



Staff Report for Council Public Meeting

Date of Meeting: February 27, 2024

Report Number: SRPBS.24.006

Department: Planning and Building Services

Division: Development Planning

Subject: **SRPBS.24.006 – Request for Comments –
Official Plan Amendment and Revised Zoning
By-law Amendment Applications - 2747883
Ontario Inc. and 2753502 Ontario Inc. – City
Files OPA-23-0009 and D02-20009**

Owner:

2747883 Ontario Inc. and 2753502 Ontario Inc.

75 Scarsdale Road, Suite 203

Toronto, ON

M3B 2R2

Agent:

Evans Planning Inc.

9212 Yonge Street, Unit 1

Richmond Hill, ON

L4C 7A2

Location:

Legal Description: Part of Lot 1, Registered Plan 200

Municipal Addresses: 13572 and 13586 Bayview Avenue

Purpose:

A request for comments concerning proposed Official Plan Amendment and revised Zoning By-law Amendment applications to permit additional residential units within a previously approved eight storey residential apartment building to be constructed on the subject lands.

Recommendation:

- a) **That Staff Report SRPBS.24.006 with respect to the Official Plan Amendment and revised Zoning By-law Amendment applications submitted**

Page 2

by 2747883 Ontario Inc. and 2753502 Ontario Inc. for lands known as Part of Lot 1, Registered Plan 200 (Municipal Addresses: 13572 and 13586 Bayview Avenue), City Files OPA-23-0009 and D02-20009, be received for information purposes only and that all comments be referred back to staff.

Contact Person:

Sarah Mowder, Planner II – Subdivisions, phone number 905-771-5475 and/or
Sandra DeMaria, Manager of Development, phone number 905-747-6312
Deborah Giannetta, Acting Director of Development Planning, phone number 905-771-5542

Report Approval:

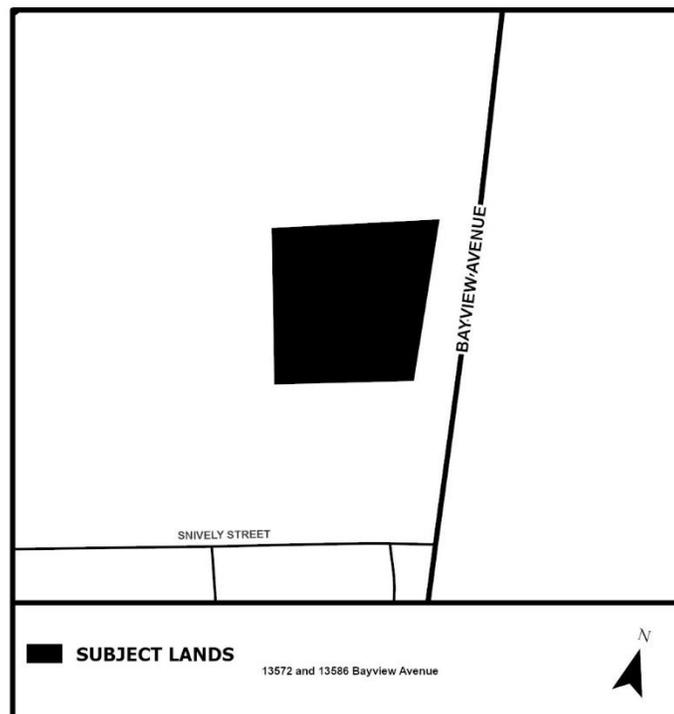
Submitted by: Gus Galanis, Acting Commissioner of Planning and Building Services

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.



Page 3

Background Information:

On July 6, 2022, Council approved Staff Report SRPI.22.086 which recommended approval of an eight storey, 103 unit apartment building having a density of 218 units per hectare on the subject lands (refer to Appendix “A” and Maps 9 to 12). At that meeting, Council adopted Official Plan Amendment 36 which established site specific policies to permit the proposed development. The associated Zoning By-law Amendment was approved in principle but has not yet been brought forward to Council for enactment to date. Following Council approval, on July 20, 2022, the applicants submitted a Site Plan application (City File: D06-22047) to facilitate the construction of the approved development on its land holdings. The Site Plan application was circulated to relevant City departments and external agencies for technical review and comment and remains under review.

In August 2023, the applicants provided an Official Plan Amendment submission through the City’s new Collaborative Application Process (CAP) in order to allow an increase in the maximum permitted density from 218 units per hectare (uph) to 285 units per hectare on the lands. In accordance with the City’s CAP process, the submission was circulated to relevant City departments and external agencies for review and comment and a Public Consultation Meeting was held on October 18, 2023. The meeting was attended by City Staff, the Local Ward 1 Councillor and several residents.

The primary comments received by staff focused on the applicants maintaining its previous approvals and to not seek additional density for its development proposal. The applicants have satisfactorily addressed the comments and technical matters raised by City staff through the CAP process. Other comments and technical matters raised at the meeting shall be dealt with through the review of the associated revised Zoning By-law Amendment and Site Plan applications.

The subject Official Plan Amendment application was deemed complete by the City on January 11, 2024. The application and supporting materials were subsequently circulated, along with the revised Zoning By-law Amendment, to relevant City departments and external agencies for review and comment. Accordingly, the purpose of this report is to seek comments from Council and the public with respect to the subject applications, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are comprised of two existing residential lots that are located on the west side of Bayview Avenue, north of Snively Street having a combined total lot area of 1.0977 hectares (2.71 acres). The lands previously supported two single detached

Page 4

dwellings which have since been demolished. A considerable grade difference of approximately 5 metres (16.4 feet) exists between the highest point at the northeast corner of the property and the southerly lot line. The lands abut the Wilcox-St. George Provincially Significant Wetland Complex to the north, south and west, Bayview Avenue to the east, and a single detached dwelling to the immediate south (refer to Maps 1 and 2).

Development Proposal

The applicants are seeking Council’s approval of its Official Plan Amendment and revised Zoning By-law Amendment applications to allow an increase in the maximum permitted density from 218 units per hectare to 285 units per hectare within the approved eight storey residential apartment building to be constructed on its land holdings. The proposed increased density would result in an increase in the maximum number of units from the originally approved 103 to 135 dwelling (refer to Maps 5 to 8). The applicants’ proposal would not result in any changes to the proposed built form and height with the additional density being attributable to reduced unit sizes and reduced amenity space internal to the building.

The following is a summary outlining the relevant statistics of the applicants’ development proposal based on the plans and drawings submitted to the City in consideration of the applicants’ development proposal:

- **Total Lot Area:** 10,977.0 sq. m. (118,155.44 sq. ft.)
 - **Development Area:** 4,738.21 sq. m (51,001.67 sq. ft.)
 - **Area of Lands to be Conveyed:** 6,239.00 sq. m. (67,156.04 sq. ft.)
- **Total Dwelling Units:** 135
- **Total Building Height:** 8 storeys or 30 m (98.43 ft.)
- **Gross Floor Area (GFA):** 12,500 square metres sq. m. (134,548.88 sq. ft.)
- **Total Amenity Space:** 579.52 sq. m. (6,238.0 sq. ft.)
 - **Indoor Amenity:** 188.24 sq. m. (2,026 sq. ft.)
 - **Outdoor Amenity:** 391.28 sq. m. (4,212 sq. ft.)
- **Density:** 284.9 units/ha (115.38 units/ac)
- **Total Parking Spaces:** 225 spaces (includes 34 visitor parking spaces)
- **Total Bicycle Parking Spaces:** 115 spaces

It is noted that the statistics outlined above are generally consistent with those previously outlined and approved by Council in Staff Report SRPI.22.086 with the following notable changes:

- increased number of apartment dwelling units from 103 to 135 units;
- reduced Gross Floor Area (GFA) from 13,400.21 square metres (144,238.67 square feet) to 12,500 square metres (134,548.88 square feet);

Page 5

- reduced amenity space from a total of 831.7 square metres to 579.52 square metres;
- increased density from 218 units per hectare to 285 units per hectare; and,
- increased bicycle parking spaces from 77 spaces to 115 spaces.

Supporting Documentation/Reports

The applicants have submitted the following documents/information to the City in support of the proposed development:

- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Survey;
- Site Plan;
- Elevation Plans;
- Floor Plans;
- Site Servicing and Grading Plans;
- Cross Sections and Details;
- Conceptual Landscape Design;
- Planning Justification Report;
- Natural Heritage Evaluation;
- Urban Design Brief;
- Transportation Study;
- Archeological Assessment; and,
- Functional Servicing and Stormwater Management Report.

Official Plan Amendment and Revised Zoning By-law Amendment Applications

The applicants are seeking approval of their request to amend OPA 36 in order to permit an increase in the maximum permitted density from 218 units per hectare to 285 units per hectare within the existing approved eight storey residential apartment building to be constructed on its land holdings. Additionally, the applicants have revised their Zoning By-law Amendment application that was approved in principle to rezone the subject lands from **Agricultural (A) Zone under By-law 1703, as amended**, to **Multiple Residential One (RM1) Zone** and **Environmental Protection Area Two (EPA2) Zone** under By-law 313-96, as amended. The revised Zoning By-law Amendment proposes to generally maintain the previous proposed development standards that were approved in principle with some modifications that have been identified through the review of the associated Site Plan application and to facilitate the change in density proposed by the subject Official Plan Amendment application which is discussed in detail later in this report.

Page 6

Site Plan Application

Following Council's approval of their original development proposal, the applicants submitted a Site Plan Application (City File D06-22047) in July 2022 to facilitate the construction of the approved eight storey apartment building on the subject lands. The first submission of the Site Plan application was consistent with the plans used to evaluate and form the basis of approval for OPA 36 (refer to Maps 9 to 12).

It is noted that plans associated with the applicants' Site Plan as illustrated in Maps 5 to 8 contemplate modifications to the overall building and site design, including a refined building footprint to accommodate changes to the architectural design. Notwithstanding the changes, the revised proposal maintains the approved building envelope, built form and height. It should be noted that the proposed increased density is associated to the reconfiguration of the internal floor plan layouts within the footprint of the revised design. A further submission of the Site Plan application to address outstanding comments had not been received at the time of preparation of this report and the Site Plan application remains under review.

Planning Analysis:

As outlined in Staff Report SRPI.22.086, the City's in-force Plan is consistent with the *Provincial Policy Statement (2020)* (the "PPS") and conforms with the Growth Plan and the ROP that were in-force at the time of approval. The PPS, the Growth Plan and *Regional Official Plan (2022)* (the "ROP") have been updated since and at the time of writing of this report, the City is undertaking a Municipal Comprehensive Review (MCR) and Official Plan update. Accordingly, the following sections provide an overview of the policies relevant to the subject application.

York Region Official Plan

The ROP designates the subject property **Urban Area** and identifies a portion of the lands as being located within the **Regional Greenlands System** in accordance with Map 1 (Regional Structure) and Map 2 (Regional Greenlands System). 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. The **Regional Greenlands System** is intended to identify, protect and enhance Natural Heritage Features and provide an opportunity for passive recreation systems. Through the approval of OPA 36, it was determined that the proposed development conforms with the ROP and the in-force policy framework remains unchanged.

The subject applications have been circulated to York Region, but formal comments have not been provided by the Region to date. It should be noted that through the review of the applicants' CAP Phase 2 submission, the Region advised they have no objection to the proposed Official Plan Amendment. Through the review of the subject application, the Region will provide written confirmation as to whether the proposed Official Plan Amendment may be exempted from Regional approval and delegated to the City for final consideration. As a result, a more detailed review and evaluation of the

Page 7

proposed development in the context of the applicable policies in the ROP will form part of a future recommendation report to Council where deemed necessary.

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** and **Natural Core** in accordance with Schedule A2 - Land Use of the Plan (refer to Map 4). Further, the lands are located within and abutting the **Greenway System** and are situated within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan (ORMCP)*. Notwithstanding the preceding and as previously noted, Official Plan Amendment 36 was approved by Council on July 6, 2022, which established site specific policies to permit an eight storey residential apartment building with a density of 218 units per net residential hectare on the subject lands.

The proposed Official Plan Amendment, if approved, would amend the site specific policy of OPA 36 as it relates to the maximum permitted density only. In this regard, the requested increase in density is proposed to be achieved through a redistribution of the internal floor space of the approved eight story building through the reduction of unit sizes and amenity space areas internal to the building. No changes to the building height or setbacks, apart from the front yard setback, are proposed. Based on the preceding, the subject proposal will be evaluated on appropriateness and impact of the proposed increased density as established by OPA 36.

Further to the above, through the review and approval of OPA 36, the proposed development limits were deemed to be acceptable by the Toronto and Region Conservation Authority as well as the City of Richmond Hill. As the subject application does not contemplate changes to the approved building envelope, the development limits have not changed and therefore compliance with the **Natural Core** policies of the Plan continues to be demonstrated as part of the subject applications.

In this regard, the proposed development provides the required 30 metre (98.43 feet) minimum vegetation protection zone (MPVZ) to the wetland to the north and west, a reduced 10 metre (32.81 feet) MVPZ to the wetland to the south and a reduced southerly MVPZ. These MVPZs were all supported through the submission of the requisite Natural Heritage Evaluation and additional addendum materials and included proposed restoration planting so as to ensure that the proposed development does not negatively impact the ecological function of the surrounding wetland. It is noted that the recommended and accepted mitigation measures will result in a net area gain to the natural environment and for the environmental lands that are to be conveyed into public ownership which shall be secured as part of the Site Plan application (City File D06-22047).

With respect to housing affordability, the subject application remains consistent with **Section 3.1.5.3** of the Plan which requires that a minimum of 25% of new housing units within the **Settlement Area** shall be affordable and should be coordinated across the City including in Secondary Plan and Tertiary Plan areas. A portion of these units are to

Page 8

be accessible, and affordable housing units should include a mix and range of unit sizes, among other variables. It should be noted that the approved development proposal did not provide an affordable housing component; however, it did provide for a range and diversity of unit sizes for 1 bedroom to 3 bedroom units. As noted previously, the subject application proposes an increase in the proposed density and the number of units through the modifications to the range of unit types within the same building envelope. The proposed modifications would not affect the minimum number of larger family sized units of 3 or more bedrooms which represents 11 units or 8% of the total units.

The subject lands are also situated within the **Settlement Area** of the Oak Ridges Moraine, as defined in the ORMCP. In accordance with **Section 3.2.1.1 (18)** of the Plan, all uses, including the creation of new lots which are otherwise permitted under the Plan, shall be permitted within the **Settlement Area** and permitted uses shall be subject to the requirements of **Sections 19(3)** and **31(4)** of the ORMCP.

A more detailed review of the subject applications and the supporting studies and documents will be undertaken to ensure the proposed development is in keeping with the policies of the Plan.

Zoning By-law

The applicants are seeking approval to rezone their land holdings from **Agricultural (A) Zone** under By-law 1703, as amended, to a site specific **Multiple Residential One (RM1) Zone** and **Environmental Protection Two (EPA2) Zone** under By-law 313-96, as amended, to permit an apartment building and to establish site specific development standards to facilitate the subject revised development proposal on the subject lands (refer to Map 3).

The table below provides a summary of the site specific development standards of the **RM1 Zone** under By-law 313-96, as amended, providing a comparison of the previous development standards approved in principle and the current revised development standards associated with the subject proposal (the bolded standards denote proposed modifications):

Page 9

| Development Standard | Approved in Principle Standards, RM1 Zone under By-law 313-96, as amended | Revised Proposed Standards, RM1 Zone under By-law 313-96, as amended |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| Minimum Lot Frontage | 110.0 metres (360.89 feet) | 105.0 metres (344.49 feet) |
| Minimum Lot Area | 5,000.0 sq. metres (53,819.55 sq. feet) | 4,738.0 square metres (50,999.41 square feet) |
| Maximum Lot Coverage | 60% | 75% |
| Minimum Front Yard | 2.0 metres (9.84 feet) | 1.6 metres (5.25 feet) |
| Minimum Side Yard | 6.4 metres (21.0 feet) | 2.0 metres (6.56 feet) |
| Minimum Rear Yard | 29.0 metres (95.14 feet) | 2.0 metres (6.56 feet) |
| Maximum Height | 8 storeys or 37.0 metres (121.39 feet) whichever is the lesser | 8 storeys or 30.0 metres (98.43 feet) whichever is the lesser |
| Maximum Gross Floor Area | 13,900 sq. metres (149, 618.35sq. feet) | 12,500.0 sq. metres (134,548.88 sq. feet) |
| Minimum Front Yard Landscape Strip | 2.0 metres (9.84 feet) | 1.6 metres (5.25 feet) |
| Minimum Number of Parking Spaces | 1 bedroom – 1.25 per unit 2 bedroom – 1.5 per unit 3 bedroom – 1.75 per unit Visitor – 0.25 per unit | 1 bedroom – 1.25 per unit 2 bedroom – 1.5 per unit 3 bedroom – 1.75 per unit Visitor – 0.25 per unit |
| Minimum Number of Bicycle Spaces | Residents – 0.6 per unit Visitors – 0.5 per unit | Residents – 0.6 per unit Visitors – 0.5 per unit |
| Minimum Outdoor Amenity Space Per Unit | 2.0 square metres (21.53 square feet) | 2.0 square metres (21.53 square feet) |

As it relates to the proposed increase in density, the proposed residential gross floor area has been reduced correspondingly with the increased parking area of the building to accommodate more vehicular parking (and bicycle parking) for the additional units.

The need for modifications to the proposed zoning standards has been identified through the review of the associated Site Plan application (City File: D06-22047) for the development. The proposed site specific standards relating to lot area, lot coverage, side and rear yard setbacks have been refined to reflect the net development area exclusive of the future required conveyance of the environmental lands to the City that are to be rezoned to **EPA2 Zone** under By-law 313-96, as amended. Further, the proposed reduction to the front yard setback and front yard landscape strip are a result of design changes related to architectural projections/façade treatments along the front of the proposed building. Finally, new definitions have now been included in order to more accurately reflect the proposed.

The appropriateness of the proposed zoning provisions and land uses, as well as the need for additional standards and/or restrictions will continue to be evaluated through

Page 10

the review of the submitted development applications with regard to policy conformity, compatibility, design and function.

Department and External Agency Comments:

The subject Official Plan and revised Zoning By-law Amendment applications and the associated background studies and reports submitted in support of same have been circulated to various City departments and external agencies for their review and comment. The following is a summary of the comments received as of the time of writing of this report.

Development Planning Division

Planning staff has completed a preliminary review of the applicants' development proposal, including the plans and materials submitted in support of same. In consideration of the policies of the Plan which are relevant to the evaluation of the proposal, staff provides the following preliminary comments:

- OPA 36 permits an eight storey residential apartment building with a maximum density of 218 units per hectare on the subject lands. The subject Official Plan Amendment would permit an additional 32 units for a total of 135 units and an associated increase in density to 285 units per hectare within the approved eight storey building on the subject lands;
- the subject applications appear to maintain compliance with **Policy 3.1.5.3** which requires 25% of new housing units within the **Settlement Area** to be affordable and in accordance with **Policy 3.1.5.7**, 5% of the proposed new residential units shall be 3 or more bedrooms units;
- the associated Site Plan application (City File D06-22047) remains under review by the City and will have to be revised to reconcile the changes proposed as a result of the subject Official Plan Amendment application;
- a future draft Plan of Condominium application will be required to facilitate tenure for the proposed development;
- the applicants must satisfactorily address comments and/or requirements identified by City departments and external agencies that have been requested to review the proposed development. In this regard, it is noted that the applications remain under review by relevant City departments and external agencies; and,
- staff will continue to work with the applicants through the review of the form, content and appropriateness of the proposed Official Plan Amendment and revised draft Zoning By-law.

A comprehensive review of the applicants' Official Plan and revised Zoning By-law Amendment applications will be undertaken following the receipt of comments and feedback from City departments, external agencies, Council and the public. The detailed review will be completed in advance of and addresses as part of a recommendation report to be prepared for a future Council meeting.

Page 11

Other City Department and External Agency Comments

Comments have also been received from the City's Heritage and Urban Design Section, City's Community Services – Waste Management Section, City's Building Services Division – Zoning Section, City's Finance Department, Toronto and Region Conservation Authority, Alectra Utilities, Enbridge Gas Distribution Inc., and the York Catholic District School Board. These external agencies have no objections to the application and/or have provided comments to be considered by the applicants during the more detailed implementation stage of the approval process. At the time of writing the report, the development proposal is remains under review by the City's Development Engineering Division, City's Park and Natural Heritage Planning Section, the Regional Municipality of York, Canada Post, Conseil Scolaire de District Catholique Monavenir, Conseil Scolaire Viamonde, York Region District School Board, and Bell Canada.

Interim Growth Management Strategy

Council has approved and implemented a comprehensive strategy comprised of eight growth management eligibility 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.*

In accordance with Council direction, as part of the review of the above noted IGMS Criteria 5 (Sustainable and Innovative Community and Building Design), the applicants have submitted a Sustainability Performance Metrics Tool in support of their Site Plan application to demonstrate how the proposed development achieves the minimum threshold score of 32 points in order to receive Site Plan approval. At this time, the Sustainability Metrics submission for the proposed development remains under review as part of the Site Plan application.

Financial/Staffing/Other Implications:

The recommendation of this report does not have any financial, staffing or other implications.

Page 12

Relationship to Council’s Strategic Priorities 2020-2022:

The recommendation of this report does not have any direct implications with respect to Council’s Strategic Priorities. An overview of how the subject applications are aligned with the Strategic Plan will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicants’ development proposal.

Conclusion:

The applicants are seeking Council’s approval of their Official Plan and revised Zoning By-law Amendment applications to permit increased density within the permitted eight storey residential apartment building that is to be constructed on its land holdings. The purpose of this report is to provide Council and the public with an overview of the development proposal and to discuss the regulatory regime governing the evaluation of these planning applications. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration.

Appendix Contents and Maps:

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#29-22 held July 6, 2022
- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Proposed Site Plan
- Map 6, Proposed East and West Elevation Plans
- Map 7, Proposed North and South Elevation Plans
- Map 8, Proposed 3D Rendering
- Map 9, Previously Proposed Site Plan
- Map 10, Previously Proposed East and West Elevation Plans
- Map 11, Previously Proposed North and South Elevation Plans
- Map 12, Previously Proposed 3D Rendering

Page 13

Report Approval Details

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|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Document Title: | SRPBS.24.006 - Request for Comments.docx |
| Attachments: | <ul style="list-style-type: none">- Appendix A - Council Extract.docx- SRPBS.24.006 - Map 1 - Aerial Photograph.docx- SRPBS.24.006 - Map 2 - Neighbourhood Context.docx- SRPBS.24.006 - Map 3 - Existing Zoning.docx- SRPBS.24.006 - Map 4 - Official Plan Designation.docx- SRPBS.24.006 - Map 5 - Proposed Site Plan.docx- SRPBS.24.006 - Map 6 - Proposed East and West Elevation Plans.docx- SRPBS.24.006 - Map 7 - Proposed North and South Elevation Plans.docx- SRPBS.24.006 - Map 8 - Proposed 3D Rendering.docx- SRPBS.24.006 - Map 9 - Previously Proposed Site Plan.docx- SRPBS.24.006 - Map 10 - Previously Proposed East and West Elevation Plans.docx- SRPBS.24.006 - Map 11 - Previously Proposed North and South Elevation Plans.docx- SRPBS.24.006 - Map 12 - Previously Proposed 3D Rendering.docx |
| Final Approval Date: | Feb 12, 2024 |

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

Deborah Giannetta - Feb 9, 2024 - 4:43 PM

Gus Galanis - Feb 9, 2024 - 4:43 PM

Darlene Joslin - Feb 12, 2024 - 8:26 AM