



Staff Report for Committee of the Whole Meeting

Date of Meeting: November 1, 2023

Report Number: SRPBS.23.031

Department: Planning and Building Services

Division: Development Planning

Subject: **SRPBS.23.031 – Request for Direction – Official Plan Amendment and Zoning By-law Amendment Applications – 9218 Yonge Street Inc. – City Files D01-21010 and D02-21020**

Owner:

9218 Yonge Street Inc.
47 Harlandale Avenue
Toronto, Ontario
M2N 1R5

Agent:

MPLAN Inc.
23 Foxwood Road
Thornhill, Ontario
L4J 9C4

Location:

Legal Description: Part of Lots 283, 284, 285 and 286, Plan 1960

Municipal Address: 9218 Yonge Street

Purpose:

A request for direction regarding Official Plan Amendment 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 Official Plan Amendment and Zoning By-law Amendment applications submitted by 9218 Yonge Street Inc. for lands known as Part of Lots 283, 284, 285 and 286, Plan 160 (Municipal Address: 9218 Yonge Street), City Files D01-

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21010 and D02-21020 for the principle reasons outlined in Staff Report SRPBS.23.031;

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

Contact Person:

Katherine Faria, Senior Planner, phone number 905-771-5543 and/or
Sandra DeMaria, Manager of Development, phone number 905-771-6312

Report Approval:

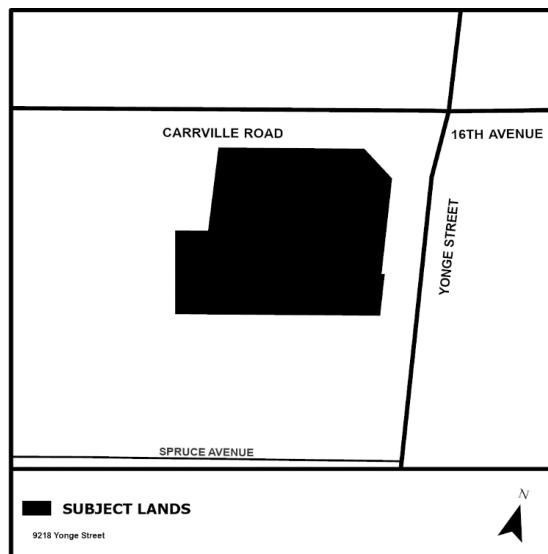
Submitted by: Kelvin Kwan, Commissioner of Planning and Business Services

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 the “Contact Person” above.



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Background:

Prior to the submission of the subject applications, Official Plan Amendment and Zoning By-law Amendment applications were submitted to the City seeking approval of a proposal to permit a high-density, mixed-use residential/commercial development comprising two buildings having heights of 29 storeys and 24 storeys on the subject lands (City Files D01-15003 and D02-15013). In October 2015, these applications were appealed to the OLT, then known as the Ontario Municipal Board (the “OMB”) on the basis that decisions on the applications were not made within the statutory timeframes prescribed under the *Planning Act*.

The OMB issued its Order on July 26, 2018 approving Official Plan Amendment as Exception “22” and Zoning By-law Amendment 94-17 to permit a high-density, mixed-use residential/commercial development on the subject lands comprised of two residential buildings connected by a six-storey podium, including commercial uses at grade and having a maximum Gross Floor Area (GFA) of 39,900 square metres. The heights of the two residential buildings were intended to be regulated by the application of a 45 degree angular plane, to be measured from the northeast corner of the property municipally known as 22 Spruce Avenue. A Site Plan application was not submitted with respect to the above-described approvals.

Subsequent to the foregoing, the subject Official Plan and Zoning By-law Amendment applications were submitted to the City on November 10, 2021 and were deemed complete on November 30, 2021. A statutory Council Public Meeting to consider these applications was held on March 30, 2022 wherein Council received Staff Report SRPI.22.035 for information purposes and directed that all comments be referred back to staff (refer to Appendix A). A more detailed overview of the comments received from members of Council and the public is contained in the later sections of this report.

In April 2022, the applicant appealed its Official Plan and Zoning By-law Amendment applications to the Ontario Land Tribunal (the “OLT”) pursuant to Sections 22(7) and 34(11) of the *Planning Act* on the basis that Council did not make a decision on the applications within the statutory timeframes prescribed under the *Planning Act*. An OLT Case Management Conference (“CMC”) was held on January 25, 2023 (the “first CMC”) with respect to the subject applications.

At a second CMC held on May 31, 2023 (the “second CMC”), the Tribunal considered the draft Procedural Order, inclusive of a preliminary Issues List and scheduled a twelve (12) day hearing to commence on April 22, 2024. In advance of the hearing, a third CMC has been scheduled for December 4, 2023 to allow the Parties to finalize procedural matters and provide an update to the Tribunal.

The applicant filed a revised submission on July 14, 2023, which was subsequently circulated to relevant City departments and external agencies for review and comment. City staff and the applicant have been engaged in productive discussions based on this revised submission in an effort to resolve the outstanding issues that have been

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identified through the review of the applicant's Official Plan Amendment and Zoning By-law Amendment applications. Notwithstanding the preceding, various issues still remain to be resolved to the satisfaction of City staff at the time of writing of this report.

Accordingly, the purpose of this report is to seek Council's direction on the applicant's revised development proposal as outlined in this report, to direct City staff to appear at the OLT in support of Council's position concerning the subject applications and to continue discussions with the applicant towards the resolution of the outstanding issues.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the southwest corner of the intersection of Yonge Street and Carrville Road and have a total lot area of approximately 0.74 hectares (1.82 acres). The lands have frontage and vehicular accesses on both Yonge Street and Carrville Road and support two existing one-storey commercial buildings. Existing land uses in the vicinity of the subject lands include predominantly commercial uses to the north, east and south as well as various residential uses to the west (refer to Map 1).

The lands located immediately to the west are subject to Official Plan Amendment and Zoning By-law Amendment applications (City Files D01-17001 and D02-17003) submitted by Goldenville Development Inc. for the lands known as 39-97 Carrville Road. These applications (the "Goldenville applications") are subject to OLT appeals and on September 23, 2020, Council supported a revised development proposal comprising three buildings of 32, 32 and 16 storeys, an FSI of 5.66 and the provision of an eight metre wide east/west easement for vehicular and pedestrian connectivity on the subject lands.

Revised Development Proposal

The applicant is seeking approval of its revised Official Plan and Zoning By-law Amendment applications to permit a high-density, mixed-use residential/commercial development comprised of two towers, 36 and 42 storeys in height, connected by a six-storey podium on its land holdings (refer to Maps 5, 6, 7, 8 and 9). The 36-storey tower is proposed along the Carrville Road frontage of the land holdings, whereas the 42-storey tower is proposed to be oriented towards Yonge Street. The towers are to be connected by a six-storey podium, which is oriented toward the intersection of Yonge Street and Carrville Road to provide a sense of entry to the site. The design of the proposal incorporates outdoor amenity spaces, including an at-grade amenity area, a terrace overtop of the proposed podium and a plaza adjacent to the Yonge Street and Carrville Road intersection. Restricted right-in and right-out vehicular access for the proposed development is to be maintained from both Carrville Road and Yonge Street.

The applicant's revised development proposal contemplates 796 residential units with an FSI of approximately 8.3, ground floor retail/commercial uses, and the provision of an approximately eight-metre wide easement along the southerly boundary of the site for vehicular and pedestrian connectivity between Yonge Street and the lands located to

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the west of the land holdings. The proposal contemplates four levels of underground parking accommodating a total of 677 parking spaces, including 12 at-grade spaces. The following is a summary table outlining the relevant statistics of the applicant's original and revised development proposals based on the plans and drawings submitted to the City:

Statistic	Original Proposal	Revised Proposal
Number of Units	796	796
Building Heights	42 and 36 storeys	42 and 36 storeys
Total Gross Floor Area	61,653.1 sq. metres (663,628.45 sq. feet)	61,577.9 sq. metres (662,819 sq. feet)
Retail/Commercial Area	834.9 sq. metres (8,986.8 sq. feet)	781.0 sq. metres (8,406.61 sq. feet)
Outdoor Amenity Area	1,592.0 sq. metres (17,136.15 sq. feet)	1,592.0 sq. metres (17,136.15 sq. feet)
Underground Parking	4 Levels	4 Levels
Parking Spaces (Visitor and Commercial)	135	135
Parking Spaces (Residential)	537	537
Parking Spaces (Car-Share)	5	5
Bike Parking Spaces	505	505
Floor Space Index	8.35	8.34

The key modifications reflected in the applicant's revised proposal are summarized as follows (refer to Maps 4 and 5):

- the addition of a proposed at-grade eight metre easement and pedestrian link along the southern boundary of the subject lands;
- modifications to the configuration of the proposed at-grade outdoor amenity area to accommodate the future vehicular and pedestrian interconnection; and,
- modifications to the design of the proposed loading spaces.

In order to facilitate the revised development proposal, the applicant is proposing to further amend the Plan to permit the following site-specific exceptions beyond the permissions established under **Section 6.22** of the Plan:

- an increase in the maximum permitted GFA of all buildings on the subject lands from 39,900 square metres to 61,900 square metres. The maximum GFA specified in the applicant's draft Official Plan Amendment would permit a maximum density of approximately 8.38 FSI;
- an increase in the building height of the two residential buildings permitted on the subject lands to a maximum of 42 and 36 storeys; and,

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- that no buildings or structures above grade be permitted within eight metres of the southerly property limits and that this area be enhanced for pedestrian and vehicular purposes above grade, among other exemptions.

The subject lands are zoned “**Key Development Area One (KDA1) Zone**” in accordance with By-law 2523, as amended by By-law 94-17 and as approved by the OMB in 2018 (refer to Map 3). By-law 94-17 permits a wide range of commercial uses, such as a clinic, a financial institution, major office and office, major retail and retail, a veterinary clinic, a day nursery, and medical offices, among other land uses in addition to establishing a permission for apartment dwellings. By-law 94-17 establishes minimum parking rates applicable to a range of non-residential uses and for apartment dwellings, including rates for specified residential unit types.

The applicant is requesting to further amend By-law 2523 to implement site specific zoning provisions with respect to its revised development proposal, inclusive of greater heights and densities beyond the permissions of the approved planning instruments. The following table provides a general summary of the applicable development standards within the **KDA1 Zone** under By-law 2523, as amended, including site-specific exceptions proposed by the applicant as part of the subject applications:

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Development Standard	KDA1 Zone Standard (By-law 94-17)	Proposed Standards
Minimum Lot Frontage (Corner Lot)	30 metres (98.43 feet)	30 metres (98.43 feet)
Minimum Lot Area	N/A	N/A
Maximum GFA	39,900 sq. metres (429,480.03 sq. feet)	61,900.0 sq. metres (666,286.05 sq. feet)
Maximum Number of Dwelling Units	500	796
Minimum Front Yard Setback	3.0 metres (9.84 feet), subject to additional criteria	3.0 metres (9.84 feet), subject to additional criteria
Minimum Side Yard Setback	12.5 metres (41.01 feet), subject to additional criteria	12.5 metres (41.01 feet), subject to additional criteria
Minimum Flankage Setback	3.0 metres (9.84 feet), subject to additional criteria	3.0 metres (9.84 feet), subject to additional criteria
Minimum Rear Yard Setback	12.0 metres (39.37 feet), subject to additional criteria	12.0 metres (39.37 feet), subject to additional criteria
Minimum Setback to a Daylight Triangle	3.0 metres (9.84 feet)	N/A
Maximum Building Height	To be determined by a 45 degree angular plane measured from the northeast corner of 22 Spruce Avenue, subject to additional criteria	42 and 36 storeys, joined by a 6 storey podium
Maximum Podium Height	6 storeys, subject to additional criteria	6 storeys, subject to additional criteria
Minimum Tower Separation	25 metres (82.02 feet)	25 metres (82.02 feet)
Maximum Tower Floor Plate	750 sq. metres (8,072.93 sq. feet)	750 sq. metres (8,072.93 sq. feet)

In addition to the provisions described above, the applicant's draft Zoning By-law sets out proposed minimum and maximum site-specific parking rates in support of its revised development proposal. In this regard, minimum rates of 0.67 and 0.15 parking spaces per dwelling unit are proposed for apartment dwellings, regardless of unit type, and residential visitor parking, respectively. An overall rate of 2.0 parking spaces per 100 square metres of GFA is proposed for all commercial uses identified within the applicant's draft Zoning By-law. In this regard, the revised development proposal contemplates reduced parking rates relative to the minimum parking standards set out

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within By-law 94-17. Similar to By-law 94-17, the applicant's draft By-law also contemplates site-specific permissions pertaining to projections, landscaping, bicycle parking standards, and loading spaces to implement its revised development proposal. Additionally, the applicant's draft Zoning By-law includes various provisions for live-work units, parking spaces and a shared parking formula.

At the time of writing of this report, a Site Plan application had not been submitted to the City in conjunction with the applicant's revised Official Plan Amendment and Zoning By-law Amendment applications.

Planning Analysis:

Staff has undertaken a comprehensive review of the applicant's revised development proposal based on the policy framework contained within the *Provincial Policy Statement (2020)* (the "PPS"), the *Growth Plan for the Greater Golden Horseshoe (2020)* (the "Growth Plan"), the Regional Official Plan (the "ROP") (2010) and the Plan (2010). Staff notes that the Plan is consistent with the PPS, the Growth Plan and the ROP that were in force at the time of its approval.

Since the time of the Plan's approval, the *PPS* and the *Growth Plan* have been updated. Furthermore, York Region Council adopted a new Regional Official Plan in June, 2022 (the "2022 ROP") and the Minister of Municipal Affairs and Housing approved its new Official Plan in November, 2022. At the time of writing of this report, the City has initiated an update to its Plan to respond to emerging Provincial legislation and Regional policy updates.

Provincial Policy Regime

The applicant's revised development proposal is generally consistent with the direction of the *PPS* with respect to encouraging a mix of uses, intensification, and efficient land use patterns that focus growth in a manner that is compact and transit-supportive. The *PPS* also establishes the importance of the provision of a range and mix of residential types, including affordable housing.

The Growth Plan builds upon the policy foundation provided in the PPS in establishing more specific land use policy direction to inform decision-making regarding growth management and environmental protection within the Greater Golden Horseshoe. In accordance with the Growth Plan, the lands are located within the built up area. The applicant's revised proposal is generally aligned with the policy direction established within the Growth Plan with respect to the development of mixed-use, compact and transit-supportive built form. Further to the direction of the PPS, the Growth Plan also provides direction on the provision of a diverse range and mix of housing options, inclusive of affordable housing within the context of achieving complete communities and more specifically within major transition station areas as identified within official plans.

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As outlined in the PPS, Official Plans are the most important vehicle for implementation of the PPS and for achieving comprehensive, integrated and long-term planning. As such, Official Plans shall identify Provincial interests and set out appropriate land use designations and policies. In this regard, a more detailed outline of the relevant policies of the ROP and the Plan are outlined in the sections below.

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. In accordance with Map 11 (Transit Network) of the ROP, the subject lands are also located along an identified **Regional Rapid Transit Corridor** (Yonge Street). Growth within the Region is to be accommodated within the **Urban Area**, whereby **Regional Centres** and **Corridors**, as identified on Map 1 of the ROP serve as the focal points and primary locations accommodating the highest densities and greatest mix of uses within the Region. Development within the **Regional Centres** and **Corridors** is to be of an urban form and designed to be compact, mixed-use, oriented to the street, pedestrian- and cyclist-friendly and transit supportive.

As set out in **Section 5.4** of the ROP, **Regional Corridors** are intended to function as urban mainstreets that support compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form, wherein the most intensive and widest range of uses shall be focused within Key Development Areas (KDAs) as identified in the local Official Plan. **Policy 5.4.32** of the ROP directs that local municipalities prepare Secondary Plans for KDAs to achieve comprehensive planning to support an appropriate level of intensification.

In addition to the policies pertaining to urban structure and intensification hierarchy, the ROP provides policy direction for a number of Regional objectives, including but not limited to the provision of adequate housing and street networks within the Region. As set out in **Section 3.5** of the ROP, a minimum of 35% of new housing units located within **Regional Centres** and KDAs shall be affordable and a range and mix of housing types, lot sizes, unit sizes and tenures shall be required to be provided throughout the Region. To maximize the efficiency of the Regional street network, the policies of the ROP support the implementation of shared driveways and interconnected properties, among other initiatives in order to restrict vehicular accesses from development located adjacent to Regional streets.

As noted in the earlier sections of this report, York Region Council adopted a new Regional Official Plan in June 2022, which was subsequently approved by the Ministry of Municipal Affairs and Housing. The 2022 ROP establishes a planning framework for growth and development within the Region to 2051 and implements current Provincial planning direction, including the *PPS* and relevant Provincial Plans. Among other policy initiatives, the 2022 ROP establishes the locations and boundaries for major transit station areas within the Region in accordance with the framework set out within the *Growth Plan*.

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In accordance with Map 1 (Regional Structure) and Map 1A (Land Use Designations) of the 2022 ROP, the subject lands are located within the **Urban Area** and are designated **Community Area**, respectively. The lands are also located along a **Regional Corridor** and within a **Protected Major Transit Station Area** (“MTSA”) in accordance with Map 1B (Urban System Overlays) and Appendix 2 (York Region Major Transit Station Areas). In this regard, the subject lands are located within the boundaries of the “16th-Carrville BRT Station MTSA”, which is planned to accommodate a minimum density target of 300 people and jobs per hectare.

The 2022 ROP carries forward many of the overarching planning objectives established within the ROP to promote the development of complete communities, including mixed-use, pedestrian-friendly, and transit-oriented development that supports optimization of infrastructure. In accordance with the Regional Structure established by the 2022 ROP, population and employment growth is to be directed within the **Community Areas**, which are to contain a wide range and mix of housing types, commercial uses, services and employment uses. Accordingly, the most intensive and greatest range of uses within **Regional Corridors** is to be focused within MTSA, wherein the built form and scale of development within these areas shall implement the Regional intensification hierarchy corresponding with the established minimum density targets.

In accordance with **Policy 7.4.13** of the 2022 ROP, the ROP represents the determinative Regional policy regime applicable to the subject lands on the basis that the subject applications were deemed complete prior to approval of the 2022 ROP. The proposed high-density, mixed-use residential/commercial development conforms with the general policy direction for lands located within the **Urban Area** and along a **Regional Corridor** as it relates to compact, transit-supportive forms of development and a mix of uses; however, at the time of writing of this report, the applicant has not satisfied the requirement to provide for a minimum of 35% affordable housing within the KDAs. Furthermore, Local Official Plans are relied upon to set out more specific policies related to land use and design and to further refine the broader direction and objectives established within the ROP.

The applicant’s revised development proposal, including supporting documentation has been circulated to the Region. The Region has provided various technical comments related to the development proposal that are to be addressed as part of subsequent application stages; notwithstanding the foregoing, the Region has noted that the proposal generally conforms with the ROP in terms of its mixed-use format. The Region has also advised that the appropriate context sensitive building heights and densities are best determined by the local municipality.

City of Richmond Hill Official Plan Part 1 Official Plan (2010)

The City is undertaking an update to its Plan and various amendments to the Plan have received Council approval at the time of writing of this report, including but not limited to refinements to the City’s vision and City structure. This section of the report will focus on

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the in-force policies of the Plan; however, pertinent details regarding the update process will be addressed within the later sections.

Section 3.1.3 of the Plan establishes an urban structure framework to inform the land use and physical make-up of the City over the Plan's planning horizon. Accordingly, the majority of intensification shall occur within the City's centres and corridors as identified in Schedule A1 (City Structure), which are envisioned to accommodate the highest densities and greatest range of uses. Additionally, the City's intensification hierarchy provides refinement to the urban structure framework in establishing locational priorities for growth and intensification, wherein the **Richmond Hill Centre** is assigned the highest priority, followed by the City's **Key Development Areas**.

The subject lands are designated **Key Development Area (KDA)** and are more particularly located within the Yonge and Carrville/16th KDA in accordance with Schedule A2 (Land Use) of the Plan (refer to Map 2). Furthermore, the lands are located adjacent to Yonge Street, which is identified as a **Regional Corridor** and a **Regional Rapid Transit Corridor** in accordance with Schedule A1 (City Structure) and Appendix 5 (Public Rapid Transit) of the Plan, respectively. The lands are also located in the vicinity of proposed TTC subway and GO Transit stations as shown on Schedule A1 (City Structure). On the basis of the foregoing, the subject lands are positioned in an area of the City that is well served by both existing and planned rapid transit networks.

In accordance with **Section 4.4** of the Plan, the predominant use of land within the City's KDAs shall be for mixed-use, transit-oriented development. The KDAs are identified as intensification areas located on **Regional Corridors**, where major nodes of retail and commercial development are served by public rapid transit services. To support the vision of the KDAs as multi-use nodes, a wide range of residential, commercial and community uses are permitted within the **KDA** designation including but not limited to high-density residential development, office, commercial, and retail uses, as well as community uses and parks and open spaces.

Section 4.4.1 requires that development fronting onto Yonge Street, such as the subject development, provide commercial, retail or community uses at grade in a mixed-use building format. The applicant's proposal contemplates high-density residential uses in addition to approximately 780 square metres of commercial GFA at-grade adjacent to the Carrville Road and Yonge Street frontages. In this regard, the applicant's proposal conforms with the land use policies of the Plan for lands located within the KDA designation.

Furthermore, the minimum and maximum densities for a development block within a KDA shall be 2.5 FSI and 3.0 FSI, respectively, where the boundaries shall be delineated in a Secondary Plan prepared for the KDA. With regard to maximum building height, buildings located within the Yonge and Carrville/16th KDA shall have a maximum base building height of six storeys and a maximum height of 20 storeys, with the tallest buildings to be directed to the intersection of Yonge Street and Carrville Road/16th Avenue. As previously described in the earlier sections of this report, the applicant's

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revised development contemplates heights and densities that exceed the permitted scale of intensification as set out in **Exception 6.22** of the Plan.

Section 4.4.2 of the Plan outlines policies that provide direction on various design elements for development within the KDAs. To support the envisioned character and function of the KDAs, development shall provide for distinctive gateway buildings, features and amenity spaces as well as creating visual focal points with coordinated building materials, streetscape elements, landscaped spaces and public art that contribute to a unified theme. The applicant's development proposal incorporates design and architectural elements that support a sense of entry and visual focal point at the intersection of Carrville Road and Yonge Street as well as contributing to the public realm. Furthermore, development is required to enhance or provide a fine grain street network promoting walkable streets as well as urban open space connections to support pedestrian and cycling mobility. The applicant's revised development proposal reflects the location of an east/west easement and pedestrian link along the southerly boundary of the subject lands.

To ensure built form compatibility and transition of building heights with adjacent low-density and medium density residential areas within **Neighbourhoods, Section 3.4.1** of the Plan requires that development within the centres and corridors shall provide suitable massing and design to support skyview, light and building separation. A 45 degree angular view plane shall be applied in accordance with the criteria established within the Plan for development located within the centres and corridors. In accordance with Schedule A2 (Land Use) of the Plan, the subject lands abut the **Neighbourhood** designation along a portion of the western boundary of the site. For the purposes of assessing suitability of the design with respect to the abutting **Neighbourhood** designation, the angular plane has been applied orthogonally from a point along the lot boundary adjacent to the **Neighbourhood** designation. In this regard, the proposed buildings do not puncture the angular plane.

Section 3.4.1 of the Plan requires that high-rise buildings be designed to provide for a sufficient separation distance of approximately 25 metres between existing and proposed towers in order to maintain appropriate light, view and privacy conditions. To adequately limit shadow, wind impacts and the loss of skyview, high-rise residential buildings shall generally have a slender floorplate above the podium of approximately 750 square metres. Additionally, the base building height of a mid or high-rise building shall be stepped back to achieve a discernible top to the street wall and to minimize shadow impacts on the public realm.

The applicant's revised development proposal includes the construction of two residential towers connected by a six-storey podium, including a step-back above the podium for a portion of the towers. The proposed tower locations provide for a separation distance of 25 metres and the GFA for floors located above the podium is to be approximately 745 square metres. With regard to adjacent private property, the proposed development contemplates setbacks to the south and west property

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boundaries to protect for the minimum required tower separation distance specified within the Plan.

Section 3.1.5 of the Plan provides direction regarding the City's housing policies to support the provision of adequate, affordable and suitable housing within the City. In accordance with **Policy 3.1.5 (2)**, a minimum of 35% of new housing units within the City's KDAs shall be affordable. Furthermore, **Policy 3.1.5 (6)** requires that a minimum of 5% of the units within a high density residential development shall contain three or more bedrooms. The applicant's revised development proposal comprises a total of 796 dwelling units, including 73 three-bedroom units or approximately 9% of the total unit count satisfying the minimum of 5% as prescribed by the Plan. Additionally, the applicant has submitted documentation indicating that approximately 7% of the proposed units are anticipated to meet the applicable thresholds for affordable ownership units which does not meet the affordability targets set out by the Plan.

Yonge Street and 16th Avenue Key Development Area Secondary Plan

The *Yonge Street and 16th Avenue Key Development Area Policy Directions and Recommendations Report* (the "Recommendations Report") was endorsed by Council on January 30, 2017 to inform the preparation of the draft Secondary Plan for the Yonge and Carrville/16th KDA in accordance with an established vision and guiding principles. The Recommendation Report established a preferred scenario as well as overarching direction for the KDA with respect to land use and urban design, built form and transition of heights, transportation elements, and the public realm, among other matters.

A draft Secondary Plan for the Yonge and Carrville/16th KDA area (the "draft Secondary Plan") was presented to Council in May 2017 and subsequently in May, 2018 to carry forward the vision and guiding principles outlined within the Recommendations Report. The draft Secondary Plan identified that the greatest height and density planned for the KDA is to be focused at the intersection of Yonge Street and Carrville Road/16th Avenue. The draft Secondary Plan and related draft implementing Zoning By-law for the KDA have not been finalized.

At the time of writing of this report, the City initiated an update to the Plan to align the City's planning policies with emerging Provincial and Regional policy directives. As part of this process, an update to the Yonge and Carrville/16th KDA policies is underway and will serve as the secondary planning process for the KDA as per the direction of the Part 1 Plan.

Official Plan Update

Council endorsed a Key Directions Report for the Richmond Hill Official Plan Update (the "Directions Report") on February 9, 2022. The Directions Report is a foundational document that provides the framework to guide the update of the City's Official Plan. The Directions Report identified recommendations with respect to urban structure, built form and intensification, in addition to establishing area-specific direction for a number of new and existing centres and corridors within the City. As set out in the Directions

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Report, the Yonge and Carrville/16th KDA is envisioned as a walkable, sustainable and people-friendly centre with a shopping focus. Among other objectives, the key directions identified for the Yonge and Carrville/16th KDA recommend that the 2018 draft Secondary Plan be refined and built-upon in addition to a re-delineation of the KDA boundaries to include the appropriate lands in order to achieve the vision.

In keeping with the policy update framework set out in the Directions Report, the City has initiated Official Plan Amendment 18.5 (“OPA 18.5”), which will update the policies of **Section 4.4** for the Yonge and Carrville/16th KDA and will complete the secondary planning process for the KDA. A Council Public Meeting was held with respect to the draft OPA 18.5 on June 20, 2023 and Staff Report SRPI.23.066 was prepared to request comments on the proposed Official Plan Amendment.

Draft OPA 18.5 identifies that the Yonge and Carrville/16th KDA is envisioned to be the second most intensified area of the City after the **Richmond Hill Centre** and recognizes the existing and potential future transit investments planned for the KDA. The draft policies for this area of the City carry forward the mixed-use, transit-oriented vision for the Yonge and Carrville/16th KDA, which is planned to accommodate residential, office and community uses while maintaining a commercial and retail focus over the long-term.

Minimum and maximum density provisions are set out for various area of the KDA, including a maximum density of 8.0 FSI as it relates to the subject lands. In terms of building height, the draft policies envision that the tallest heights are to be directed to the Yonge and Carrville/16th Avenue intersection as well as lands adjacent to future transit stations. Maximum heights within the KDA shall be dependent on not exceeding the allocated density and on the basis of conformity with the angular plane and other placemaking policies of the Plan. The applicant’s revised development proposal generally maintains the intent of the draft OPA 18.5.

At the time of writing of this report, OPA 18.5 has not received final approval and remains in draft form.

Discussion and Analysis:

Staff has undertaken a comprehensive review of the applicant’s revised development proposal from a policy and technical perspective. To this end, staff finds that the applicant’s revised development proposal cannot be supported until such time as the issues set out below have been addressed by the applicant to the satisfaction of staff.

Affordable Housing

As noted previously in this report, **Policy 3.1.5 (2)** of the Plan directs that a minimum of 35% of new housing units within the **KDAs** shall be affordable in order to offer a range of housing affordability for low and moderate income households. As defined in **Section 7.2** of the Plan, affordable with respect to ownership housing means:

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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.

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

The applicant has submitted documentation demonstrating that approximately 56 or 7% of the proposed dwelling units will achieve the current threshold unit prices for affordable ownership that have been established by the Region. In this regard, the applicant’s revised development proposal has not demonstrated that the minimum requirements for affordable housing will be met as prescribed by the Plan for new residential development within the **KDAs**.

Transportation

The policies contained within **Section 4.4** of the Plan support an interconnected, fine-grain street network within the **KDAs** through the introduction of new local streets, where feasible. The applicant’s revised development proposal depicts the general location of an east/west connection located along the southern boundary of the subject lands to support a future interconnection with the lands located immediately to the west. The City’s Transportation staff has reviewed the applicant’s revised proposal and has identified the following requirements:

- in addition to protecting for a future interconnection with the westerly lands, the development will be required to protect for a future vehicular interconnection with the lands to the south of the subject lands;
- a continuous pedestrian sidewalk along the north side of the proposed east/west laneway, which shall align with the westerly lands municipally known as 39 to 97 Carrville Avenue (the Goldenville applications). In this regard, it should be noted that respective refinements to the sidewalk alignment may be required with respect to the Goldenville applications;
- a pedestrian walkway along the south side of the east/west laneway, which is to be coordinated with the landowner to the south of the subject lands;
- registration of a public easement over the required sidewalk connection on the north side of the east/west connection for access and maintenance purposes; and,
- private reciprocal easements over the proposed east/west laneway to the benefit of adjacent lands to the west and south of the subject lands.

The City’s Transportation staff has also identified a requirement for additional analyses to be addressed within the submitted Transportation Impact Study, including but not necessarily limited to evaluation of various traffic and access scenarios.

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Parking

In terms of parking requirements, the applicant has proposed blended rates of 0.67 spaces per dwelling unit for the residential component of the development and 2.0 spaces per 100 square metres of GFA for the proposed non-residential uses. The applicant's proposed parking rates do not meet the provisions of the draft Zoning By-law Amendment prepared for the Yonge and Carrville/16th KDA and are lower than the recommended rates as set out within the City's 2010 Parking Study for this area of the City.

Transportation staff has advised that minimum parking rates for each unit type (e.g. 1-bedroom, 2-bedroom etc.) must be provided in lieu of a blended rate as contemplated within the applicant's draft Zoning By-law Amendment. Additionally, Transportation staff has identified concerns with respect to the justification submitted by the applicant in support of its proposed parking rates. Therefore, additional study and analyses will be required, including but not necessarily limited to appropriate proxy site data for review by the City's Transportation staff.

With respect to transportation demand management, Transportation staff has advised of the need to provide for additional bicycle parking spaces in consideration of the proposed reduction in parking supply as well as additional transit incentives. Further justification will also be required to be submitted to the City to support any proposed reduced dimensions for bicycle parking spaces to permit a stacked format (refer to Appendix B).

Tree Preservation

On the basis of the materials submitted to the City, the applicant's revised development proposal contemplates the removal of five existing trees either located on the adjacent lands to the south of the subject lands or along the southerly property boundary. The City's Park and Natural Heritage Planning Section will require consent from the respective landowner pursuant to the *Ontario Forestry Act* prior to the removal of boundary and privately-owned trees.

Other Technical Considerations

Development Engineering has provided technical comments with respect to the submitted Functional Servicing Report as it relates to the underground parking structure to assess whether there are any impacts to groundwater quality and storage requirements and permanent dewatering infrastructure. Where the underground parking structure proposes a 0 metre setback, Development Engineering staff advise that an agreement(s) with the respective adjacent landowner(s) will be required to support permanent dewatering encroachments (refer to Appendix B).

The City's Community Services staff has identified various concerns and deficiencies with respect to the proposed design and spacing in relation to waste management standards. In order to allow for the proper movement of waste collection vehicles into

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the site, an increase in the curb radii of the proposed entrance driveways will be required, along with supporting analyses and plans supporting same. Community Services staff has also identified deficiencies and the requirement for additional clarification on the plans with respect to vertical clearances for access routes and loading spaces, and loading space dimensions (refer to Appendix C).

Council and Public Comments:

A number of concerns were raised at the Council Public Meeting held on March 30, 2022 and through written correspondence received by the City pertaining to the applicant's original development proposal.

The overarching concern raised at the Council Public Meeting focused on the cumulative impacts of substantial increases in density within the KDA prior to the advancement of the Secondary Plan process and associated technical studies. Comments were also raised with respect to the appropriateness of the proposed height and density, construction delays and the need to deliver affordable housing within the community, ingress and egress to the site, provisions to ensure pedestrian connectivity and safety and providing shared access to Yonge Street with the abutting landowner.

City Department and External Agency Comments:

The following sections provide a summary of the comments received at 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

As previously noted in the earlier sections, the City's Development Engineering Division has identified requirements applicable to the Functional Servicing Report and has provided comments regarding the location of the east/west interconnection, among other matters. In addition, Development Engineering staff has provided technical comments to be addressed through a more detailed stage in the review process. With regard to servicing, Development Engineering staff has advised that the draft Urban MESP wastewater update indicates that sanitary sewer upgrades will be required at ultimate build out. On the basis of the submitted Functional Servicing Report, an improvement to the existing sewers downstream is not required with respect to the development proposal at this time; however, staff note that the requirement for improvements is subject to the timing of development approval as well as the construction of other developments within the sanitary drainage boundary.

Development Engineering staff has also reviewed the submitted Hydrogeological Investigation and has advised that the report is considered to be satisfactory as it relates to the applicant's Zoning By-law Amendment application; however, additional hydrogeological comments have been provided that will need to be addressed through a future Site Plan application review.

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As set out in the earlier sections of this report, Transportation staff has identified concerns and additional requirements pertaining to pedestrian and vehicular connectivity, the provision of a continuous east/west sidewalk connection, vehicle and bicycle parking supply, transportation demand management, transportation impact analyses and the applicant's draft Zoning By-law (refer to Appendix B).

Community Services (Waste Management)

The City's Community Services Department (Waste Management) has advised that the City's Waste Management Design and Collection Standards apply with respect to the subject development. In this regard, key matters to be addressed through the subject development applications relate to access routes, including minimum curb radii and vertical clearance requirements, chute and garbage room layout and design, loading space clearances and standards to be addressed within the applicant's draft Zoning By-law. Community Services staff has also provided technical comments regarding waste management requirements that are to be addressed through a future Site Plan application review (refer to Appendix C).

Community Services (Fire and Emergency Services)

The City's Fire and Emergency Services Division has reviewed the applicant's revised development proposal and has advised that staff has no objection to the proposed Official Plan Amendment or Zoning By-law Amendment applications. In addition, Fire and Emergency Services staff has also provided comments with respect to water supply requirements that are to be addressed through a future Site Plan application.

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section has reviewed the applicant's revised development proposal and has advised that the appropriate consent from the respective landowner(s) for the removal of boundary and privately-owned trees must be obtained prior to the approval of the associated Zoning By-law Amendment.

Heritage and Urban Design Section

The City's Heritage and Urban Design Section has reviewed the applicant's revised development proposal and has provided preliminary comments to be addressed through a future Site Plan application. Staff has provided comments including but not limited to those pertaining to on-site design treatments for the drop-off area, pedestrian and amenity areas and the east/west interconnection, architectural elements, bird friendly-design, and wind impacts and mitigation.

Regional Municipal of York

As previously noted, the Region has provided technical comments to be addressed through subsequent development applications regarding transportation, water resources and the Region's road allowances, among other matters (refer to Appendix D).

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Development Planning Division

Planning staff has undertaken a comprehensive review and evaluation of the subject Official Plan Amendment and Zoning By-law Amendment applications and provides the following comments:

- the subject lands are located within the **Urban Area** and are adjacent to a **Regional Corridor** in accordance with Map 1 (Regional Structure) of the ROP. In terms of the 2022 ROP, the lands are also located within the boundaries of the “16th-Carrville BRT Station MTSA”. In accordance with the Plan, the subject lands are located within the **KDA** land use designation and are located along a **Regional Corridor**;
- in terms of built form typology and land use, a high-density, mixed-use residential/commercial development, including at-grade retail and commercial uses is permitted for lands designated **KDA**. In this regard, the applicant’s revised development proposal is generally in keeping with the policy direction for the Yonge and Carrville/16th KDA as set out within the Regional and local planning regimes as it relates to providing for a wide range of residential and non-residential land uses in a compact, pedestrian-friendly and transit-oriented built form;
- the City has initiated a review of its Plan to align the City’s policies with Provincial and Regional policy direction, including an OPA that is intended to serve as a secondary planning process for the Yonge and Carrville/16th KDA. In this regard, the applicant’s revised development proposal marginally exceeds the density of 8.0 FSI contemplated within the draft OPA 18.5 for the subject lands that was considered by Council at a Council Public Meeting held on June 20, 2023;
- in consideration of the long-term vision for the area as set out in the ROP, the 2022 ROP, and the Plan, staff do not have any fundamental concerns with the proposed increase in height and density from the perspective of compatibility and context; however, the appropriateness of the scale of intensification must also be evaluated and assessed on the basis of various technical matters, including but not necessarily limited to the adequate provision of on-site vehicle and bicycle parking facilities, vehicular and pedestrian connectivity, development engineering requirements, tree protection and waste management standards;
- at the Council Public Meeting held on March 30, 2022, the role of comprehensive planning for the KDA was identified by members of Council in order to ensure the availability of services and infrastructure to support intensified development. Since that time, the secondary planning process for the Yonge and Carrville/16th KDA has advanced and a draft OPA 18.5 containing draft policies pertaining to the overall vision, the location of parks and open spaces, transportation networks and height and density permissions has been considered by Council. In addition, it should be noted that no objections were identified by the City’s Park and Natural Heritage Planning Section, the York Region District School Board or the Catholic District School Board with respect to the applicant’s proposal as it relates to the provision of parkland or school facilities;
- **Section 3.1.5** of the Plan requires that a minimum of 35% of the dwelling units within the City’s KDAs to be affordable. On the basis of the materials submitted to the City,

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7% of the dwelling units within the applicant's revised development proposal would meet the applicable affordability thresholds. In this regard, the applicant's revised proposal does not conform with this section of the Plan with respect to the provision of affordable housing within the City; and,

- the applicant has not satisfactorily addressed all comments and requirements identified by City departments and external agencies with respect to its Official Plan Amendment and Zoning By-law Amendment applications.

Summary

In consideration of the preceding, staff are not in a position to support the applicant's revised Official Plan Amendment and Zoning By-law Amendment applications at this time for the following principle reasons:

- the proposal has not demonstrated conformity with the affordable housing policies of the Plan as only 7% of the proposed residential units are proposed to meet the applicable thresholds for ownership housing; and,
- the applicant's revised development proposal does not satisfactorily address technical requirements identified in this report related to such matters as vehicular and pedestrian connectivity, the provision of a continuous east/west sidewalk connection, vehicle and bicycle parking supply, traffic analyses, transportation demand management, tree preservation, development engineering and waste management.

Other City Department and External Agency Comments

Comments on the applicant's Official Plan Amendment and Zoning By-law Amendment applications have also been received from the City's Financial Services Department and Building Services Division (Zoning Section) as well as Alectra Utilities, CN Railway, Metrolinx, Toronto and Region Conservatory Authority, York Region District School Board, York Catholic District School Board, Conseil Scolaire Viamonde, Bell Canada, Rogers Communications, Enbridge Gas Inc., and Canada Post. These City departments and external agencies have indicated that they have no objections to the applicant's development proposal and/or have provided technical comments that relate to a more detailed stage in the review process. 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 will be required to implement the proposed high-density, mixed-use development.

Financial/Staffing/Other Implications:

As these applications have been appealed to the OLT, there will be a further draw on staff and financial resources related to these proceedings. These will be accommodated within existing budgets.

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Relationship to Council’s Strategic Priorities 2020-2022:

The proposed development has not demonstrated full conformity with the policies of the Plan and has not addressed technical issues and concerns as outlined in this report; therefore, it is not fully aligned with the overall vision of the City’s Strategic Plan.

Climate Change Considerations:

The recommendations of this report do not have any direct Climate Change Considerations.

Conclusion:

The applicant is seeking approval of its revised Official Plan Amendment 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. The applicant’s revised development proposal does not meet the applicable affordable housing policies as set out in the Plan and has not adequately demonstrated the technical feasibility of its proposal. Until such time as the principle issues have been addressed, staff cannot support the proposal.

Accordingly staff recommends that Council deny the applicant’s revised development proposal, direct that appropriate staff appear at the OLT in support of Council’s position on this matter and that staff be directed to continue discussions with the applicant towards the resolution of the outstanding appeals and the submission of a revised development proposal addressing the principle concerns and comments identified through the review of the proposal.

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#12-22 held on March 30, 2022
- Appendix B, Development Engineering Division Comment Memo, dated August 30, 2023
- Appendix C, Community Services Department (Waste Management) Comment Memo, dated August 24, 2023
- Appendix D, Regional Municipality of York Comment Memo, dated August 23, 2023
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Original Site Plan
- Map 5, Revised Site Plan
- Map 6, Proposed Ground Floor Plan
- Map 7, Proposed Elevations (South and East)

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- Map 8, Proposed Elevations (North and West)
- Map 9, Proposed Perspective View

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Report Approval Details

Document Title:	SRPBS.23.031 Request for Direction – City Files D01-21010 and D02-21020.docx
Attachments:	<ul style="list-style-type: none">- SRPBS.23.031 Appendix A AODA.pdf- SRPBS.23.031 Appendix B AODA.pdf- SRPBS.23.031 Appendix C AODA.pdf- SRPBS.23.031 Appendix D AODA.pdf- SRPBS.23.031-Map 1-Aerial Photograph AODA.docx- SRPBS.23.031-Map 2 - Official Plan Designation AODA.docx- SRPBS.23.031-Map 3 - Existing Zoning AODA.docx- SRPBS.23.031-Map 4 - Original Site Plan AODA.docx- SRPBS.23.031-Map 5 - Revised Site Plan AODA.docx- SRPBS.23.031-Map 6 - Proposed Ground Floor Plan AODA.docx- SRPBS.23.031-Map 7 - Proposed Elevations (South and East) AODA.docx- SRPBS.23.031-Map 8 - Proposed Elevations (North and West) AODA.docx- SRPBS.23.031-Map 9 - Proposed Perspective View AODA.docx
Final Approval Date:	Oct 15, 2023

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

Kelvin Kwan - Oct 13, 2023 - 2:43 PM

Darlene Joslin - Oct 15, 2023 - 7:57 PM