



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.011

Department: Planning and Regulatory Services

Division: Development Planning

Subject: Request for Approval – Zoning By-law
Amendment and Site Plan Amendment
Applications – 1857481 Ontario Inc. – Town
Files D02-17025 and D06-17064

Owner:

1856481 Ontario Inc.
3985 Highway 7 East, Suite 202
Markham, Ontario
L3R 2A2

Agent:

Malone Given Parsons Ltd.
140 Renfrew Drive, Suite 201
Markham, Ontario
L3R 6B3

Location:

Legal Description: Part of Lot 11, Concession 2, E.Y.S.
Municipal Addresses: 386, 396 and 400 Highway 7 East

Purpose:

A request for approval concerning proposed Zoning By-law Amendment and related Site Plan Amendment applications to facilitate the second phase of a proposed mixed-use, high density residential/townhouse development on the subject lands.

Recommendations:

1. That the Zoning By-law Amendment application submitted by 1857481 Ontario Inc. to remove the Holding (H) provisions from the Zoning By-law affecting the lands known as Part of Lot 11, Concession 2, E.Y.S (Municipal Addresses: 386, 396 and 400 Highway 7 East), Town File D02-17025, be approved;

2. That Council approve servicing allocation for 354 persons equivalent population (172 units) to the subject lands; and,
3. That all comments concerning the related Site Plan Amendment application, Town File D06-17064, be referred back to staff.

Contact Person:

Ferdi Toniolo, Acting Senior Planner – Site Plans, phone number 905-771-2442 and/or Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-2465

Report Approval:

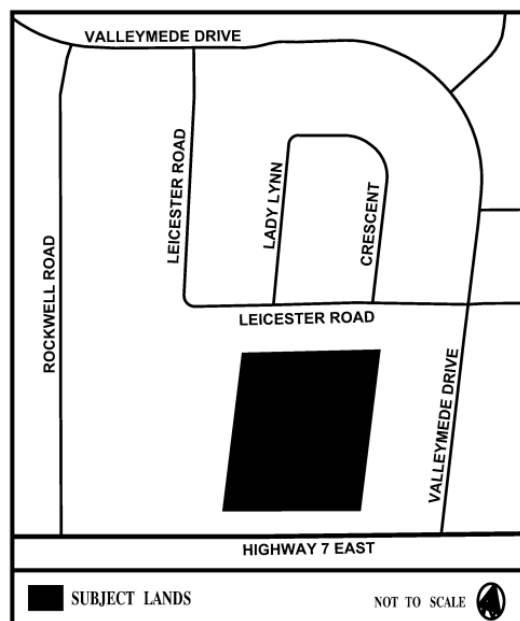
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

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

Location Map:

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



Background:

On January 20, 2016, the Ontario Municipal Board (OMB) issued an Order approving an Official Plan Amendment to permit a high density residential development comprised of two apartment buildings (11 and 15 storeys, respectively) and 45 townhouse dwellings, with a total of 397 units and an FSI of 2.06 on the subject lands. However, the OMB withheld its Order concerning the approval of the related Zoning By-law Amendment application until such time as the applicant received Site Plan approval from the Town to facilitate construction of the development. In addition, the Zoning By-law included Holding (H) provisions for a portion of the lands which restricted the height of Building “B” to 11 storeys until such time as the Toronto/Buttonville Airport Zoning Regulations (AZR) were repealed or the height restrictions provided in the Zoning By-law were no longer in force and effect.

In accordance with the OMB’s Order, the applicant submitted a Site Plan application to the Town (Town File D06-16028) on April 19, 2016 to facilitate the Board approved decision. As a result of a delay in obtaining the required exemption from the AZR, the applicant revised its development proposal to facilitate the construction of Building “A” and the 45 townhouse dwellings only (refer to Map 5). The aboveground portion of Building “B” would proceed via a separate Site Plan Amendment application when the exemption was obtained.

In the interim, Council approved servicing allocation for the first phase of the development for 421 persons equivalent population (139 apartment units and 45 townhouse units) at its meeting of January 30, 2017 (refer to Appendix “A”). On February 10, 2017, the OMB ordered that Zoning By-law 12-17 be approved. Staff continued to work closely with the applicant to address all remaining issues and on June 9, 2017, the Site Plan Agreement for the first phase of the development was executed and registered. Building Permits have since been issued and construction has commenced on the subject lands.

In May of 2017, the applicant received an exemption from the AZR (refer to Appendix B). On August 11, 2017, applications for Zoning By-law Amendment and Site Plan Amendment to remove the Holding (H) provisions and to facilitate the construction of Building “B” with a height of 15 storeys, were received and deemed complete. The applications were subsequently circulated to various Town departments and external agencies for review and comment.

The purpose of this report is to seek Council’s approval of the Zoning By-law Amendment application to remove the Holding (H) provisions in order to facilitate the construction of the second phase of the development (refer to Maps 6 and 7), municipal servicing allocation for 354 persons equivalent population (172 units) and to seek comments with respect to the applicant’s Site Plan Amendment application.

Summary Analysis

Site Location and Adjacent Uses

The subject lands are located on the north side of Highway 7 East, west of Valley Mede Drive. The lands abut a high density, mixed-use residential/commercial development to the west, low density residential uses to the north, an automobile service station to the east and Highway 7 East to the south (refer to Map 1).

Development Proposal

The lands have a total lot area of 1.85 hectares (4.58 acres). The approved high density mixed use residential/townhouse development is to be constructed in two phases (refer to Map 5). The first phase, which is under construction, is comprised of a 139 unit apartment building and 45 townhouses for a total of 184 units. The second phase of the development is comprised of a 15 storey residential building. In support of the Zoning By-law Amendment to remove the Holding (H) provisions, a Site Plan Amendment application (Town File D06-17064) has been submitted to facilitate the construction of the above ground portion of this building (refer to Maps 6 and 7) containing 169 residential units. In addition, the applicant is requesting municipal servicing allocation for the second phase as well as an additional 3 units for Building “A” within the first phase.

Planning Analysis

Town of Richmond Hill Official Plan

The subject lands are designated **Regional Mixed-Use Corridor** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (the “Plan”) (refer to Map 3). Uses permitted within the **Regional Mixed-Use Corridor** designation include medium and high density residential uses, office, commercial and retail uses, community uses, parks and open spaces, and automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. Policy 4.6.1.5 states that the maximum density for lands with the **Regional Mixed-Use Corridor** designation along Highway 7 is 2.5 FSI. Policy 4.6.17 sets out a maximum building height of 11 storeys.

Pursuant to the OMB decision issued on January 20, 2016, Official Plan Amendment No. 2 was approved and provided an exception to permit an increase in the maximum height of Building “B” from 11 storeys to 15 storeys following the closure of the Buttonville Airport. The amendment required the implementation of Holding (H) provisions to be applied to the implementing Zoning By-law for the purpose of restricting the maximum building height of Building “B” to 11 storeys until such time as the AZR for the Buttonville Airport are no longer in force and effect or have been repealed.

Zoning By-Law Amendment Application

Zoning By-law 12-17, was approved by the OMB on February 10, 2017 and contains site specific provisions to facilitate the construction of the proposed high density mixed-use residential/townhouse development on the subject lands. As noted earlier in this report, the by-law also contains Holding (H) provisions that restrict the height of Building

“B” to 11 storeys. In this regard, the Holding (H) provisions of the By-law stipulate the following:

“i) the maximum height for an apartment building shall be 15 storeys.

ii) Where a zone symbol on the attached Schedule “A” is followed by the bracketed letter “H”, the bracketed letter indicates that the lands to which it applies have been placed in a Holding (H) Zone in accordance with the provisions of Section 36 of the Planning Act and the Town of Richmond Hill Official Plan (2010). No building shall be constructed with an elevation of greater than eleven (11) storeys on the lands as shown on Schedule “A” zoned with a Holding (H) symbol until the Holding symbol has been removed by Council. The “H” Holding Zone provision may be lifted upon application to Council when Council is satisfied as to the following:

a. The Toronto/Buttonville Airport Zoning Regulations (SOR /88-148) have been repealed or the height restriction provided for in section 4 therein are no longer in force and effect...”

As previously indicated in this report, the applicant has now received the required exemption from the Federal Government (refer to Appendix B), thereby satisfying the conditions of the Holding (H) provision. Accordingly, staff recommends Council enact a Zoning By-law Amendment to remove the Holding (H) provisions applicable to the property.

Departments/External Agencies

As of the writing of this report, circulated Town departments and external agencies either did not object to the proposed development and/or provided minor comments to be considered by the applicant prior to final Site Plan approval. These comments have been forwarded to the applicant for consideration but have not been appended to this report.

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 municipal servicing allocation. The eight growth management 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 submitted Interim Growth Management Strategy (IGMS) report addresses both phases of the development. The applicant has identified that the proposed development would meet Criteria 1, 4, 5 and 6 noted above (refer to Appendix C). Staff has reviewed the submission and agrees that the proposal meets the aforementioned criteria, as follows:

- a sanitary sewer will be constructed as part of the proposed development that will provide an optional service connection point should the lands to the east ever be redeveloped;
- being located along Highway 7, the proposed development will optimize existing and planned transit infrastructure and will provide for high density residential development along a major arterial road in accordance with the policies both the Region of York and Town Official Plans;
- the proposed development will achieve LEED Gold certification by providing for a number of environmentally sustainable and energy efficient features, will be a transit supportive use and will represent efficient use of infrastructure, services and land; and,
- the proposed development will meet the goals of the *Provincial Policy Statement* and *Growth Plan* legislation as it relates to the provision of compact urban form, intensification of built-up areas and the efficient use of land services and infrastructure as it relates to the completion of communities.

Additionally, the proposed development has been reviewed in accordance with the Town's Sustainability Performance Metrics chart and has achieved a score of 55 which is considered a "very good" performance level.

Based on the above, staff is of the opinion that the applicant's development proposal satisfies the Town's IGMS criteria and therefore, it is recommended that Council assign municipal servicing allocation for a total of 354 persons equivalent population (172 units) for the second phase of the development to be constructed on the subject lands.

Financial/Staffing/Other Implications

This recommendation does not have any financial, staffing or other implications.

Relationship to Strategic Plan

The recommendations of this report will facilitate a development proposal that is aligned with the Town's Strategic Plan. In this regard, the development proposal is aligned with **Goal One - Stronger Connections in Richmond Hill** by strengthening connections to transit, **Goal Two - Better Choices in Richmond Hill** by providing a for a range of housing options and providing better quality options to achieve the community vision for the Town and lastly with **Goal Four - Wise Management of Resources in Richmond Hill** by creating opportunities for reducing commute times, increasing access and incorporating energy efficient design.

Conclusions

The applicant is seeking Council's approval to remove the Holding (H) provisions applicable to the subject lands to permit the construction of the second phase of the approved high density, mixed-use residential development on its land holdings. The applicant is also seeking servicing allocation to service this second phase of the development as well as additional servicing allocation for the first phase. Staff is satisfied that the applicant has fulfilled the conditions for removal of the Holding (H) provisions and is of the opinion that the development proposal satisfies the Town's Interim Growth Management Strategy criteria for servicing allocation.

In light of the preceding, staff recommends that Council approve the Zoning By-law Amendment to remove the Holding (H) provision, assign municipal servicing allocation for 354 persons equivalent population (172 units) for the second phase of development on the subject lands and that all comments on the Site Plan Amendment application be referred back to staff.

Appendix Contents and Maps:

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

- Appendix A, Extract from Committee of Whole Meeting held on January 23, 2017
- Appendix B, Exemption from the Toronto /Butonville Airport Zoning Regulations
- Appendix C, IGMS Statement for Servicing Allocation dated April 19, 2016
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Official Plan Designation
- Map 4 Existing Zoning Designation
- Map 5 Approved Site Plan
- Map 6 Proposed Site Plan
- Map 7 Proposed Elevations

Report Approval Details

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| Document Title: | SRPRS.18.011.docx |
| Attachments: | <ul style="list-style-type: none">- Appendix A.pdf- Appendix B.pdf- Appendix C.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217025A.pdf- MAP_3_EXISTING_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_4_EXISTING_ZONING_DESIGNATION_S217025A.pdf- MAP_5_APPROVED_SITE_PLAN.pdf- MAP_6_PROPOSED_SITE_PLAN.pdf- MAP_7_PROPOSED_ELEVATION.pdf |
| Final Approval Date: | Jan 9, 2018 |

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

Gus Galanis - Jan 9, 2018 - 1:25 PM

Kelvin Kwan - Jan 9, 2018 - 3:28 PM

Neil Garbe - Jan 9, 2018 - 4:17 PM