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**APPLICATIONS BEFORE THE ONTARIO MUNICIPAL BOARD
BY BALDEX GROUP INC. - TOWN OF RICHMOND HILL**

The Planning and Economic Development Committee recommends the following:

- 1. The following communications and deputations be received:**
 - a) Geoff Green, President, Yonge-Harding-Church Ratepayers' Association, dated November 17, 2003 and December 14, 2003;**
 - a) Patrick J. Devine, Goodman and Carr, December 23, 2003, on behalf of the Town of Richmond Hill;**
 - b) N. Jane Pepino, C.M., Q.C., Aird & Berlis, dated January 6, 2004, on behalf of Baldex Group Inc.;**
 - c) David Fleiner, Town of Richmond Hill, resident;**
 - d) Neil Maynard, Town of Richmond Hill, resident;**
 - e) Martha Forge, Town of Richmond Hill, resident;**
- 2. The recommendation contained in the following report, December 16, 2003, from the Commissioner of Planning and Development Services be deleted and replaced with the following:**
 - 1. The Ontario Municipal Board be advised that:**
 - a) the Region has no objection to the existing zoning and official plan designation on the property;**
 - b) the history of the property, including an existing agreement reached with the Town of Richmond Hill, the residents and Baldex Group Inc., must be fully considered; and**
 - c) the existing zoning and official plan designation meets the objectives of the Region's Official Plan as it pertains to intensification and support of transit development.**

1. RECOMMENDATION

It is recommended that:

- 1. The Ontario Municipal Board be advised that the Region has no objection to the official plan amendment, zoning by-law amendment and site plan applications by Baldex Group Inc. for a property located at 9783 Yonge Street in Richmond Hill.**

2. PURPOSE

The purpose of this report is to provide a summary of the proposed development and related applications by Baldex Group Inc. (“Baldex”) and to advise the Ontario Municipal Board (OMB) that the Region has no objection to those applications.

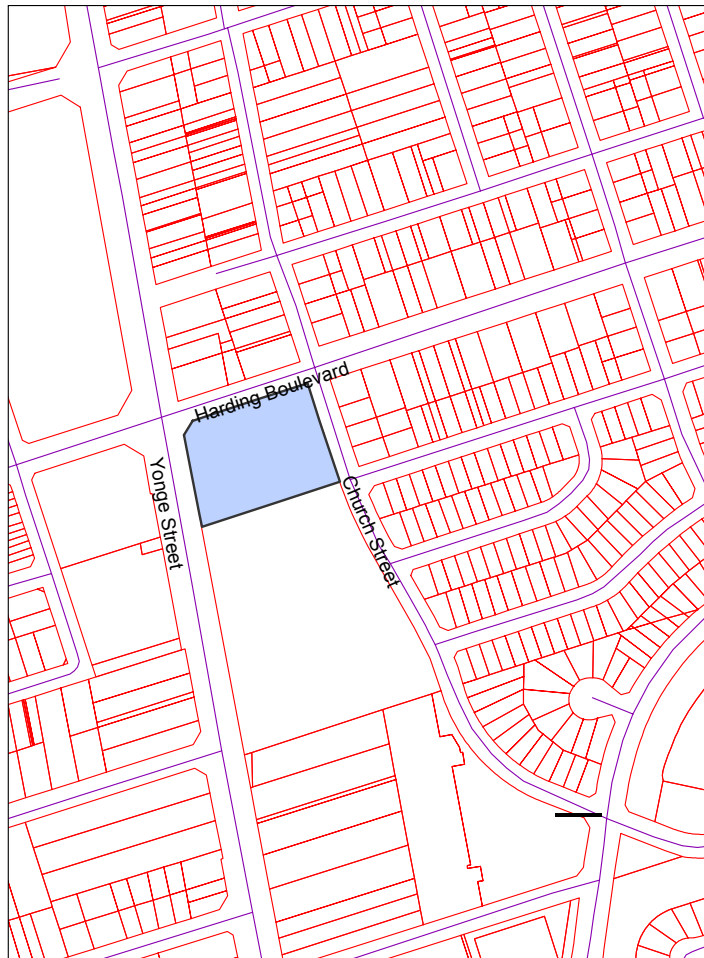
3. BACKGROUND

3.1 Location

The subject property is a vacant parcel of land that is 1.01 hectares in area (2.48 acres) located at the southeast corner of Yonge Street and Harding Boulevard in Richmond Hill, south of Major Mackenzie Drive (see shaded area on Figure 1). Uses surrounding the site generally consist of low density residential to the east, and a mix of commercial plazas and residential apartments to the north, south and west.

The site is currently designated “Residential Transition Area” under The Yonge-Weldrick Area Secondary Plan, adopted by the Town in 1994 as Official Plan Amendment (OPA) 130. The site is further subject to a site-specific policy (OPA 133) approved by the OMB in 1995. OPA 133 permits an eight-storey, 176-unit apartment building and 48 stacked townhouses to a maximum density of 2.0 FSI (Floor Space Index, being the proposed floor area divided by the land area).

Figure 1 – Location Map



3.2 Proposal and applications before the OMB

Currently proposed for the subject property by Baldex is a 14-storey, 412-unit apartment building and 12 townhouse dwellings at a density of 3.65 FSI. Of the 645 proposed parking spaces, 629 will be provided underground. The Region received the related official plan amendment, zoning by-law amendment and site plan applications from the Town for review and comment on April 17, 2003. A copy of the proposed site plan is attached to this report as *Appendix I*.

Regional planning staff replied to the Town in a letter dated May 15, 2003 in support of the proposal and related applications. Consistent with the comments of Regional staff, local planning staff recommended approval of the applications to Richmond Hill Council in a report dated June 18, 2003. The following are key points made in support of the applications, as outlined in the report by Town staff:

- The proposal meets the intent of the Regional Official Plan pertaining to the encouragement of a wider range of housing opportunities within built-up areas in the Town which have direct access to existing and proposed transit facilities.

- The density of the proposed development is considered appropriate to meet the Region's objective of establishing a rapid transit corridor along Yonge Street.
- Transit supportive high density residential developments having a maximum floor area ratio between 3.0 and 3.5 times the lot area are considered to be appropriate and to constitute good planning for redevelopment areas.
- The proposal meets the intent of the locational criteria for high density residential development as outlined in the Town's general Official Plan and OPA 130.
- The abutting road network can adequately accommodate the projected traffic volumes for the proposed development.
- The proposed development will not negatively affect abutting lands in terms of shadow impact and will not obstruct the views of the landmark church steeples located within the Town's Village Core.
- The massing of the building is focused on the corner of Yonge Street and Harding Boulevard, away from the low density residential area.
- The design of the development incorporates measures such as tiered floor elevations, underground parking, landscaping and street townhouses along the Church Street frontage to integrate into the surrounding area.

Richmond Hill Council refused the applications, which were subsequently referred to the OMB by Baldex under the appeal provisions of the *Planning Act*. A nine-day hearing has been scheduled to begin on February 9, 2004 to consider the official plan amendment, zoning by-law amendment and site plan applications by Baldex.

4. ANALYSIS AND OPTIONS

The official plan amendment, zoning by-law amendment and site plan applications by Baldex for the subject property represent good planning. The applications are consistent with Regional Official Plan (ROP) policies and programs. The Baldex proposal is an example of a positive response to the changing dynamics of a growing region, and the need to encourage development that makes efficient use of existing and planned infrastructure.

4.1 Regional Planning Policies

The subject property is shown as "Urban Area" and is located along a "Regional Corridor," as depicted on Map 5 (Regional Structure) of the ROP. While the ROP directs the majority of new growth to the Urban Area, Regional Corridors like Yonge Street are described in Chapter 5.4 as having the greatest opportunity to add new housing units and attract more intensive, mixed-use development. The proposal by Baldex therefore represents a unique opportunity to not only meet, but to advance the many policy objectives of the ROP. Among these objectives are:

- Encouraging housing to be provided when opportunities exist for redevelopment (Policy 4.3.6).
- Providing a mix and range of different types, forms, sizes and tenures of housing (Policy 4.3.10).
- Targeting a minimum 20 per cent of the Region forecasted population increase to existing built-up portions of urban areas (Policy 5.2.4).

- Redeveloping areas in transition or areas that are under-utilized (Policy 5.2.9).
- Locating medium and higher density urban development adjacent to transit-intensive urban arterial roads (Policy 6.2.3).

4.1.1 Policy changes to refine the Region's urban structure

The structure of the Region's urban area is evolving from low density and greenfield into a system of compact communities and centres linked by Regional-scale corridors served by transit. The York Region Centres and Corridors Strategy was formulated in early 2003 to address and further support this transformation through innovative policies, programs, infrastructure and financial tools. Regional Council will be asked to adopt this Strategy in January or February 2004.

A Regional Official Plan Amendment (ROPA 43) is being drafted to help implement the Strategy, based on ten policy principles adopted by Regional Council on February 20, 2003. These policy principles are:

1. The Region should promote and encourage appropriate development in the Regional Centres and Corridors in support of large public investments in rapid transit;
2. A sustainable urban structure needs to be reinforced which includes a connected hierarchy of centres and corridors.
3. Investment in public buildings, community facilities and human services needs to be supportive of the urban structure hierarchy and strategic focal points.
4. Development should be transit supportive with the highest densities located in the Regional Centres. Overall densities in the Regional corridors and centres should achieve an average density of 2.5 FSI.
5. Development in the Regional Centres should provide for the broadest land use mix including a variety of housing types, range of employment opportunities, human services and entertainment uses.
6. Key development opportunities should be identified within the Regional Centres and Corridors;
7. Stable residential communities should be supported.
8. A high quality of urban design should be promoted, which achieves a pedestrian friendly, transit oriented development form. The development of urban design guidelines for both the Regional Centres and Corridors can achieve this.
9. Development should be facilitated through a streamlined process using innovative policies, programs and financial tools to ensure implementation.
10. The timing and delivery of appropriate infrastructure should be considered through the development process.

The Baldex applications are consistent with these principles. A statutory public meeting for ROPA 43 is likely to be held in May or June of 2004.

4.2 Context

The Regional and local context has changed dramatically since the OMB approved the earlier application by Baldex (OPA 133) for the subject property in 1995. The Region's population has grown by over 200,000 people and, most importantly, Regional Council approved the York Region Rapid Transit Plan (YRTP) to address the long-term sustainability of the Region's transportation network, communities, economy and natural environment. The YRTP represents an upwards of over \$4-billion investment in rapid transit services in the Yonge Street and Highway 7 corridors over the next 30 years.

The massing, density and design of the proposed development are further reasons why the Baldex applications are supported by Regional staff. The following are the more detailed aspects of the proposal which represent good planning from the Region's perspective:

- The proposed density of 3.65 FSI is supportive of rapid transit.
- The bulk of the building is oriented to the corner of Yonge Street and Harding Boulevard, away from the existing residential area.
- The design supports and respects the existing community through the placement of street townhouses, combined with the terracing of the eastern elevations of the apartment building. This provides a sensitive and compatible interface to the existing residential area.
- The location and size of the subject site make it ideal for the type and scale of the development proposed.
- Only 16 of the 645 proposed parking spaces will be provided above ground, consistent with the principles of pedestrian-friendly and attractive development.

This latest Baldex proposal meets the criteria of the current ROP and also represents the kind of development that is required in Regional Corridors to support rapid transit, consistent with the adopted policy principles for proposed ROPA 43 listed in Section 4.1.1. of this report. Furthermore, the site is located approximately 300 metres south of the nearest proposed rapid transit station, as shown in the Draft September 2003 Yonge Street Transitway Environmental Assessment Report.

4.2.1 The need for a comprehensive approach

The Baldex application is one of a series of infill and intensification projects proposed for sites in and adjacent to the Yonge Street corridor. This trend will continue as conventional transit improvements and rapid transit services become implemented in the Regional Centres and Regional Corridors. A key element of the draft ROPA 43 is to develop a comprehensive policy framework to address infill and intensification in these key development opportunities in a manner that supports rapid transit investment and promotes neighbourhood compatibility. It is recommended that Richmond Hill undertake a comprehensive review of the Yonge Street corridor within its boundaries and identify key redevelopment areas that are appropriate for intensification. A framework of this

nature, when taken in the context of Provincial, Regional and other municipal policy, will provide some degree of clarity and predictability in the redevelopment process for developers, municipalities and residents alike.

4.3 Relationship to Vision 2026

Encouraging higher-density development like the current Baldex proposal will advance all eight goal areas of Vision 2026. In particular, more intensive development in strategic locations in and adjacent to the Regional Centres and Regional Corridors is consistent with “housing choices for our residents,” “managed and balanced growth,” and “infrastructure for a growing region.”

5. FINANCIAL IMPLICATIONS

Attracting higher-density development in and adjacent to the Regional Centres and Regional Corridors will contribute to the financial viability of the YRTP by generating transit ridership, and increased property tax and development charge revenues.

6. LOCAL MUNICIPAL IMPACT

Approval authority for the official plan amendment, zoning by-law amendment and site plan applications by Baldex now rests with the OMB. Richmond Hill Council did not approve the subject applications. The recommendations of this report are consistent the Town staff recommendations.

7. CONCLUSION

The official plan amendment, zoning by-law amendment and site plan applications by Baldex Group Inc. for a property at 9783 Yonge Street in Richmond Hill will be subject to a nine-day OMB hearing commencing on February 9, 2004. The purpose of these applications is to permit the construction of a 14-storey, 412-unit apartment building and 12 townhouse dwellings at a density of 3.65 FSI.

It is the opinion of Regional planning staff that these applications represent good planning and should be supported by the Region. It is recommended that the OMB be advised that the Region has no objection to the Baldex applications.

The Baldex proposal represents a positive response to the changing dynamics of a growing region, and the need to encourage development that makes efficient use of existing and planned infrastructure. This proposal is consistent with current ROP policies and proposed policies contained in draft ROPA 43, will support the Region’s planned investments in rapid transit under the YRTP, and will advance the implementation of the York Region Centres and Corridors Strategy.

The Senior Management Group has reviewed this report.

(A copy of the attachment referred to in the foregoing is included with this report and is also on file in the Office of the Regional Clerk.)