial One (GC1) Zone** under By-law 2523, as amended by By-law 369-86 (refer to Map 5) to a site specific **Residential Multiple Ten Special (RM10-S) Zone** under By-law 2523, as amended, as follows:

- to permit Apartment Dwelling, Personal Service Shop, Retail Store, Office and Clinic uses;
- to add or amend various definitions within By-law 2523, as amended; and,
- to establish site-specific development standards to facilitate the revised development proposal, including a maximum number of dwelling units, maximum height, maximum gross floor area and density, yard setbacks and parking requirements.

It should be noted that there are no general development standards for high-density residential development within the **RM10-S Zone**. As such, development standards for

Page 6

high density residential development are determined on a site specific basis. A summary of the development standards proposed by the applicant are outlined below for reference:

- Maximum Number of Dwelling Units: 633
- Maximum Height: 45 storeys (136.6 metres) (448.16 feet)
- Maximum Gross Floor Area: 44,367 square metres (477,385 square feet)
- Maximum Floor Plate size above 7th storey 760 square metres (8181.0 square feet)
- Maximum Density: 5.81 FSI
- Minimum Front Yard (Yonge Street): 2.5 metres (8.2 feet)
- Minimum Side Yard (North): 2.8 metres (9.2 feet)
- Minimum Side Yard (Garden Avenue): 1.8 metres (5.9 feet)
- Minimum Rear Yard: 2.6 metres (8.5 feet)
- Parking Requirements: 0.79 spaces per unit

The applicant also proposes Yonge Street to be established as the front lot line and seeks to add or replace zoning definitions for “Storey”, “Height”, “Gross Floor Area”, “Lot”, and “Mechanical Penthouse”.

The applicant has also submitted an Application for Site Plan approval (City File D06-18068) in association with their original 2018 proposal. This application has not been appealed to the OLT nor has it been revised in conjunction with the revised Official Plan and Zoning By-law Amendment applications at the time of the writing of this report.

Planning Analysis and Discussion:

Staff has undertaken a comprehensive review of the applicant’s revised (2022) development proposal. This review has identified similar issues to those outlined in staff report SRPI.21.005. The issues outlined in staff report SRPI.21.005 that remain relevant at this time are summarized below:

- notwithstanding that the revised proposal conforms with the general policy direction within the York Region Official Plan, due to the significance of the proposal and in keeping with the objective of achieving a comprehensive and coordinated approach for the development of the **Draft Richmond Hill Centre Secondary Plan**, the Region has identified concerns with the proposed development proceeding in advance of the approval of the **Richmond Hill Centre Secondary Plan**;
- the scale of the applicant’s revised development proposal in terms of height and density is not supported by the City’s in-force policy regime and is inconsistent with the policy objectives, vision and principles as outlined for this area of the City within the Plan and the **Richmond Hill Regional Centre Design and Land Use Study Final Recommendations Report**;
- the proposed height of the applicant’s revised development proposal is excessive and contextually not appropriate. As such, the proposal fails to achieve an

Page 7

appropriate transition to adjacent and surrounding low-density uses immediately abutting the **Richmond Hill Centre**;

- the applicant's revised development proposal does not provide lands as required for the accommodation of a municipal linear park abutting the subject lands to the north as recommended by the **Richmond Hill Regional Centre Design and Land Use Study Final Recommendations Report** nor does it provide parkland dedication as requested by the City in order to satisfy, in part, the parkland dedication requirements in accordance with the Plan and the *Planning Act*,
- the proposal fails to provide affordable housing in accordance with the policies of the York Region Official Plan and the City's Official Plan within the **Richmond Hill Centre** as relevant information in this regard has not been submitted;
- the applicant's revised development proposal does not satisfactorily address technical requirements related to parking, transportation demand management, engineering and various other matters that have been identified by circulated departments and agencies; and,
- the applicant's revised development proposal does not address the concerns raised by members of the public, particularly as they relate to impacts to the surrounding low-density residential neighbourhood.

In addition, since the consideration of staff report SRPI.21.005 by Council several key policy changes have been approved. These include the following and are discussed in detail below:

- the Enhanced Ministerial Zoning Order (EMZO) Ontario Regulation 344/22
- the 2022 York Region Official Plan (YROP);
- Official Plan Amendment 18.3; and,
- the proposed draft **Richmond Hill Centre Secondary Plan** (Secondary Plan).

Enhanced Minister's Zoning Order (EMZO)

An EMZO was issued on April 14, 2022 and applies to the **High Tech Transit Oriented Community** (TOC) lands situated south of High Tech Road and Beresford Drive, east of Yonge Street and extends north of Highway 7 and to the west of Red Maple Road. The EMZO impacts an area of approximately 20.1 hectares (49.7 acres) and comprises about 50% of the Secondary Plan area (Map 6). The TOC lands covered by the EMZO consists of 15 development blocks that allow for up to 31 mixed use towers ranging in height from approximately 40 to 80 storeys, and establishes permitted uses, development standards for residential and commercial buildings, restricts inclusionary zoning to be applied to the lands and requires a modified Site Plan Control process.

The EMZO directs the lowest building heights and densities permitted within the TOC to the development blocks that are located along Yonge Street and Beresford Drive with the tallest building and highest densities centered around the planned subway station. The TOC development block located directly opposite the subject lands, on the east side of Yonge Street, permits a maximum building height of 137 metres (40 storeys),

Page 8

whereas, the proposed development on the subject lands proposes a building height of 140 metres (45 storeys), which exceeds the maximum building heights directed by the EMZO for the building block on the east side of Yonge Street closest to the future subway station. The proposed building height is contradictory to the policies of the in force Plan and the draft Secondary Plan which include a requirement to respect the context of the surrounding area and to minimize the impact of high density development on the existing community to be accomplished through the application of the angular plane to ensure appropriate transition. It should be noted that the High Tech TOC EMZO does not apply to the subject lands.

York Region Official Plan 2022

In June 2022, York Region Council adopted the current 2022 York Regional Official Plan (“2022 YROP”) which was subsequently approved by the Ministry of Municipal Affairs and Housing on November 4, 2022. Although the original Official Plan and Zoning By-law Amendment applications were filed prior to the adoption of the 2022 YROP, the revised development proposal was received after the adoption of the 2022 YROP. The 2022 YROP has been approved by the Ministry of Municipal Affairs and Housing, generally conforms with the *2020 PPS* and *2020 Growth Plan* and represents the latest policy direction on land use matters for the Region.

The 2022 YROP maintains the legacy of the 2010 YROP by “*continuing to focus on building an intensified urban system, a dynamic economy, providing integrated and responsive human services and protecting and enhancing York Region’s agricultural and natural systems.*” The 2022 YROP has a planning horizon to the year 2051, an intensification target of 50% and an **Urban System** based on a hierarchy of intensification areas that includes **Strategic Growth Areas, Regional Centres, Corridors** and **Major Transit Station** areas.

The subject lands are located within the **York Region Growth Centre (Richmond Hill/Langstaff Gateway Centre)** and are located within a **Protected Major Transit Station Area (Richmond Hill Centre Subway Station)**. The **Regional Centres** have been targeted for the most intensive and greatest mix of development in the Region and highest densities. Similarly, the most intensive uses and widest range of uses within the **Regional Corridors** should be directed to **Major Transit Station Areas**. In cases where **Major Transit Station Areas** and a designated **Urban Growth Centre** overlap, the higher density applies. In the case of the subject lands, the proposed minimum density for the **Richmond Hill Centre Subway Station (PMTSA 49)** is 1,400 people and jobs per hectare. Furthermore, local municipalities are required to establish policies in the official plan, and other implementation documents, including appropriate zoning for **Major Transit Station Areas** and a requirement that 35% of new housing units be affordable.

Notwithstanding, local Official Plans and Secondary Plans are to be relied upon to set out more specific policies related to land use and design that refine the broader direction established in the 2022 YROP. In its comments to the current development

Page 9

proposal, the Region advised that, “A comprehensive planning exercise for this Regional Centre is required, especially with recent Provincial approval of significant growth for the High Tech Transit Oriented Community located on the east side of Yonge Street” and that the revised development proposal should be coordinated through the Secondary Plan process” (Appendix G).

The applicant’s current development proposal generally conforms with the policy direction for this area of the City as outlined in the 2022 YROP. However, the applicant has not yet demonstrated compliance with the requirement that 35% of new housing be affordable.

Official Plan Update - Official Plan Amendment 18.3

Official Plan Amendment 18.3 (OPA 18.3) came into full force and effect on September 9, 2022 as part of the City’s requirement to undertake a mandatory Official Plan review in accordance with the *Planning Act*. This Official Plan update process has occurred concurrently with the York Region Municipal Comprehensive Review and will conclude in the next several years.

OPA 18.3 updated the Vision of the Plan, the City structure, clarified elements of the City’s intensification hierarchy and added a new mobility hierarchy. New targets related to greenhouse gas emission reduction targets, tree canopy and woodland cover were also included. In addition, elements related to affordable housing, climate change, sustainable development, infrastructure alignment, parks hierarchy and urban design were also added.

Richmond Hill’s intensification hierarchy complements the City’s urban structure and clarifies the City’s priorities for where new growth will occur. It supports the City’s residential intensification target and directs the highest priority for growth to the **Richmond Hill Centre**. **Section 3.1.3** of the Plan states that most development within the City will occur through intensification given that the Settlement Area is nearly built out. The majority of intensification will occur in the City’s centres and corridors with the **Richmond Hill Centre** given the highest priority. **Richmond Hill Centre** will be the primary intensification area of the City and will provide the greatest range of uses in a mixed use format and accommodate the highest level intensification in the City, being height and density.

Section 3.1.4 of the Plan states that density within the centres and corridors is to be informed by various factors, including compatibility with the surrounding area to ensure adjacent lands are not negatively impacted by new development.

Pursuant to **Section 3.4.1** of the Plan, Yonge Street and Garden Avenue are recognized as a major gateway to the City and development within a gateway shall create a sense of entrance and arrival, contribute to the image and identity of the City and be designed to articulate the gateway through appropriate massing, scale and architectural materials and treatments in buildings, including provision of public realm

Page 10

amenity. In accordance with **Policy 3.4.1.55**, proper built form and landscape transitions must ensure a balance between development and intensification objectives and the established built form. To achieve built form compatibility and height transition with adjacent low density residential areas abutting the Yonge Street corridor, light and building separation shall be achieved by applying a 45 degree angular view plane and in the case of a street separating the **Neighbourhood** designation, the angular view plane shall be measured from the adjacent low density residential property located in the **Neighbourhood** designation. Additionally, development should be designed to minimize the impact related to the privacy of adjacent low density residential areas through appropriate buffering, setbacks, built form treatments and landscape.

Development within centres and corridors are subject to minimum and maximum building heights, including maximum podium or base building heights, as set out in Chapter 4 of the Plan. **Section 4.2** of the Plan remains unchanged pursuant to OPA 18.3, which restricts the density of a development block on the west side of Yonge Street to between 2 and 2.5 FSI, restricts the base building height to a range between 4 and 6 storeys and permits a maximum building height of 15 storeys. Furthermore, development that has frontage on the proposed north/south local street south of Carville Road, west of Yonge Street, shall maintain a maximum 45 degree angular plane from the edge of the adjacent property line on the opposite side of the street.

The applicant's revised development proposal greatly exceeds the policy framework as set out in OPA 18.3 with respect to the maximum height, maximum base building height and density provisions as prescribed in Chapter 4 of the Plan, nor does it conform with the angular plane provisions and minimizing impacts to adjacent low density residential areas.

Draft Richmond Hill Centre Secondary Plan

The development of the **Draft Richmond Hill Centre Secondary Plan** (the draft Secondary Plan) was initiated in 2019 and followed a process that included background information gathering, the preparation of technical reports, testing of concepts and designs, stakeholder interviews and several public open houses. On October 7, 2021, a draft Secondary Plan and **Richmond Hill Centre Study Report** were released for public review and comment in advance of the Council Public Meeting held on October 28, 2021. It was intended at that time that a final version of the Secondary Plan would be brought forward for Council approval in the spring of 2022. However, in the interim, a number of policy and planning related updates and changes occurred including the issuance of an EMZO for the City of Richmond Hill, *Bill 109 More Homes for Everyone Act*, *Bill 23 More Homes Build Faster Act*, the approval of the York Region Official Plan (YROP) and the adoption of Official Plan Amendment 18.3, among others, as part of the City's Official Plan update process. As a result, further refinement of the Secondary Plan was required to reconcile the impact of these changes and update the technical background studies which informed the recommendations of the 2021 draft Secondary Plan.

Page 11

A Public Information Session was held on Thursday February 9, 2023 to provide a status update on the Secondary Plan process, to provide an overview of recent Provincial legislative and policy changes and to provide a timetable for bringing the revised Secondary Plan to Council for approval, which is planned for Q2, 2023. While the draft Secondary Plan is not in effect, it has been considered at a Council Public Meeting and has guided staff's review of the revised development proposal.

The Secondary Plan for the **Richmond Hill Centre** is intended to build upon the policies, principles and guidelines as established by the Official Plan, while providing more detailed direction for the long-term development of the **Richmond Hill Centre**. The subject lands are located in the West of Yonge Character area which represents an important area of transition between the highest and most dense development expected in the Secondary Plan and the established low density residential community to the west. The boundaries of this Character Area have been defined to generally include those properties with frontage on Yonge Street. **Section 1.2.7** of the draft Secondary Plan identifies the policies associated with the West of Yonge Street Character Area which includes:

1. reinforcing the character of Yonge Street as a Regional Corridor and commercial destination with a walkable, pedestrian focused environment;
2. contributing to intensification of the **Richmond Hill Centre** while demonstrating compatibility with existing neighbourhoods by:
 - i. locating building frontages along adjacent streets and open spaces;
 - ii. minimizing the visual and functional impacts of access and servicing on adjacent neighbourhoods,
 - iii. contributing to the development of new open spaces that improve the interface between existing neighbourhoods and new development;
3. be of the lowest scale and density in the **Richmond Hill Centre** and provide transition to the neighbourhood to the west in accordance with the built form policy guidance found in **Section 1.3** of the Secondary Plan;
4. be encouraged to include a mix of uses including retail or service uses at grade with residential, office or institutional uses above; and,
5. provide a vibrant street character and achieve a minimum 70 percent of the ground floor area as an active at-grade frontage with uses including commercial, recreational, entertainment, retail office or institutional.

The above noted policies direct that the West of Yonge Character Area is intended to allow for intensification along the Yonge Street corridor while protecting the mature existing neighbourhood west of Yonge Street by way of transitioning to the lowest scale and density of development in this area of the Secondary Plan. Additionally, the policies of the West of Yonge Character Area also reinforce the need for mixed use development to meet the day to day needs of residents to achieve an active and vibrant Yonge Street frontage. The proposal includes at grade commercial uses only along the Yonge Street frontage.

Page 12

Policy 1.3.1 of the draft Secondary Plan requires that development demonstrate design excellence through, among others, responding to the context and integration with existing neighbourhoods. The streetscape will have a consistent street wall that will range from 3 to 6 storeys for the West of Yonge Character Area and directs that building heights are generally expected to step down in height further from the station area.

Section 1.3.4 of the draft Secondary Plan states that the sensitive integration of new buildings adjacent to existing low-rise neighbourhoods is an important objective for the **Richmond Hill Centre** which underlines the importance of transition and protection of the existing neighbourhood. It further directs that development adjacent to low-rise neighbourhoods will transition in height, built form and massing to minimize impact, such as shadowing and overlook. The policies of this section are intended to permit context-sensitive intensification that reinforces the planned character of Yonge Street while mitigating impact on the existing community. Development is required to provide a transition to existing low-rise neighbourhoods as shown on Schedule 7 (refer to Map 4).

Section 1.4.2 addresses the network of streets that are planned for the Secondary Plan. **Policy 1.4.2.3** directs that access to new development facing Yonge Street as shown on Schedule 6 (Map 3) are intended to provide a physical break between the lands within the **Richmond Hill Centre** and the existing residential neighbourhood to the west.

Section 1.5.1 of the draft Secondary Plan addresses parks and the urban open space system in the proposed Secondary Plan area and identifies planned parks and open space system Urban Squares for the **Richmond Hill Centre**.

Section 1.7.1 of the draft Secondary Plan addresses housing policies with respect to the provision of a full range of housing in terms of tenure, unit sizes and affordability. Consistent with the policies of the Official Plan, a minimum of 35 percent of all new residential units shall be affordable in the **Richmond Hill Centre**. Further, to support a diverse range of household needs, a minimum of 40 percent of the total number of units shall have at least 2 bedrooms and a minimum of 5 percent of the total number of units shall have at least 3 bedrooms. These requirements may be reduced where the development is publicly funded housing, purpose built rental housing, social housing and/or specialized housing.

The applicant's revised development proposal does not conform to the draft Secondary Plan with respect to permitted maximum street wall heights, maximum density and the standard angular plane policy in the Plan. With an average density permitted for the West of Yonge Character Area as a whole ranging from 2 to 2.5 FSI, the proposed density of 5.81 FSI exceeds the draft Secondary Plan requirement.

With respect to angular plane, this is a principle consistently applied throughout the policies of the Plan as a means of achieving an appropriate transition and minimizing the impact of new development and intensification abutting lower intensity uses. This is critically important in relation to this proposed development as it assists in achieving one

Page 13

of the draft Secondary Plan's key objectives, namely, protecting the existing neighbourhood along the west side of Yonge Street while still allowing intensification along Yonge Street. When applied, a 45 degree angular view plane measured from the adjacent low density residential property line functions together with suitable massing and design principles to achieve appropriate skyviews, light and separation. In the case of the subject application, the proposed development would be limited to approximately 15 storeys with the angular plane policy applied. The proposed building height of 45 storeys does not conform with the angular plane policies of the Plan and as such undermines a key objective of the draft Secondary Plan which directs intensification along the Yonge Street corridor while protecting the mature existing neighbourhood west of Yonge Street. Both the policies of the Plan, the recommendations of the Study and the policies of the draft Secondary Plan stipulate the importance of concentrating height and density at appropriate scales and locations within the Richmond Hill Centre while achieving an appropriate transition and interface with the abutting and surrounding neighbourhoods.

The provision of adequate, affordable and suitable housing to meet the needs of the City of Richmond Hill's growing population is a fundamental principle of complete communities. The City of Richmond Hill's **Affordability Housing Strategy** was endorsed by Council on November 24, 2021. One of the goals of the Strategy is to increase the number of ownership options in Richmond Hill that are affordable to moderate-income households and provide suitable housing that is not only affordable but also able to house growing families and households of different sizes. The Plan and the draft Secondary Plan implement the Affordable Housing Strategy. In order to accommodate families and larger household units in the **Richmond Hill Centre**, the draft Secondary Plan directs a range of unit sizes (number of bedrooms per unit) to increase the number of unit sizes within apartment buildings. The proposed development has not demonstrated compliance with the minimum requirement that 35% of the proposed units are to be affordable nor has the applicant demonstrated that a minimum of 40 percent of the total number of units has at least 2 bedrooms, pursuant to **Section 1.7.1** of the draft Secondary Plan

As stated earlier, it should be noted that staff are advancing the completion of the draft Secondary Plan for Council approval in Q2, 2023, including responding to Council and stakeholder input at the October 28, 2021 Council Public Meeting.

Department and Agency Comments:

Outlined below are a summary of the key comments received as of the time of writing of this report based on the review of the applicant's revised development proposal and the associated background studies and reports submitted in support of same.

Development Engineering Division

In terms of Transportation matters, the City's Transportation planning staff has provided a number of detailed comments with respect to the Transportation Impact Study

Page 14

submitted in support of the applicant's revised development proposal including, among other matters, comments pertaining to various analyses and schedules, traffic volumes, loading space requirements, garbage arrangements, ramp design, parking rates, transportation demand management measures and bicycle parking rates. Comments were also provided respecting the Noise Impact Study submitted in support of the proposed development.

The City's Development Engineering staff has identified requirements that must be addressed as part of the submitted Functional Servicing Report with respect to sanitary, storm and water services for the proposed development, in addition to the construction of various municipal services prior to development on the subject lands. In this regard, the owner shall be required to enter into a Servicing Agreement with the City as it relates to the completion of required external works (refer to Appendix C).

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section (PNHP) has advised that the proposed development generates a parkland dedication requirement of more than 500 square metres and has requested that this parkland requirement be satisfied in part through the provision of a linear park 4.5 metres in width along the north property line for parkland purposes. It is recommended that the design of the parkette/linear park be coordinated with the design of the City owned pedestrian walkway block abutting to the north of the subject lands.

Additional comments were provided to ensure that there is adequate space on site for landscape and outdoor amenities, adequate soil volumes be provided on site to support the planned trees and that the applicant explore ways to preserve an existing Black Walnut tree that is proposed for removal.

Comments relating to the removal of native and non-native trees to facilitate the proposed development, the removal of trees that impact adjoining lands, the use of native species, structural soil requirements, tree separation guidelines, the use of retaining wall systems on the proposed local road, among others, will be addressed at the Site Plan submission stage (Appendix D).

Urban Design and Heritage Section

The City's Urban Design and Heritage Section has provided the following comments on built-form, massing and conceptual design (Appendix E):

- the current development proposal exceeds the maximum permitted density of 2.5 FSI (**Policy 4.2.1.16** of the Plan);
- the proposed 45-storey apartment building punctures the 45 degree angular plane which is in place to facilitate transition in height from new development to the stable residential lands to the west of Yonge Street (**Policy 4.2.2.11** of the Plan); and

Page 15

- the proposed building design exceeds the maximum base building height of 6 storeys and the maximum overall building height of 15 storeys (**Policy 4.2.1.17** of the Plan)

Community Services – Waste Management

The City's Waste Management group has advised that many of the comments provided on the applicant's original development proposal have not been addressed which may impact the footprint of the building and as such should be addressed as part of the Zoning Amendment application. In particular, Waste Management staff have provided comments pertaining to access routes, waste separation, storage and collection and the commercial component of the building. Areas of particular concern have focused on the requirement for a three chute garbage system, the size of the internal waste storage room and particulars, and an additional residential loading space as well as a separate waste storage program for the non-residential component of the development (Appendix F).

Regional Municipality of York

The Region of York's position and comments remains unchanged from its letter dated April 8, 2020 and advises that the approval of the proposed development should follow the outcome of the **Richmond Hill Centre Secondary Plan** which will provide guidance on the appropriate heights, densities, urban design and transportation requirements in a comprehensive and coordinated approach. The Region has also provided comments with respect to transportation, water and wastewater servicing and water resources (Appendix G).

Other City Department and External Agency Comments

Comments on the applicant's revised submission have also been received from Alectra Utilities, Bell Canada, Enbridge Gas Inc., the City's Community Services Department, the City's Financial Services Division, the City's Fire and Emergency Services Department, Hydro One, the City's Building Services Division (Zoning), Metrolinx, Rogers Cable Communications Inc., Torontair Limited, Nav Canada, Toronto and Region Conservation Authority, the York Catholic School Board and the York Region District School Board. These City departments and external agencies have indicated that they have no objections to the applicant's revised development proposal and/or have provided technical comments that relate to a more detailed stage in the review process. As a result, these comments have not been appended to this report. Should approval be granted with respect to the applicant's revised development proposal, an application for Site Plan approval would be required to implement the proposed development.

Page 16

Summary of Policy and Planning Analysis:

On the basis of the staff's review and evaluation of the applicant's revised Official Plan and Zoning By-law Amendment applications and in consideration of the principle reasons as set out in SRPI.21.005, staff continues to not support the applications for the following principle reasons:

- the Region has identified concerns with the proposed development proceeding in advance of the Secondary Plan due to the significance of the proposal and in keeping with the objective of achieving a comprehensive and coordinated approach for the development of the draft Secondary Plan;
- the scale of the applicant's revised development proposal is not supported by the City's in-force policy regime and is inconsistent with the policy objectives, vision and principles as outlined for this area of the City as contemplated in the Plan, OPA 18.3 and the draft Secondary Plan as it relates to height, density, and transition and therefore compromises the City's ability to achieve its vision and objective for a comprehensively and coordinated Secondary Plan for the **Richmond Hill Centre**;
- the proposed height of the applicant's revised development proposal is excessive and contextually not appropriate along the west side of Yonge Street. As such, the proposal also fails to achieve an appropriate transition to adjacent and surrounding low-density uses immediately abutting the subject lands pursuant to the City's Plan, OPA 18.3 and the draft Secondary Plan;
- the proposed development represents a significant departure in terms of height, transition and density from the Plan and the draft Secondary Plan;
- the revised proposal fails to provide affordable housing in accordance with the policies of the 2022 YROP, the Plan and the draft Secondary Plan;
- the revised proposal does not provide parkland dedication as requested and pursuant to the Plan and the *Planning Act* which will contribute to the widening of the pedestrian link between the established neighbourhood along Eleanor Circle and Yonge Street;
- the applicant's revised development proposal does not satisfactorily address important technical requirements related to parking, transportation demand management, site servicing, waste management and various other matters that have been identified by circulated departments and agencies as outlined in this report;
- the applicant's revised development proposal does not address the concerns raised in staff report SRPI.21.005; and,
- the applicant's revised development proposal does not address the concerns raised by members of the public, particularly as they relate to impacts to the surrounding low-density residential neighbourhood.

In light of the preceding, the applicant's revised Official Plan and Zoning By-law Amendment applications cannot be supported on the basis that the proposal does not represent good planning. Accordingly, staff recommends that Council refuse the subject applications and that appropriate staff be directed to appear at the OLT in support of Council's position on this matter.

Page 17

Financial/Staffing/Other Implications:

The recommendations of this report do not have direct financial, staffing or other implications. However, given that the subject applications have been appealed to the OLT, there will be a draw on financial resources for staff attendance at the proceedings to be held in consideration of the applicant's appeal to the OLT. These will be accommodated within existing budgets.

Relationship to Council's Strategic Priorities 2020-2022:

The recommendations of this report do not have any direct implications with respect to Council's Strategic Priorities. In this regard, the revised proposed development does not align with the overall planning vision for the Official Plan and the draft Secondary Plan.

Climate Change Considerations:

While the revised development proposal generally aligns with Council's climate change considerations as the development proposal contemplates intensification and a mix of land uses along a rapid transit corridor as defined within the Plan. However, it should be noted that the revised development applications do not address District Energy readiness and the City's Sustainability Metrics requirements.

Conclusion:

The applicant is seeking approval of its revised Official Plan and Zoning By-law Amendment applications in order to permit the construction of a high density mixed use residential-commercial development on its land holdings. For the reasons outlined in this report, staff is of the opinion that the subject revised applications do not represent good planning and therefore cannot be supported. Accordingly, staff recommend that the OLT be advised that Council does not support the applicant's revised Official Plan and Zoning By-law Amendment applications, and that appropriate staff be directed to appear at the OLT in support of Council's position on this matter. Staff will also continue discussions with the applicant towards the resolution of the outstanding appeals and the potential submission of a revised development proposal that is supportable and represents good planning.

Page 18

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call the contact person listed in this document.

- Appendix A, Staff Report SRPI.21.005
- Appendix B, Extract from Council Meeting C#05-21 held on February 10, 2021
- Appendix C, Memo from Development Engineering Division January 11, 2023
- Appendix D, Memo from Park and Natural Heritage Planning Section dated January 11, 2023
- Appendix E, Memo from Urban Design and Heritage Section dated November 30, 2022
- Appendix F, Memo from Waste Management dated January 4, 2023
- Appendix G, Letter from York Region dated December 12, 2022
- Map 1, Aerial Photograph
- Map 2, Draft Richmond Hill Centre Secondary Plan – Schedule 2 (Density)
- Map 3, Draft Richmond Hill Centre Secondary Plan – Schedule 6 (Proposed Street Network)
- Map 4, Draft Richmond Hill Centre Secondary Plan – Schedule 7 (Transition)
- Map 5, Existing Zoning
- Map 6, EMZO Map 301
- Map 7, Original Site Plan (2018)
- Map 8, Original East elevation (2018)
- Map 9, Revised Site Plan (2019)
- Map 10, Revised East and West Elevations (2019)
- Map 11, Current Site Plan (2022)
- Map 12, Current East and West Elevations (2022)

Page 19

Report Approval Details

Document Title:	SRCM.23.05 – Request for Direction – Request for Direction – Metroview Developments (GARDEN) Inc. – 8700 and 8710 Yonge St
Attachments:	<p>Appendix A, Staff Report SRPI.21.005</p> <p>Appendix B, Extract from Council Meeting C#05-21 held on February 10, 2021</p> <p>Appendix C, Memo from Development Engineering Division January 11, 2023</p> <p>Appendix D, Memo from Park and Natural Heritage Planning Section dated January 11, 2023</p> <p>Appendix E, Memo from Urban Design and Heritage Section dated November 30, 2022</p> <p>Appendix F, Memo from Waste Management dated January 4, 2023</p> <p>Appendix G, Letter from York Region dated December 12, 2022</p> <p>Map 1, Aerial Photograph</p> <p>Map 2, Draft Richmond Hill Centre Secondary Plan – Schedule 2 (Density)</p> <p>Map 3, Draft Richmond Hill Centre Secondary Plan – Schedule 6 (Proposed Street Network)</p> <p>Map 4, Draft Richmond Hill Centre Secondary Plan – Schedule 7 (Transition)</p> <p>Map 5, Existing Zoning</p> <p>Map 6, EMZO Map 301</p> <p>Map 7, Original Site Plan (2018)</p> <p>Map 8, Original East elevation (2018)</p> <p>Map 9, Revised Site Plan (2019)</p> <p>Map 10, Revised East and West Elevations (2019)</p> <p>Map 11, Current Site Plan (2022)</p> <p>Map 12, Current East and West Elevations (2022)</p>
Final Approval Date:	Mar 14, 2023

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

Task assigned to Anthony Ierullo was completed by delegate Dan Olding

Dan Olding on behalf of Anthony Ierullo - Mar 14, 2023 - 9:38 AM

Kelvin Kwan - Mar 14, 2023 - 3:30 PM

Darlene Joslin – Mar 14, 2023 – 4:41 PM