



Staff Report for Committee of the Whole Meeting

Date: October 18, 2023

Report Number: SRPBS.23.015

Department: Planning and Building Services

Division: Development Planning

Subject: SRPBS.23.015 – Request for Direction – Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan Applications – Yonge MCD Inc. – City Files D02-16012, D03-16006 and D06-20023 (Related File: D01-16002)

Owner:

Yonge MCD Inc.
24-81 Zenway Boulevard, Unit 24
Woodbridge, ON L4H 0S5

Agent:

Weston Consulting
201 Millway Avenue, Unit 19
Vaughan, ON L4K 5K8

Location:

Legal Description: Part of Lots 1, 2 and 23, Registered Plan 1642, Part of Lots 1, 2, 3 and 4, Registered Plan 3600 and Part of Lots 1 and 4, Registered Plan 3799

Municipal Addresses: 0, 47 and 59 Brookside Road, 12 and 24 Naughton Drive and 0, 11014, 11034, 11044 and 11076 Yonge Street

Purpose:

The purpose of this report is to seek Council's direction with respect to technical amendments to the approved Zoning By-law Amendment and draft Plan of Subdivision applications for the residential development to be constructed on the applicant's land holdings, to receive comments on the related Site Plan application applicable to a portion of the subject lands and to delegate authority to assign municipal servicing allocation for Phase 1 of the proposed development to the Commissioner of Planning and Building Services.

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Recommendations:

- a) That Staff Report SRPBS.23.015 with respect to the Zoning By-law Amendment, draft Plan of Subdivision and Site Plan applications submitted by Yonge MCD Inc. for lands known as Part of Lots 1, 2 and 23, Registered Plan 1642, Part of Lots 1, 2, 3 and 4, Registered Plan 3600 and Part of Lots 1 and 4, Registered Plan 3799 (Municipal Addresses: 0, 47 and 59 Brookside Road, 12 and 24 Naughton Drive and 0, 11014, 11034, 11044 and 11076 Yonge Street), City Files D02-16012, D03-16006 and D06-20023, be received for information purposes;
- b) That the Ontario Land Tribunal (OLT) be advised as follows:
 - i. that Council supports the proposed revisions to Zoning By-law 110-20 as set out in Appendix “C” to Staff Report SRPBS.23.015;
 - ii. that Council supports the proposed revisions to the draft Plan of Subdivision included and the associated conditions as set out in Map 6 and Appendix “D”, respectively to Staff Report SRPBS.23.015;
- c) That comments on the applicant’s Site Plan application (D06-20023) be referred back to staff; and,
- d) That the authority to assign 673.98 persons equivalent of municipal servicing allocation to the proposed development to be constructed on the subject lands be delegated to the Commissioner of Planning and Building Services subject to the City’s Interim Growth Management Strategy, and that the assigned servicing allocation be released in accordance with By-law 109-11, as amended.
- e) That appropriate City staff be directed to appear at the Ontario Land Tribunal as necessary in support of Council’s position concerning the proposed revisions.

Contact Person:

Jeff Healey, Senior Planner – Subdivisions, phone number 905-747-6452 and/or
Sandra DeMaria, Manager of Development – Site Plans, phone number 905-747-6312

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Building Services

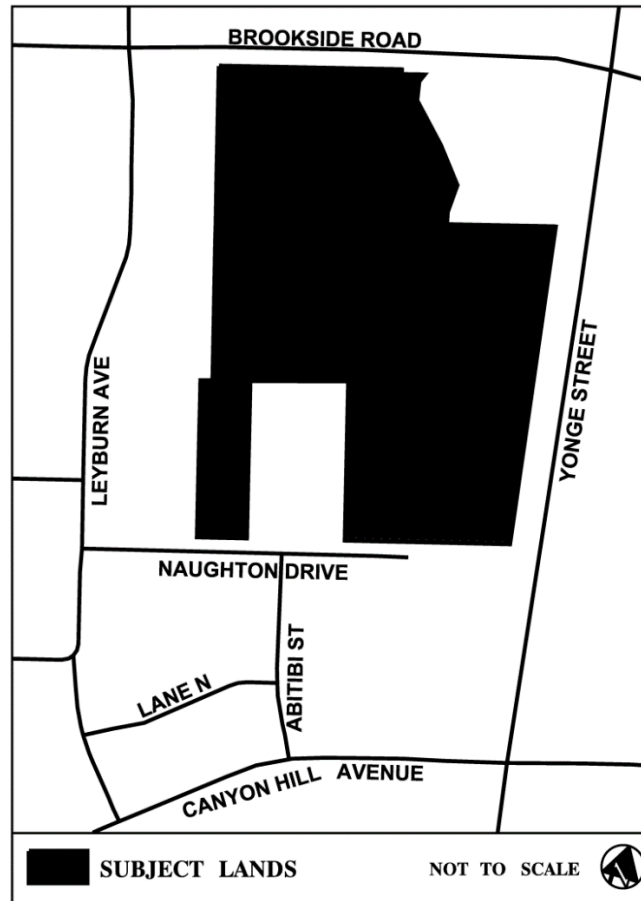
Approved by: Darlene Joslin, City Manager

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All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under the “Contact Person” above.



Background:

On March 9, 2022, Council supported revisions to approvals issued by the former Local Planning Appeal Tribunal (LPAT) in its Order dated September 30, 2020 related to Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications (City Files: D01-16002, D02-16012, and D03-16006) pertaining to the development of the subject lands. The revisions sought to include lands identified as Block 20 in the approved draft Plan of Subdivision as part of the Official Plan Amendment and Zoning By-law Amendment approvals for Phase 1 of the subject development, and to address other minor changes resulting from this revision as set out in Staff Report SRPI.22.019. Council directed that the OLT be advised of the revisions

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to include Block 20. However, a decision has not yet been issued by the OLT on this matter.

The applicant has submitted a Site Plan application (City File: D06-20023) for a portion of its Phase 1 land holdings which includes a proposed six storey adult lifestyle building and stacked townhouse units. In accordance with Council's direction, the revised Site Plan application contemplates a portion of the Phase 1 lands to include the Block 20 lands, which comprise a six storey rental apartment building containing a daycare at grade.

Through detailed design work associated with the finalization and registration of the related draft Plan of Subdivision and updates to the Site Plan application to include the Block 20 lands, staff has identified areas of non-compliance with the revised Zoning By-law 110-20 with resultant revisions required to the draft Plan of Subdivision. In order to address areas of non-compliance to facilitate the development concept as supported by Council on March 9, 2022, the applicant has requested approval of technical amendments to the applicable Zoning By-law and minor adjustments to the draft Plan of Subdivision which are detailed in the later sections of this report. As such, the purpose of this report is to seek direction with respect to the following:

- proposed amendments to revised Zoning By-law 110-20 applicable to the subject lands;
- proposed modifications to the approved draft Plan of Subdivision and associated conditions of approval in order to implement the development concept as supported by Council and to advise the OLT of Council's position in this regard; and,
- to seek Council's comments on the related Site Plan application and to delegate authority with respect to the assignment of municipal servicing allocation for the Phase 1 component of the applicant's land holdings.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the south side of Brookside Road and the west side of Yonge Street. The applicant's larger land holdings have a lot area of 4.6 hectares (11.4 acres) which are inclusive of the Phase 1 lands, portions of which are subject to the related Site Plan application. Uses surrounding the property include Brookside Road to the north, existing commercial uses along Yonge Street to the east, an established low density residential neighbourhood and Naughton Drive to the south and existing low density residential dwellings units to the west. A tributary of the Rouge River runs through the eastern portion of the lands (refer to Maps 1 and 2).

Revised Development Proposal

The applicant's development proposal includes multiple phases of development blocks as well as park and open space blocks. Phase 1 includes a six storey adult lifestyle building, a six storey rental apartment building to contain a daycare centre at grade,

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stacked townhouse units which are subject to the related Site Plan application, and semi-detached units to be created through the Plan of Subdivision. It should be noted that the applicant has not submitted development applications for its Phase 2 land holdings at this time. The following is a summary table outlining the relevant statistics of the applicant’s Phase 1 development proposal (refer to Maps 7 and 8):

	Council Endorsed Development (2022)	Revised Proposed Development
Total Lot Area	4.6 ha. (11.4 ac.)	4.6 ha. (11.4 ac.)
<ul style="list-style-type: none"> • Phase 1 Development Blocks • Phase 2 Development Blocks • Area of Park Blocks • Area of Open Space Blocks 	3.95 ha. (9.79 ac.) 0.65 ha. (1.61 ac.) 0.36 ha. (0.89 ac.) 0.92 ha. (2.27 ac.)	3.95 ha. (9.79 ac.) 0.65 ha. (1.61 ac.) 0.33 ha. (0.82 ac.) 0.93 ha. (2.3 ac.)
Phase 1 Density	103 units/ha. (41.59 units per ac.)	105 units/ha. (42.68 units per ac.)
Phase 1 Dwelling Units	298	298
<ul style="list-style-type: none"> • Semi-Detached • Stacked Townhouse • Apartment Dwelling 	38 ⁽¹⁾ 102 158	38 ⁽¹⁾ 102 158
Phase 1 Building Heights		
<ul style="list-style-type: none"> • Adult Lifestyle Building • Rental Building • Stacked Townhouse Units • Semi-Detached Units 	6 storeys 6 storeys 4 storeys 11.0 metres (36.09 feet)	6 storeys 6 storeys 4 storeys 11.0 metres (36.09 feet)

- (1) The number of semi-detached dwelling units is based upon an approximate number of semi-detached units proposed within Future Development Block (Block 18). Approximately 10 semi-detached dwelling units are conceptualized within Block 18 while 28 semi-detached dwelling units are proposed within Lots 1 to 14 fronting Street “B”.
- (2) It must be noted that 0.016 hectares (0.039 acres) has been removed from both the Park Blocks and Open Space Blocks to a revised alignment to Street “A”, which will accommodate a future multi use path system.

Proposed Zoning By-law Revisions

In accordance with Council’s decision of March 9, 2022, the Phase 1 lands are to be zoned **Multiple Residential Two (RM2) Zone, Residential Semi-Detached or Duplex Two (RD2) Zone, Park (P) Zone, and Open Space (O) Zone** under By-law 190-87, as amended by Zoning By-law 110-20. In conducting detailed design work related to the draft Plan of Subdivision and Site Plan applications, it has been determined that additional technical amendments to the approved Zoning By-law applicable to the lands are required to implement the development concept as previously supported by Council. A summary of the proposed technical amendments are provided in the table below and are included in Appendix “C” to this report:

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Development Standard	Revised Zoning By-law 110-20 from SRPI.22.019	Proposed Further Revised Zoning By-law 110-20	Reason for Revision
RM2 Maximum Permitted Window Bay Projections – Townhouse Dwellings	1.0 metre over a maximum width of 3.0 metres (3.28 feet over a maximum width of 9.84 feet)	1.0 metre over a maximum width of 7.0 metres (3.28 feet over a maximum width of 22.97 feet)	To accommodate window bay projections in the front and rear yards proposed through detailed design of the related Site Plan application.
RM2 Minimum Interior Side Yard Setback – Townhouse Dwellings	7.5 metres (24.60 feet)	6.5 metres (21.33 feet)	To accommodate bump outs located on the second and third storeys as proposed through detailed design of the related Site Plan application.
RM2 Minimum Flankage Yard Setback – Townhouse Dwellings	4.0 metres (13.12 feet)	2.5 metres (8.2 feet)	To accommodate bump outs located on the second and third storeys as proposed through detailed design of the related Site Plan application.
RM2 Permitted Canopy Encroachments	None	Permitted to project into any yard to a minimum 0 metre (0 foot) setback.	To accommodate a canopy over the entrance to the rental apartment building proposed through detailed design of the related Site Plan application.
Refinements to limits of the P Zone and O Zone Shown on Schedule A	Refer to Schedule “A” in Appendix “B”	Refer to Schedule “A” in Appendix “C”	Addition of a Stormwater Management Pond and updated floodplain mapping provided by the Toronto and Region Conservation Authority (TRCA) has resulted in revisions to the location of the flood hazard and required 10 metre buffer.

Proposed Draft Plan of Subdivision Revisions

As noted in the sections above, through the detailed design work associated with the review of the draft Plan of Subdivision for registration and the processing of the related Site Plan application, the applicant is proposing minor revisions to Schedule “A” of Zoning By-law 110-20, which are to be reflected in the draft Plan of Subdivision supported by Council on March 9, 2022 and as depicted on the draft M Plan included as Map 7 and corresponding conditions set out in Appendix “D” hereto. These revisions are as follows:

- the merging of Blocks 17 and 20, in order to facilitate the comprehensive development of the two proposed 6 storey buildings, including shared parking and access;
- the removal of “Block 24 - Pedestrian Walkway” from the southwest corner of the draft Plan of Subdivision. This block is a 3.0 metre walkway block intended to connect Street “A” with Naughton Drive with a pedestrian connection until such time as Street “B” is connected south to Abitibi Street. The owner has agreed to maintain

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the 3.0 metre walkway as an access easement in favour of the City. The removal of the block and maintaining a 3.0 metre easement is supported by the City's Transportation Engineering Section;

- the renumbering of Blocks 20 through 30 to facilitate the merger of Blocks 17 and 20;
- the creation of a stormwater management block (Block 29) at the east end of the site, immediately north of Street "A" to facilitate a bio-retention pond that was required through the detailed design of the subdivision; and,
- refinements to the numbering, size and location of the park and open space blocks in accordance with updated floodplain mapping provided by the TRCA to ensure an appropriate 10 metre buffer is provided to the flood hazard.

Site Plan Application

As previously noted in this report, the applicant has submitted a related Site Plan application for a portion of the Phase 1 lands which includes the proposed six storey adult lifestyle building, six storey rental apartment building containing a daycare at grade, and stacked townhouse units. The Site Plan application is nearing finalization; however, the application remains under review at this time as specific technical matters still need to be addressed prior to final approval, including technical comments from Development Engineering, Parks and Natural Heritage Planning and Urban Design as well as the finalization and registration of the related draft Plan of Subdivision pending a final Order from the OLT.

City departments and external agencies have provided comments on the applicant's most recent Site Plan submission received by the City on December 23, 2022 and require a revised submission to rectify remaining technical comments on the application. A TRCA Permit will be required prior to construction of grading and retaining wall works related to the construction of a recreational trail on the northeast portion of the lands. Staff will continue to work with the applicant towards finalization of the Site Plan application and execution of the Site Plan Agreement. As the property is located along a Regional Road, York Region will be party to the amending Site Plan Agreement.

Policy and Planning Analysis:

Planning staff has undertaken a comprehensive review of the applicant's proposed revisions to Zoning By-law 110-20 and the draft Plan of Subdivision and are in support of same for the following principle reasons:

- staff's position on the policy framework remains unchanged from that outlined in Staff Report SRPRS.19.133 and SRPI.22.019 with respect to conformity with the PPS, the Region of York Official Plan and the City's Official Plan;
- the proposed revisions are required to implement the development concept as supported by Council on March 9, 2022 and as outlined in Staff Report SRPI.22.019. It is noted that the proposed revisions to the Zoning By-law and draft Plan of Subdivision do not represent a material change to the development proposal;

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- the request to permit window bay encroachments in the front and rear yards, reduced interior and flankage yard setbacks for the stacked townhouses and canopy encroachments in the **RM2 Zone** will serve to enhance the development by allowing for architectural interest in the elevations of the stacked townhouse units and apartment buildings which will be secured through a future Site Plan agreement, while still maintaining appropriate front, side and rear yard conditions;
- the request to merge Blocks 17 and 20 and to renumber all subsequent blocks accordingly will ensure the comprehensive development of the two proposed 6 storey buildings, including shared parking and access; and,
- the request to amend the boundaries of the **Park (P) Zone** and **Open Space (O) Zone** and corresponding blocks in the draft Plan of Subdivision is required as a result of updated floodplain mapping provided by the TRCA and will ensure protection of public health and safety through the provision of an appropriately zoned 10 metre buffer to the newly defined flood hazard. It is noted that the revised boundaries will result in a deficit of approximately 225 square metres (2,421.87 square feet) of previously proposed parkland dedication, which will be supplemented by cash in lieu.

On the basis of the preceding, it is recommended that the revisions to Zoning By-law 110-20 as set out in Appendix “C” and to the draft Plan of Subdivision as depicted on the draft M Plan included as Map 7 and the conditions as set out in Appendix “D” hereto be supported as they represent proper and orderly planning.

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:

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.*

The applicant has submitted a Sustainability Performance Metrics Tool (the “Metrics”) in support of IGMS Criteria 5, and for consideration by the City as part of its review and approval of both of the Plan of Subdivision and Site Plan applications, including the allocation of servicing capacity. The applicant’s submitted Metrics for the Plan of Subdivision application, which apply to the proposed 38 semi-detached units demonstrates an overall “Application Score” of 36, which achieves a “very good” score and meets the threshold score for Subdivision applications. The applicant’s submitted

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Metrics for the Site Plan application, which apply to the proposed 158 apartment dwelling units and 102 stacked townhouse units demonstrates an overall “Application Score” of 39, which achieves a “very good” score and meets the threshold score for Site Plan applications.

At the time of writing of this report, the applicant’s Metrics submissions and Site Plan application remain under review with respect to the feasibility and appropriateness of the proposed sustainability measures. In this regard, staff will continue to work with the applicant 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. Staff note that the Metrics committed to by the applicant in support of its allocation request will be secured through the Site Plan approval process and reflected in the Site Plan agreement, where applicable.

The proposed total unit count of 298 units, inclusive of 28 semi-detached units (as per Note 1 on Page 5 of this report), 158 apartment dwelling units and 102 stacked townhouse units proposed, is equivalent to 673.98 persons for the purposes of municipal servicing allocation. In consideration of the preceding and in order to streamline the servicing allocation assignment process for the proposed development, staff recommends that the Commissioner of Planning and Building Services be authorized to allocate a total of 673.98 persons equivalent of municipal servicing, subject to compliance with the City’s IGMS.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications. It is noted that staff and/or the City’s legal counsel may be required to attend OLT proceedings in support of Council’s position on this matter.

Relationship to Council’s Strategic Priorities 2020-2022:

The recommendations of this report are aligned with **Balancing Growth and Green** in recognizing the balance between economic development and environmental protection.

Climate Change Considerations:

The recommendations of this report are aligned with Council’s Climate Change Considerations as it relates to maximizing the efficient use of land and protecting the natural environment and public health and safety by revising the proposal to align with updated flood hazard mapping and ensuring the provision of an adequate buffer. With respect to climate change mitigation and adaptation, staff will continue to work with the applicant to finalize and secure the required Sustainability Performance Metrics commitments through the related Site Plan application, where applicable.

Conclusion:

Staff is seeking direction with respect to the proposed technical revisions to the Zoning By-law and the draft Plan of Subdivision applicable to the subject lands in order to

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implement the development concept supported by Council at its meeting of March 9, 2022 and to advise the OLT of same. Staff have reviewed the proposed revisions and consider them to be appropriate for the development of the lands as previously approved by Council. Staff will continue to work with the applicant to finalize the related Site Plan application. Accordingly, it is recommended that the proposed technical revisions to the Zoning By-law and the draft Plan of Subdivision be supported and provided to the OLT, that comments on the related Site Plan application be referred back to staff, and, that authority to assign municipal servicing allocation be delegated to the Commissioner of Planning and Building Services for Phase 1 of the development.

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 Meeting C#09-22 held on March 9, 2022
- Appendix “B”, Council Endorsed Revised Zoning By-law 110-20 from SRPI.22.019
- Appendix “C”, Proposed Further Revised Zoning By-law 110-20
- Appendix “D”, Proposed Revised Draft Plan of Subdivision Conditions
- Map 1, Aerial Photograph
- Map 2, Official Plan – Land Use Designation
- Map 3, Existing Zoning
- Map 4, Schedule 1 – South Brookside Tertiary Plan
- Map 5, Council Endorsed Draft M Plan (2022)
- Map 6, Proposed Revised Draft Plan of Subdivision (2023)
- Map 7, Proposed Site Plan
- Map 8, Proposed Elevations – Adult Lifestyle Building
- Map 9, Proposed Elevations – Rental Building
- Map 10, Proposed Elevations – Stacked Townhouses

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Report Approval Details

Document Title:	SRPBS.23.015 - Request for Direction - ZBLA and Draft Plan of Subdivision - Yonge MCD.docx
Attachments:	<ul style="list-style-type: none"> - SRPBS.23.015 - Appendix A - Extract from Council Meeting C09-22.docx - SRPBS.23.015 - Appendix B - Council Endorsed By-law 110-20 from SRPI.22.019.doc - SRPBS.23.015 - Appendix C - Proposed Further Revised Zoning By-law 110-20.doc - SRPBS.23.015 - Appendix D - Revised Draft Plan Conditions.docx - SRPBS.23.015 - Map 1 Aerial Photograph.docx - SRPBS.23.015 Map 2- Existing Zoning.docx - SRPBS.23.015 Map 3 -Official Plan - Land Use Designation.docx - SRPBS.23.015 Map 4- Schedule 1 - South Brookside Tertiary Plan.docx - SRPBS.23.015 Map 5 Council Endorsed Draft M Plan (2022).docx - SRPBS.23.015 Map 6 Proposed Revised Draft Plan of Subdivision (2023).docx - SRPBS.23.015 Map 7 Proposed Site Plan.docx - SRPBS.23.015 Map 8 Proposed Elevations - Adult Lifestyle Building.docx - SRPBS.23.015 Map 9 Proposed Elevations - Rental Building.docx - SRPBS.23.015 Map 10 Proposed Elevations - Stacked Townhouses.docx
Final Approval Date:	Sep 28, 2023

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

Gus Galanis - Sep 27, 2023 - 3:18 PM

Kelvin Kwan - Sep 27, 2023 - 5:13 PM

Darlene Joslin - Sep 28, 2023 - 12:39 PM