



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** July 5, 2023

**Report Number:** SRPI.23.073

**Department:** Planning and Infrastructure

**Division:** Development Planning

**Subject:** **SRPI.23.073 – Request for Approval – Official Plan and Zoning By-law Amendment Applications – Sabella Ridge Estates Inc. – 10684 and 10692 Yonge Street – City Files D01-20004 and D02-20010**

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### **Owner:**

Sabella Ridge Estates Inc.  
1881 Langstaff Road  
Vaughan, ON  
L4K 5T3

### **Agent:**

Malone Given Parsons  
140 Renfrew Drive, Suite 201  
Markham, ON  
L3R 6B3

### **Location:**

**Legal Description:** Part of Lots 53 and 54, Registered Plan 1931  
**Municipal Address:** 10684 and 10692 Yonge Street

### **Purpose:**

A request to approve revised Official Plan and Zoning By-law Amendment applications to permit the construction of a 25 storey high density mixed-use residential/commercial apartment building on the subject lands.

### **Recommendations:**

- a) **That the revised Official Plan and Zoning By-law Amendment applications submitted by Sabella Ridge Estates Inc. for lands known as Part of Lots 53 and 54, Registered Plan 1931 (Municipal Addresses: 10684 and 10692 Yonge Street), City Files D01-20004 and D02-20010, 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.23.073;
- (ii) that the draft Official Plan Amendment attached hereto as Appendix "B" be finalized and brought to the July 12, 2023 Council meeting for consideration and adoption;
- (iii) that the subject lands be rezoned from General Commercial One (GC1) Zone and Third Density Residential (R3) Zone to Multiple Residential Six Density (RM6) Zone under By-law 2523, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.23.073;
- (iv) that prior to the amending Zoning By-law being finalized and brought forward to a Council meeting for consideration and enactment, the applicant submit and receive approval of a Site Plan application to the satisfaction of the Commissioner of Planning and Infrastructure;
- (v) that pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft amending Zoning By-law to implement the proposed development on the subject lands; and,
- (vi) That the authority to assign municipal servicing allocation to the proposed development to be constructed on the subject lands be delegated to the Commissioner of Planning and Infrastructure subject to the City's Interim Growth Management Strategy, and that the assigned municipal servicing allocation be released in accordance with the provisions of By-law 109-11.

### Contact Person:

Simone Fiore, Senior Planner – Site Plans, phone number 905-771-2479 and/or  
Sandra DeMaria, Manager of Development – Site Plans, phone number 905-771-6312

### Report Approval:

**Submitted by:** Kelvin Kwan, Commissioner of Planning and Infrastructure

**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.

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### **Background:**

The subject Official Plan and Zoning By-law Amendment applications were considered at a statutory Council Public Meeting held on September 23, 2020 wherein Council received Staff Report SRPRS.20.132 for information purposes and directed that all comments be referred back to staff (refer to Appendix “A”). A number of concerns were raised at the Council Public Meeting and in correspondence received with regard to the applicant’s development proposal. More specifically, concerns were raised with respect to the proposed height and density of the development as it relates to compatibility and transition, traffic, access and parking, flooding and the natural hazard, construction and impacts on community services, and parks, and infrastructure, which are discussed in more detail in the later sections of this report.

The applicant filed revised submissions for the subject Official Plan and Zoning By-law Amendment applications with the City in 2021, 2022 and most recently in April 2023 to address various planning, design and technical matters. All comments from circulated City departments and external agencies as they relate to this stage of the approval process have now been satisfactorily addressed by the applicant. Accordingly, the purpose of this report is to seek Council’s approval of the applicant’s revised Official Plan and Zoning By-law Amendment applications.

### **Summary Analysis:**

#### **Site Location and Adjacent Uses**

The subject lands are located on the west side of Yonge Street, south of Elgin Mills Road West. The site is irregular in shape having a total lot area of 0.55 hectares (1.35 acres) with frontage on both Yonge Street and on Creekview Avenue/Arten Avenue. Surrounding land uses include commercial uses to the north and south, low density residential uses to the west, and Yonge Street to the east (refer to Map 1).

#### **Revised Development Proposal**

The applicant is seeking Council’s approval of its revised development proposal to permit the construction of a 25 storey high density mixed-use residential/commercial development on its land holdings. The proposed building shall be comprised of 247 residential units having a total Gross Floor Area (GFA) of 19,067.8 square metres (205,244 square feet), a Floor Space Index (FSI) of 3.5, and 185.8 square metres (2,000 square feet) of at-grade commercial space.

The development proposal includes one level of underground parking, two levels of above ground parking which is to be contained within a four storey podium and surface level parking spaces, providing for a total of 263 parking spaces and 168 bicycle parking spaces. Primary access to the development is proposed from Yonge Street with a secondary emergency only access proposed onto Creekview Avenue/Arten Avenue (refer to Maps 5 to 7).

As noted previously, the applicant has submitted revised materials to the City in response to comments provided by circulated departments and external agencies as well as comments received from Council and members of the public. The following is a summary outlining the

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pertinent statistics of the applicant’s revised development proposal based on the plans and drawings submitted to the City:

Development Statistic	Council Public Meeting Development Proposal (2020)	Current Revised Development Proposal (2023)
Total GFA	22,307.4 square metres (240,114.86 square feet)	19,067.8 square metres (205,244.09 square feet)
Residential GFA	21,674.2 square metres (233,299.15 square feet)	18,248.8 square metres (196,428.45 square feet)
Indoor Amenity GFA	633.2 square metres (6,815.71 square feet)	633.2 square metres (6,815.71 square feet)
Commercial GFA	N/A	185.8 square metres (2,000 square feet)
FSI	4.15	3.5
Residential Units	284	247
Base Building/Podium Height	5 storeys	4 storeys
Building Height (inclusive of Base Building/Podium Height)	28 storeys and 86.75 metres (284.61 feet) (excluding parapet and mechanical penthouse)	25 storeys and 77.9 metres (255.58 feet) (excluding parapet and mechanical penthouse)
Parking		
• Residential	230 spaces	225 spaces
• Visitor/Commercial	43 spaces	38 spaces
Bicycle Parking	182 spaces	168 spaces

In response to the comments and concerns expressed with regard to the proposed development, the applicant has made the following modifications to the development proposal from that which was presented at the September 23, 2020 Council Public Meeting:

- a reduction in the overall building height from 28 storeys and 86.75 metres (284.61 feet) to 25 storeys and 77.9 metres (255.58 feet).
- a reduction in the amount of residential GFA from 21,674.2 square metres (233,299.15 square feet) to 18,248.8 square metres (196,428.45 square feet);
- a reduction in FSI from 4.15 to 3.5;
- a reduction in the number of apartment dwelling units from 284 to 247;
- a reduction in base building height (podium) from five (5) storeys to four (4) storeys;
- the addition of ground floor commercial space having a GFA of 185.8 square metres (2,000.0 square feet);
- a reduction in the overall parking from 273 spaces to 263 spaces; and,
- a reduction in the bicycle parking from 182 spaces to 168 spaces.

### Official Plan and Zoning By-law Amendment Applications

In order to facilitate its revised development proposal, the applicant is proposing a site specific exception under **Chapter 6** of the City’s Official Plan to permit the following:

- an increase in the maximum permitted building height from 15 storeys to 25 storeys;

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- an increase in the maximum permitted density from 2.0 to 3.5 FSI based on a site area of 5,451.97 square metres;
- an increase in the maximum floorplate size of any portion of a building above the podium from 750 square metres (8,072.93 sq. feet) to 760 square metres (8,180.57 square feet);
- a reduced minimum protection zone (buffer) from 10 metres (32.81 feet) to 0 metres (0 feet) from the outer limits of the Natural Hazard/Floodplain; and,
- development to be permitted to proceed in advance of the implementation of the approved flood remediation program in accordance with the final approved Yonge-Elgin Flood Remediation Class Environmental Assessment.

Additionally, the applicant is requesting to rezone its land holdings from “**General Commercial One (GC1) Zone**” and “**Third Density Residential (R3) Zone**” to “**Residential Multiple Six Density (RM6) Zone**” under Zoning By-law 2523, as amended, with site specific development standards (refer to Appendix “C”) as follows:

Development Standard	Proposed Development
Permitted Uses	Apartment Dwelling, Retail Store, Service Shop, Business or Professional Office
Minimum Lot Frontage	30 metres (98.43 feet)
Minimum Lot Area	0.5 hectares (1.24 acres)
Maximum Lot Coverage	N/A
Minimum Gross Floor Area	19,100 square metres (205,590.69 square feet)
Minimum Front Yard Setback (Yonge St.)	4.0 metres (13.12 feet)
Minimum Side Yard Setback (North)	1.0 metres (3.28 feet)
Minimum Side Yard Setback (South)	4.0 metres (13.12 feet)
Minimum Rear Yard Setback (West)	4.0 metres (13.12 feet)
Maximum Building Height	25 storeys
Maximum Tower Floorplate	760 square metres (8,180.57 square feet)
Maximum Floor Space Index	3.5
Outdoor Amenity Area (Per Dwelling Unit)	2.0 square metres (21.53 square feet)
Parking <ul style="list-style-type: none"> <li>• Studio</li> <li>• 1 Bedroom</li> <li>• 2 Bedroom</li> <li>• 3+ Bedroom</li> <li>• Residential Visitor</li> <li>• Commercial</li> </ul>	0.75 spaces per Dwelling Unit 0.80 spaces per Dwelling Unit 1.0 spaces per Dwelling Unit 1.2 spaces per Dwelling Unit 0.15 spaces per Dwelling Unit 2.8 spaces per 100 square metres
Bicycle Parking <ul style="list-style-type: none"> <li>• Resident</li> <li>• Residential and Commercial Visitor</li> </ul>	0.60 spaces per Dwelling Unit 0.05 spaces per Dwelling Unit
Loading	1 space

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### Planning Analysis:

Staff has undertaken a comprehensive review and evaluation of the applicant's development proposal based on the policy framework contained within the *Provincial Policy Statement* (PPS, 2020), the *Growth Plan for the Greater Golden Horseshoe* (Growth Plan, 2020), the Regional Official Plan (ROP 2010) and the City's Official Plan (Plan, 2010). Staff notes that the City's in-force Plan is consistent with the PPS, and conforms to the Growth Plan and the ROP 2010 that were in-force at the time of approval. Since the Plan's approval, both the PPS and the Growth Plan were updated in 2020. The Region of York has also completed an update to the ROP and introduced the new York Region Official Plan, 2022 (ROP 2022) which was adopted by Regional Council on June 30, 2022, and was approved as modified by the Ministry of Municipal Affairs and Housing on November 4, 2022. It is further noted that the City is currently undertaking a Municipal Comprehensive Review (MCR) to update the City's Plan as necessary in order to align with more recent Provincial and Regional planning direction.

Planning staff can advise that the applicant's development proposal is consistent with the PPS, and conforms with the Growth Plan and the ROP and furthermore, maintains the general intent of the goals, objectives and policies of the Plan. Outlined below is a more detailed discussion of the applicant's development proposal relative to the current ROP and the Plan.

### York Region Official Plan

The subject lands are designated **Urban Area** and are located along a **Regional Corridor** in accordance with Map 1 (Regional Structure) of the ROP 2010. Lands designated **Urban Area** support a wide range and mix of uses and are intended to accommodate a significant portion of planned growth within the Region. **Regional Corridors** are identified as diverse places that support a range and mix of activities that enrich the character and meet the needs of communities located along the corridors. The ROP sets out a vision for these areas to develop as attractive and vibrant urban areas that link **Regional Centres**, functioning as urban mainstreets that have a compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form. It is noted that the subject lands are also located within the protected Major Transit Station Area (MTSA) 46 – Elgin Mills Bus Rapid Transit Station, which has a minimum density target of 160 people and jobs per hectare. In accordance with the intensification hierarchy set out in the ROP 2010 strategic growth areas, which include MTSA's and **Regional Corridors**, these areas are directed to be the primary locations for concentrations of high density and mixed-use development. The proposed development will contribute to the density targets set out by the Region.

With respect to natural environment and the flood hazard matters, the ROP generally directs development away from hazardous lands and hazardous sites and prohibits development within defined portions of the floodplain, subject to conservation authority regulations. The ROP requires that development be planned and designed to minimize flooding and erosion impacts and to plan for flood events to minimize risks to human health and safety and property.

As noted above, it is recognized that York Region Council adopted a new Regional Official Plan in 2022. The ROP 2022 implements and is aligned with the most recent updates to the PPS and Growth Plan, and serves to guide land use planning and development within York Region to 2051. The ROP 2022 is not fundamentally different in terms of the applicable policy

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framework within this area of the City and effectively reconfirms the status of the subject lands in the context of a comprehensive and coordinated approach to accommodating growth and intensification.

In this regard, within the ROP 2022 the subject lands are identified as being located within an **Urban Area** and within a **Regional Corridor** in accordance with Map 1 (Regional Structure). Additionally, the lands are designated **Community Area** on Map 1A (Land Use Designations). Similar to the ROP 2010, the ROP 2022 identifies the **Urban Area** as areas intended to support a wide range and mix of uses which will accommodate a significant portion of planned growth within the Region. The **Community Areas** are envisioned as the areas which will supply the majority of housing, personal services, retail, institutional, cultural and recreational services. Further, the **Community Areas** shall contain a wide range and mix of housing types, sizes and tenures that include options that are affordable. **Regional Corridors** are identified as diverse places that support a range and mix of activities that enrich the character and meet the needs of communities located along the corridors. Yonge Street is also identified as a **Regional Rapid Transit Corridor**, which is identified for safe and efficient movement of all modes of transportation including pedestrian, cyclists and transit vehicles.

The applicant's development proposal conforms with the policy direction for the **Urban Area** and more specifically, the **Regional Corridor** as set out in the ROP 2010 and in accordance with the ROP 2022, and contributes to the minimum density targets identified for the protected MTSA in this area. Regional staff have indicated that there are no outstanding comments related to the applicant's Official Plan and Zoning By-law Amendment applications subject to the resolution of any issues associated with flooding, to the satisfaction of the Toronto and Region Conservation Authority (TRCA) and the City of Richmond Hill. Staff note that the floodplain issue has been resolved to the satisfaction of the TRCA which is discussed in the further sections of the report. In this regard, the Region has exempted the subject Official Plan Amendment from Regional approval.

### City of Richmond Hill Official Plan

The subject lands are designated **Regional Mixed-Use Corridor** and **Neighbourhood**, and are identified as **Flood Vulnerable Area** in accordance with Schedule A2 (Land Use) of the Plan (refer to Map 2). The eastern portion of the site is designated **Regional Mixed-Use Corridor**, which supports a broad range and mix of land uses in a compact, pedestrian-friendly and transit-oriented built form. In accordance with **Section 4.6** of the Plan, permitted land uses include medium and high density residential, major office, office, commercial, major retail, retail, automotive service commercial, community uses, parks and open spaces and live-work units. Development is permitted to a maximum density of 2.0 FSI with a maximum base height of four storeys and a maximum overall building height of 15 storeys.

Where proposed, high-rise residential buildings are subject to the urban design policies set out under **Section 3.4.1** of the Plan which require the provision of a sufficient separation distance of approximately 25 metres between towers to maintain appropriate light, view and privacy conditions as well as slender floorplates of approximately 750 square metres (8,072.93 square feet) to limit shadow and wind impacts and loss of sky view. Where adjacent to low density residential or medium density residential uses in the **Neighbourhood** designation,



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development within the centres and corridors is further required to provide for transition, including the provision of a 45 degree angular view plane.

The most westerly portion of the subject lands are designated **Neighbourhood**, which provide for predominantly low-rise residential development that is compatible with the physical context and character of the surrounding area. It should be noted that the proposed development does not encroach onto the portion of lands designated **Neighbourhood** and is entirely located on the portion of the lands designated **Regional Mixed-Use Corridor**. Additionally, the subject lands are also located within a Priority Infill Area as identified on **Appendix 9** of the Plan, in the area bounded by Elgin Mills Road, Bathurst Street, and the rear lot line on the south side of Oxford Street and Yonge Street (refer to Map 4). At this time, an infill plan has not been approved for this area; however, the applicant has submitted plans and information to demonstrate how the proposed high density development relates to the existing low density development to the west and shall provide opportunities for future connections to adjacent lands within the **Regional Mixed-Use Corridor** in accordance with the policies of the Plan (refer to Map 3).

The applicant is proposing a high density mixed-use residential/commercial building on the eastern portion of the site designated **Regional Mixed-Use Corridor** at a density of 3.5 FSI, with a four storey podium and an overall building height of 25 storeys with surface parking area on the western portion of the site designated **Neighbourhood**. The development proposal provides for a separation distance of 12.45 metres (40.85 feet) to the adjacent lot lines to the north and south, as well as a tower floorplate of approximately 760 square metres (8,180.57 square feet).

Staff have undertaken a comprehensive technical review of the applicant's revised development and have determined that the proposed height and density is supportable on the basis that the proposed development shall achieve the Plan's vision for the **Regional Mixed-Use Corridor** to establish a mixed-use, pedestrian-friendly and transit-oriented community by contributing to the revitalization of this portion of Yonge Street. The proposal meets the criteria for mixed-use by providing commercial space which contributes to the policy vision for a complete community. Contextually, the proposed development will contribute positively to the urban pulse of the corridor leading to a gradual ascent northward from the subject lands to the Yonge and Bernard Key Development Area (KDA). Additionally, the proposed increase in height from 15 storeys to 25 storeys is not expected to negatively impact abutting land uses. In this regard, the highest point of the tower has been directed towards Yonge Street away from the existing low density residential neighbourhood to the west. The proposal shall incorporate some terracing and step backs from 25 storeys to four storeys along the westerly elevation which will result in a reduction of the massing and visual impacts of the development to the adjacent residential neighbourhood.

With respect to the issue of transition, it is noted that the development proposal shall achieve a 45 degree angular viewplane of the adjacent low density residential properties in the **Neighbourhood** designation at 17 Creekview Avenue and 47 Arten Avenue, in accordance with **Policy 3.4.1.55** of the Plan as amended by Official Plan Amendment 18.3.

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The intent of the angular plane provision is to ensure that the proposed development does not negatively impact sunlight and sky views of abutting residential uses and to ensure built form compatibility and transition of building heights from a higher density built form to an adjacent low or medium density built form. The proposed development has demonstrated that it meets the 45 degree angular plane requirement to the existing low rise residential development to the west, and therefore, the increased height is not expected to negatively impact the adjacent low density development or block sunlight any sky views. Further, the applicant has submitted a Sun/Shadow Study in support of its development proposal, which have been comprehensively reviewed and found satisfactory by City staff.

In addition to the requested increase in height and density, the subject Official Plan Amendment requests an exemption to the Plan's maximum floor plate size of 750 square metre requirement to permit a slight increase to an approximately 760 square metre floorplate above the fourth floor podium of the proposed development. The applicant has demonstrated that the slightly larger size floorplate will not negatively impact the light and sky views of abutting properties by incorporating a step back for the east and west elevation. The proposed step backs assist in achieving a visually prominent base and streetscape along Yonge Street and the rear of the buildings facing Creekview Avenue/Arten Avenue. In consideration of the type of land use being proposed, the conformity with the angular plane, and the incorporation of the step back design requirements, staff have no concerns with the slightly increased floorplate.

In recognizing that adequate, affordable and suitable housing is a fundamental aspect of a complete community, residential development within the **Settlement Area** is further required to address the City's affordable housing policies under **Section 3.1.5** of the Plan, including the provision of a minimum of 25 percent of new housing units as affordable units that offer a range of affordability for low and moderate income households of varying sizes, as well as the provision of family sized units. As defined in **Section 7.2** of the Plan, Affordable means:

***“in the case of ownership housing, the least expensive of:***

- a. housing for which the purchase price results in annual accommodation costs not exceeding 30% of gross annual household income for low- and moderate-income households; or***
- b. housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area.”***

In terms of ownership housing, “**low and moderate-income households**” is defined to include *households with incomes in the lowest 60% of the income distribution for the regional market area.*

In this regard, the applicant is proposing 247 residential units, of which 111 units (45% of the total units) are proposed to be affordable. The applicant has exceeded the Plan's target for providing affordable housing to contribute to a complete community.

The Plan's **Policy 3.1.5(6)** further requires that high density residential development on a site shall provide a minimum of 5% of units to be 3 or more bedroom units. The application

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proposes 11 units to be three bedrooms or larger (5.3% of the total units). Staff also note that while the proposal was originally presented as a rental development, the proposal has been revised and condominium tenure is now proposed.

The eastern portion of the applicant's landholdings are also identified as **Flood Vulnerable Area** in the Plan, which are potentially susceptible to damage during flood events. **Section 3.2.2.3** of the Plan prohibits development and site alteration within floodplains, subject to the TRCA's regulations, and requires a minimum protection zone (or buffer) of 10 metres (32.81 feet) to be provided and enhanced from the outer limits of hazardous lands and hazardous sites, which include the floodplain hazard limit. In accordance with **Section 3.2.2.5** of the Plan, development may occur in **Flood Vulnerable Areas** provided that certain flood risk matters are addressed prior to development occurring in these areas.

This is to be achieved through the approval of a Flood Remediation Environmental Assessment (EA) and implementation of a flood remediation program in accordance with the approved EA, or alternatively, the completion and approval of a comprehensive Flood Risk Assessment Study (FRA). The study must demonstrate that the proposed development either maintains or decreases the level of flood risk associated with the area as well as provides specific actions and strategies for flood remediation, flood proofing, flood warning, emergency response measures, and the protection of any key natural heritage or hydrological features and their functions and the use of low impact development techniques and sustainable design solutions instead of traditional engineering solutions to the satisfaction of the City and the TRCA.

At this time, the Yonge-Elgin Mills Area Flood Remediation Class Assessment Study EA has been completed by the City; however, the remediation recommendations have not yet been implemented. Accordingly, the applicant has submitted a preliminary FRA to assess existing conditions and address flood risk related to the proposed development. The FRA concludes that the area in which the subject lands are located meet the definition of "low risk" under the Ministry of Natural Resources and Forestry's Technical Guide: **River and Streams Systems: Flooding Hazard Limit, Appendix 6, Floodproofing**, and further, notes that vehicular access and egress to and from the site will not be impacted for private and emergency vehicles due to the relatively minor flood depths and velocities anticipated during a flood event. Although the analysis indicates that a slight increase in flow velocity is expected along Yonge Street, the report concludes that no flood hazards are created or exacerbated by the proposed development and further suggests that flood risks to adjacent properties resulting from the proposed development are actually decreased and likely to be negligible to unmeasurable.

The preliminary FRA has been revised to the satisfaction of City staff and the TRCA for the purposes of the subject Official Plan and Zoning By-law Amendment applications. Staff note however, that updates to the FRA will be required to address the specific requirements of Official Plan **Policy 3.2.2.5.2** through the detailed design of the subject proposal, as required through the submission and review of a future Site Plan application, prior to any development occurring on the subject lands. Based on the findings and acceptance of the preliminary FRA, it is also noted that City staff and the TRCA are satisfied with accepting a 0 metre (0 feet) protection zone (or buffer) to the limits of the floodplain, which is addressed in the applicant's draft Official Plan Amendment.

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Staff has evaluated the applicant's development proposal in relation to the land use, design and compatibility policies of the Plan and is satisfied that the proposal has regard for, and is compatible with existing and planned development in the area and has addressed the necessary matters relating to flood risk at this stage, in accordance with the Plan. Based on the preceding, staff is of the opinion that the applicant's development proposal conforms with the applicable policies of the Plan, subject to addressing the specific requirements of **Policy 3.2.2.5.2** through the detailed design of the development proposal and review and approval of a Site Plan application.

### Key Directions Report for the Official Plan Update

The Key Directions Report for the Official Plan Update (the Key Directions Report) was endorsed by Council on February 9, 2022. The Key Directions Report forms the foundation for future amendments to the Plan and guides the next phase of the City's Official Plan Update process while responding to Council's Strategic Priorities and supporting the City's commitment to address climate change. The Key Directions Report reinforces the need to maintain the City's existing Urban Structure with the acknowledgement that minor changes are required to align with the Regional MTSA density direction. In this regard, the Key Directions Report recognizes MTSA's within the intensification hierarchy and the need to direct context appropriate growth along the Yonge Street corridor, from Highway 7 to Bloomington Road.

As noted previously, the subject lands are located within protected MTSA 46 – Elgin Mills BRT Station. **Section 2.1.2.1.1** of the Key Directions Report directs for planning for more dense development to occur in the Centres and Corridors to ensure growth can be accommodated in an environmentally, socially and economically sustainable manner while maximizing the use of existing and planned infrastructure. **Section 2.3** of the Key Directions Report further supports the need to plan MTSA's in a transit-supportive manner through the achievement of minimum density targets prescribed by Provincial policy and reflective of the type of transit that is planned to serve the MTSA. Staff is satisfied that the proposed high density residential development is generally consistent with the vision for the intensification of areas of the Yonge Street Corridor that are recognized as an MTSA as set out in the Key Directions Report.

### Zoning By-law

The applicant is seeking approval to rezone the subject lands from **General Commercial One (GC1) Zone** and **Third Density Residential (R3) Zone** to **Multiple Residential Six Density (RM6) Zone** under By-law 2523, as amended, to permit an apartment dwelling, retail store, service shop and business or professional office, and to establish site-specific development standards to facilitate its revised development proposal on the subject lands. It should be noted that By-law 2523 does not include a zone category that accommodates high density residential development and therefore requires the introduction of the **RM6** Zone with site specific standards (refer to Appendix "C" and Map 4).

Staff have evaluated the proposed development standards and consider them to be generally appropriate for the development of the subject lands as outlined in this report. 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, and to limit the impacts of the proposed height and density of the development in providing for limited shadowing, achieving

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sufficient skyview, and regulating the minimum requirements related to parking and loading, among other matters.

Notwithstanding the above, the applicant is required to revise the FRA submitted to confirm matters related to the detailed design of the proposed development prior to finalizing the form and content of the implementing Zoning By-law. On the basis of the preceding, staff recommend that the draft Zoning By-law contained in Appendix “C” be supported in principle, and that prior to the amending Zoning By-law being brought forward to a Council meeting for consideration and enactment, the applicant submit and receive approval of a Site Plan application to the satisfaction of the Commissioner of Planning and Infrastructure, including an updated FRA.

### **Council and Public Comments:**

The following is an overview of and response to comments and/or concerns expressed by the public at the Council Public Meeting held on September 23, 2020 and through written correspondence received by the City with respect to the applicant’s development proposal:

#### **Height, Density, Compatibility and Transition**

Concerns were raised with respect to the proposed height and density of the development, particularly in relation to compatibility with the character of and transition to the existing low density neighbourhood to the west and impacts related to privacy, light, noise, and sunlight. Staff find that the proposed massing articulates the vision for city building at a scale that contributes to the City’s character and identity. In this regard, the applicant has reduced the overall height of the proposed building from 28 to 25 storeys and has reduced the proposed podium or base building height from five to four storeys. The density of the development has also been reduced from 4.15 to 3.5 FSI.

As discussed in previous sections of this report, the revised proposal provides for a single high-rise building on a transit corridor that is consistent with the City’s urban design policies for high-rise buildings in providing for a generally slender tower floorplate, sufficient separation distances to accommodate future high-rise development on adjacent sites within the **Regional Mixed-Use Corridor** designation, and a 45 degree angular view plane measured in accordance with the Plan from the nearest adjacent low-density residential properties at 17 Creekview Avenue and 47 Arten Avenue.

The applicant has further submitted a revised Sun/Shadow Study demonstrating minimal shadowing to the east of the development proposal, which has been reviewed and accepted by Urban Design and Planning Staff. The development will foster a pedestrian oriented, compact and human scaled built form that conforms to the place-making design objectives of the City. It is noted that specific design measures that address how the development can positively further the City’s architectural design objectives and mitigate light, noise and privacy concerns, including the provision of landscaping and appropriate screening to the proposed surface parking lot, shall be reviewed and secured through a future Site Plan application.

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### Traffic, Parking and Access

Concerns were raised with respect to the impacts of increased traffic that may be generated by the proposed development as well as infiltration of traffic and parking into the established low-density neighbourhood to the west as a result of the location of the proposed emergency access, resulting in safety concerns. A Traffic Impact Study and Addendum material (TIS) have been submitted by the applicant to address current and future traffic conditions, site access and circulation, parking and loading requirements, and Transportation Demand Management (TDM) measures.

The conclusions of the TIS with respect to traffic impacts indicate acceptable levels of service at intersections pending signal timing adjustments. The TIS further concludes that the proposed parking supply of 263 spaces, although not in keeping with the City's current Zoning By-law requirements, aligns with the rates contained within the City's more recent Richmond Hill Parking Strategy – Final Draft Report (June 2010) and is sufficient to accommodate future parking demand for the development. The City's Transportation Engineering Section has reviewed the TIS and supporting documents submitted in support of the proposed development, including the proposed TDM measures and found them to be acceptable.

With respect to the concerns related to the secondary emergency access proposed onto Creekview Avenue/Arten Avenue, staff note that this access into the adjacent neighbourhood to the west will be restricted and controlled through measures such as bollards, or as determined to be appropriate through the submission and review of a future Site Plan application to prevent traffic infiltration into the existing neighbourhood to the west. The proposed TDM measures and controlled access will be secured and implemented through a future Site Plan Agreement.

### Flooding and the Natural Hazard

Concerns were raised with respect to impacts relating to flooding and the natural hazard associated with the subject lands. As noted in previous sections of this report, the eastern portion of the site is located within a **Flood Vulnerable Area** as identified in the Plan. In this regard, the applicant has submitted a preliminary FRA to assess existing conditions and address flood risk related to the proposed development, which has been revised to the satisfaction of City staff and the TRCA for the purposes of the Official Plan and Zoning By-law Amendment applications as set out in this report. The TRCA and City staff are satisfied that any flood risk remediation measures can be implemented through the detailed design of the Site Plan. Staff note that the applicant will be required to design and implement specific flood proofing through the Site Plan process prior to any development being constructed on the subject lands.

Concerns were also raised with the proposed 0 metre (0 feet) buffer to the floodplain, which in accordance with the Plan is to be a minimum of 10 metres (32.81 feet) as defined by the City and the TRCA. Given the findings of the FRA and satisfaction of the technical considerations surrounding the flood hazard, including ensuring safe access and low risk associated with flooding, City staff and the TRCA are satisfied that the proposed 0 metre (0 feet) buffer is acceptable in this circumstance.

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### **Construction**

Concerns were raised with respect to potential impacts on surrounding properties resulting from the construction of the proposed development, including but not limited to noise, dust, and safety. In this regard, the applicant will be required to submit a Construction Management Plan as well as Shoring and Excavation Plans and a Crane Swing Plan to demonstrate sufficient planning for and mitigation of construction impacts on adjacent lands which will be addressed through the Site Plan process. The appropriate plans and materials will be reviewed and revised to the satisfaction of internal City Departments and external commenting agencies. Necessary provisions related to mitigating the impacts of construction on adjacent lands will be secured through the required Site Plan Agreement.

### **Community Services, Parks and Infrastructure**

Concerns were raised with respect to the capacity of existing community services, parks and infrastructure to accommodate the proposed development. In this regard, staff notes that comments on the subject applications were received by both the York Catholic District School Board and the York Region District School Board indicating no concerns with respect to the capacity of surrounding schools to accommodate the subject development.

With respect to parkland, Park and Natural Heritage Planning staff are satisfied that the subject lands are within walking distance to Hidden Spring Park and recommend that Council accept cash-in-lieu of parkland dedication, as noted in the sections below.

Regarding servicing and stormwater infrastructure impacts, Development Engineering staff have reviewed the plans and materials submitted in support of the applications and are satisfied that there is sufficient servicing and stormwater capacity to accommodate the proposed development, subject to assignment of servicing allocation which is addressed in subsequent sections of this report.

### **City Department and External Agency Comments:**

All circulated City departments and external agencies have either indicated no objections, or have provided comments to be addressed through the Site Plan approval process. The following is a summary of comments received from the City's Park and Natural Heritage Planning Section, Development Engineering Division, Community Services Department (Waste Management), as well as the Toronto and Region Conservation Authority.

### **Park and Natural Heritage Planning Section**

The City's Park and Natural Heritage Planning Section has identified that the subject lands are within a 400 metre (1,312.34 feet) walking distance to Hidden Spring Park and accordingly, recommends that Council accept cash-in-lieu of parkland dedication at the time of Building Permit to satisfy parkland dedication requirements for the subject development. Staff has further recommended that pedestrian access from Arten Avenue be extended east to connect to Yonge Street, and will be designed and approved through a future Site Plan application.

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### Development Engineering Division

Development Engineering staff have confirmed that there are no further comments to be addressed in relation to the subject Official Plan and Zoning By-law Amendment applications. Staff note that preliminary findings suggest that there will be no issue with accommodating or providing for stormwater management and hydrogeological balance, and all detailed comments respecting same will be addressed through a future Site Plan application.

### Community Services Department (Waste Section)

Community Services staff have indicated no objections with the applicant's Official Plan and Zoning By-law Amendment applications; however, staff have highlighted the need for the applicant to submit a Waste Management Plan for review and approval through a future Site Plan application in order to address various outstanding technical matters. Outstanding issues to be addressed include, but are not limited to, providing adequate width and turning radius for access routes including points of ingress and egress; the provision of three separate chutes for garbage, recyclable materials and organic materials; and, the accommodation of a waste drop-off room (refer to Appendix "D"). Community Services staff is generally satisfied that the applicant can accommodate on site waste management to meet the City's standards and the applicant has provided a letter of commitment to address all waste comments through the submission of a future Site Plan application.

### Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the applicant's revised proposal and is supportive of the proposed development to be located within a designated intensification/transit corridor while ensuring the protection of life and property, in accordance with Provincial Policy. The TRCA is satisfied that the applicant has demonstrated that the proposed building will be located outside of the floodplain as a result of minimal filling within the spill area within the limits of the subject property and will not have off-site impacts either downstream or upstream. The TRCA further recognizes that the proposed development will provide a vertical freeboard or adequate floodproofing and safe access to the west of the proposed building. Further, the TRCA has accepted a reduced setback of 0 metres (0 feet) from the floodplain as a result of the location of the subject lands on the edge of the floodplain in a highly urbanized area. The TRCA has deferred all remaining comments to the City and/or to be addressed during the detailed design stage of the subject development through the Site Plan review process (refer to Appendix "E").

### Recommendation:

Planning staff has undertaken a comprehensive review of the applicant's revised development proposal and are in support of same for the following reasons:

- the proposed high density mixed-use residential/commercial development is consistent with the PPS and the Growth Plan, which direct that within **Settlement Areas**, municipalities plan for and promote transit-supportive development, and accommodate a range of housing options through intensification and redevelopment to create more sustainable communities and to use land and infrastructure more efficiently, while ensuring protection of public health and safety;



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- the proposed development is permitted and encouraged from a land use perspective along the Yonge Street **Regional Corridor** within the protected MTSA 46 – Elgin Mills BRT Station in the **Urban Area** of the ROP and within the **Regional Mixed-Use Corridor** designation of the Plan;
- the proposed height and density is supportable on the basis that the proposed development achieves the Plan’s vision for the **Regional Mixed-Use Corridor** to establish a mixed-use, pedestrian-friendly and transit-oriented community by contributing to the revitalization of this portion of Yonge Street. Contextually the proposed development will contribute positively to the urban pulse of the corridor forming a gradual ascent northward to the Yonge and Bernard Key Development Area (KDA);
- the proposed height and density are considered appropriate given the location, context, design and form of the proposal in achieving the City’s high-rise building urban design policies related to tower separation distance and tower floorplate size as well as providing for an appropriate 45 degree angular view plane from the adjacent low density residential property lines at 17 Creekview Avenue and 47 Arten Avenue;
- based on the information provided by the applicant, the development proposal contributes to achieving the affordable housing targets set out in the ROP and the Plan by providing 45 percent of new residential units within the development as affordable to low and moderate income households and six residential units as three bedrooms or larger to accommodate a range of household sizes and types;
- the applicant has submitted a preliminary FRA to the satisfaction of the City and the TRCA for the purposes of supporting the Official Plan and Zoning By-law Amendment applications at this stage. In this regard, staff are satisfied that flood risk is low and remediation measures are feasible. Notwithstanding, the Flood Vulnerable Area policies of the Plan will be fully satisfied when the applicant undertakes the detailed design of the development proposal, which will require the submission and review of a future Site Plan application;
- the request to reduce the minimum protection zone (buffer) from 10 metres (32.81 feet) to 0 metres (0 feet) from the outer limits of the Natural Hazard/Floodplain has been reviewed in the context of the findings of the FRA submitted and is considered appropriate;
- the proposed site specific **RM6 Zone** category under By-law 2523, as amended, is generally consistent with the standards applied to adjacent development; and,
- the applicant has satisfactorily addressed City Department and external agency comments as they relate to the Official Plan and Zoning By-law Amendment applications, as well as comments received from Council and members of the public. The remaining technical matters and design considerations will be required to be addressed through the submission and review of a future Site Plan application.

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

### **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 criteria are as follows:

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1. *Providing community benefits and completion of required key infrastructure.*
2. *Developments that have a mix of uses to provide for live-work relationships.*
3. *Developments that enhance the vitality of the Downtown Core.*
4. *Higher-order transit supportive development.*
5. *Developments that represent sustainable and innovative community and building design.*
6. *Completion of communities.*
7. *Small scale infill development.*
8. *Opportunities to provide affordable housing.*

At the time of writing this report, a Site Plan application had not yet been submitted in support of the development proposal. In order to satisfy IGMS Criteria 5, the applicant will be required to submit a Sustainability Performance Metrics Tool (the “Metrics”) in support of and for consideration by the City as part of its review and approval of a future Site Plan application to support the allocation of servicing capacity. In this regard, staff will continue to work with the applicant to achieve the City’s minimum 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.

### **Relationship to Council’s Strategic Priorities 2020-2022:**

The recommendations of this report are aligned with **Balancing Growth and Green** in providing for infill development along a Regional Corridor in support of the City’s Urban Structure framework, as well as creating a **Strong Sense of Belonging** and promoting **Getting Around the City** in providing for a mix and range of housing in a transit-supportive manner along the Yonge Street Bus Rapid Transit Line.

### **Climate Change Considerations:**

The recommendations of this report are aligned with Council’s climate change considerations in facilitating a high density development along a Regional Corridor, thereby utilizing land more efficiently and supporting the City’s transit infrastructure. It is noted that the development proposal will be subject to the minimum thresholds of the City’s Sustainability Metrics through the submission of a future Site Plan application and that the sustainability commitments relating to site and building design will be secured through a future Site Plan agreement.

### **Conclusion:**

The applicant is seeking Council’s approval of its revised Official Plan and Zoning By-law Amendment applications to permit a 25 storey high density mixed-use residential/commercial development on its land holdings. Staff has undertaken a comprehensive review and evaluation of the applicant’s revised development proposal and is of the opinion that the submitted applications are appropriate and represent good planning. On the basis of the preceding, staff recommends that Council approve the subject applications in accordance with the recommendations outlined in this report.

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### Attachments:

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

- Appendix “A”, Extract from Council Public Meeting C#42-20 held September 23, 2020
- Appendix “B”, Draft Official Plan Amendment
- Appendix “C”, Draft Zoning By-law
- Appendix “D”, Memo from Community Services Department, dated November 24, 2022
- Appendix “E”, Memo from Toronto and Region Conservation Authority, dated December 14, 2022
- Map 1, Aerial Photograph
- Map 2, Existing Official Plan – Land Use
- Map 3, Existing Official Plan – Infill Priority Areas
- Map 4, Existing Zoning
- Map 5, Proposed Site Plan
- Map 6, Proposed Elevations
- Map 7, Proposed 3D Renderings

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### Report Approval Details

Document Title:	SRPI.23.073 - Request for Approval - D01-20004 and D02-20010 - 10684 and 10692 Yonge Street.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPI.23.073 - Appendix A.pdf</li><li>- SRPI.23.073 - Appendix B.pdf</li><li>- SRPI.23.073 - Appendix C.pdf</li><li>- SRPI.23.073 - Appendix D.pdf</li><li>- SRPI.23.073 - Appendix E.pdf</li><li>- Map 1 - Aerial Photograph.docx</li><li>- Map 2 - Existing Official Plan – Land Use.docx</li><li>- Map 3 - Existing Official Plan - Infill Priority Areas.docx</li><li>- Map 4 - Existing Zoning.docx</li><li>- Map 5 - Proposed Site Plan.docx</li><li>- Map 6 - Proposed Elevations.docx</li><li>- Map 7 - Proposed 3D Renderings.docx</li></ul>
Final Approval Date:	Jun 17, 2023

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

**Gus Galanis - Jun 16, 2023 - 3:48 PM**

**Kelvin Kwan - Jun 16, 2023 - 4:08 PM**

**Darlene Joslin - Jun 17, 2023 - 2:35 PM**