



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** May 22, 2018

**Report Number:** SRPRS.18.111

**Department:** Planning and Regulatory Services

**Division:** Policy Planning

**Subject:** SRPRS.18.111 Request for Approval –  
Recommended South Brookside Tertiary Plan  
File No D18-18001

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### **Purpose:**

The purpose of this staff report is to request Council's approval of the South Brookside Tertiary Plan in accordance with the policies of the Town's Official Plan.

### **Recommendation(s):**

- a) That staff report SRPRS.18.111 regarding the recommended South Brookside Tertiary Plan be received
- b) That the South Brookside Tertiary Plan attached as Appendix A to staff report SRPRS.18.111 be approved.

### **Contact Person:**

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Megan Kevill, Planner II (Policy) phone number 905-771-5493

### **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.

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### Background:

On July 10, 2017, Council endorsed the Yonge Street and Bernard Key Development Area (Bernard KDA) Recommendations Report. The Recommendations Report recommended that a Tertiary Plan be prepared for the area northwest of the Bernard KDA. The Tertiary Plan study area is generally situated on the west side of Yonge Street, between Brookside Road, Naughton Drive and Leyburn Avenue (refer to Map 1).



Map 1: Location of the South Brookside Tertiary Plan study area

Tertiary Plans are documents that are prepared for smaller geographic areas of the Town where infill development and/or medium density development is deemed appropriate. The purpose of a Tertiary Plan is to assist Council, landowners, residents and proponents of development to interpret the policies of the Official Plan as it relates to where and how development is encouraged to take place in the Tertiary Plan study area.

Unlike Official Plans and Secondary Plans, a Tertiary Plan is not a statutory document that has legislative requirements set out in the Ontario Planning Act. Nonetheless, the Tertiary Plan establishes Council's intent and direction for the area on matters related to the location of required infrastructure (i.e. streets and sidewalks), the layout of development blocks and land uses (including low and medium density residential uses), natural heritage protection, built form, and urban design considerations.

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### Purpose

The purpose of the South Brookside Tertiary Plan is to provide direction on where and how development may be permitted in the Tertiary Plan area over the long-term. The requirement to prepare a Tertiary Plan for the South Brookside area is in response to:

1. the need for guidance on how this area could develop over time;
2. Official Plan (OP) policy direction for medium density residential uses (e.g. townhouses) in the Neighborhood designation to be subject to a Council approved Tertiary Plan;
3. the Yonge/Bernard KDA Recommendations Report recommending low and medium-density residential uses for this area; and
4. development pressure.

Recently, the South Brookside area has experienced development pressures including a proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications for 59 Brookside Road (Town File Numbers D01-16002, D02-16012, and D03-16006) proposing high-rise residential buildings (16-29 storeys), single detached dwellings, and townhouses in this area. The development pressure of this current development proposal within the neighbourhood, together with policy requirements of the OP, have prompted the need for the Town to consider the extent of new medium density development in the South Brookside area through the preparation of this Tertiary Plan.

The Tertiary Plan identifies where medium density residential development is and is not appropriate in the South Brookside study area based on the approved land use and design policies of the OP and the character of the neighbourhood. The Tertiary Plan also establishes urban design guidelines to address matters of compatibility and built form transition. The Tertiary Plan has been prepared in accordance with the policy direction set out in the Town's OP, and is intended to supplement the policy direction set out in the Part I Plan. The OP provides a full comprehensive list of policies that apply to development within the Tertiary Plan area and is the basis upon which proposed development in the Tertiary Plan area is to be assessed and reviewed to determine conformity with the Town's broader planning framework. Accordingly, subsequent to Council's consideration and approval of the Tertiary Plan, development within the Tertiary Plan area shall be subject to the comprehensive policies of the OP and the key directions set out in the Tertiary Plan.

Since Council's adoption of the Bernard KDA Secondary Plan and implementing Zoning By-law (SRPRS.17.197), Town staff undertook the preparation of the South Brookside Tertiary Plan and held an additional public consultation session and landowner and stakeholder meetings, which are further described in the subsequent sections of this report. The input received from those meetings was assessed and considered comprehensively as part of the preparation of the Tertiary Plan.

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This staff report presents the South Brookside Tertiary Plan for Council's consideration and approval which is attached to this staff report as Appendix A.

### **South Brookside Area Context**

The South Brookside Tertiary Plan study area is generally characterized by vacant lands towards the interior of the area and several existing single-detached dwellings which are situated at the southern boundary of the study area along Naughton Drive. The study area is flanked by single detached dwellings to the west, single detached dwellings and a natural heritage/hydrological feature forming part of the Rouge River watershed to the northeast, commercial development and/or vacant lands fronting onto Yonge Street to the east, and existing single detached dwellings and townhouse dwellings to the south. The study area is generally within a 5 to 10 minute walking distance to the existing Bernard Bus Terminal and the proposed VIVA rapidway bus station at Yonge Street and Bernard Avenue. Current access to the study area is provided from Brookside Road and Naughton Drive.

### **Richmond Hill Official Plan**

The majority of the South Brookside Tertiary Plan study area is designated "Neighbourhood" in the OP. Lands along the eastern boundary of the study area are designated "Natural Core" in the OP, and form part of the Rouge River watercourse.

The policies of the Official Plan direct that the predominant use of land within the Neighbourhood designation shall be for low-rise residential uses. Low-density residential uses such as low-rise single detached, semi-detached and duplex dwellings are permitted. Medium density residential uses such as low-rise townhouses and walk-up apartments are also permitted in accordance with the policies of Section 4.9.1.2 of the OP. These policies state that medium density residential uses may be permitted on lands fronting a collector street if it is within walking distance to public transit and has been identified in a Tertiary Plan undertaken by the Town and approved by Council. Where lands are fronting on a local street, medium density residential uses may be permitted if the lands are in proximity to existing medium density residential development and identified in a Tertiary Plan undertaken by the Town and approved by Council.

The South Brookside area is directly accessed by Brookside Road to the north which is a designated collector street, and Naughton Drive to the south which is a designated local street. There are existing townhouse dwellings along the south side of Naughton Drive between Leyburn Avenue and Yonge Street and south of Naughton Drive along Abitibi Street. As such, a Tertiary Plan is required to be prepared for the South Brookside area to allow medium density residential uses on lands that front collector and local streets.

Section 5.2 (Tertiary Plans/Concept Plans) of the OP sets out the specific requirements when preparing tertiary plans. Among other matters, the policies of the OP require that tertiary plans guide the overall pattern of development within an area. On that basis, the

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South Brookside Tertiary Plan has been prepared within the approved policy framework of the OP. Following Council's approval of the Tertiary Plan, new development in the South Brookside Tertiary Plan area will be evaluated using the guidance provided in the Tertiary Plan, which further articulate the policies of the OP.

### **Zoning By-law**

Zoning By-laws 190-87 and 2523, as amended, are the Zoning By-laws that are presently in effect within the Tertiary Plan area. The majority of the Tertiary Plan study area is zoned "R6 – Residential Single Family Six" pursuant to Zoning By-law 190-87, as amended, and "RR – Rural Residential" and "F-Flood" pursuant to Zoning By-law 2523, as amended. Single detached dwellings with minimum lot frontages of 15.24 metres are permitted in the R6 zone and a minimum frontage of 45.72 metres are permitted in the RR zone. Accordingly, a Zoning By-law Amendment application would be required for properties to permit single detached dwellings with smaller frontages, and to permit townhouse and apartment dwellings. The design guidelines in the Tertiary Plan are to inform Zoning By-law amendments implementing the Tertiary Plan Schedule, as appropriate.

### **Bernard KDA Recommendations Report**

On July 10, 2017, Council endorsed the Recommendations Report from the Yonge Street and Bernard Avenue KDA (SRPRS.17.127). The planning study for the Bernard KDA also included the lands to the northwest of the KDA, which represent the South Brookside Tertiary Plan study area. The background work considered these lands comprehensively, and determined that the area was appropriate for some forms of medium density residential development. The Report determined that the lands designated Neighbourhood and Natural Core within the Tertiary Plan study area would provide for a transition of development and built form from the KDA to the areas located outside of the KDA boundary in order to address concerns expressed by the community regarding the impact of new development on established neighbourhoods. The Report also recommended the key principles to be used as guidance to prepare the vision and principles for the South Brookside Tertiary Plan regarding connectivity, compatibility, greenway/open space, built form, and transition.

### **Public Consultation:**

In addition to the public consultation for the Bernard KDA study which involved a public open house, public workshop, and meetings with residents, landowners, and other stakeholders, additional public consultation was held specifically for the Tertiary Plan study area. Public consultation for the South Brookside Tertiary Plan included a public open house, a survey, and meetings with landowners and other stakeholders. The feedback received was reviewed by the study team as part of the process to prepare a recommended Tertiary Plan for the area.

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### **Conceptual Scenarios**

Based on the background work and policy framework described above, a number of different conceptual scenarios were created in preparation of the South Brookside Tertiary Plan in relation to parks, streets, and built form. These scenarios were presented to the public, landowners, and key stakeholders for input through the public consultation and engagement process. The scenarios represented conceptual alternatives for the Tertiary Plan area to help inform the configuration of streets, location of parks, and the layout of built form within the Tertiary Plan area. The conceptual scenarios are described in detail in the Appendix A5 of the Tertiary Plan.

### **Stakeholder and Landowner Meetings**

Meetings with landowners were held in January 2017 and again in March, 2018 to discuss future development interest on their lands over the long term. In addition, the study team met with key stakeholders including York Region staff to discuss transportation and staff from the TRCA to discuss the Natural Core area and watercourse along Yonge Street within the Tertiary Plan area. These meetings were to inform the stakeholders and landowners on the study's process, present the conceptual scenarios and obtain any initial feedback.

There are a total of four landowners in the Tertiary Plan area. Three of the four landowners agreed to meet with staff. The following is a summary of the feedback that was heard from the landowner and stakeholder meetings:

- A view that lands within and immediately surrounding the study area are underutilized and evolving through urbanization and that medium density residential uses such as townhouses should be included in the area;
- Support for better connectivity and mobility through the study area and the surrounding neighborhood through new street connections;
- Support for parks and better access to parks and open spaces;
- That the Tertiary Plan provide direction for development with respect to stormwater management, water balance and low impact development techniques;
- That the Tertiary Plan include guidance to direct that development within the Tertiary Plan area within and adjacent to areas designated "Natural Core" in the Official Plan be in accordance with the policies set out in the OP and the requirements of the TRCA; and
- That the Tertiary Plan provide for a fine-grain street network to facilitate connectivity within the Tertiary Plan area and the surrounding street network for vehicles, pedestrians and cyclists.

## **Public Open House and Public Survey**

On March 6, 2018 a public open house was held to inform the public on the study and obtain feedback from residents, landowners, and other stakeholders. The open house was well-attended with approximately 25 participants. A presentation was made by Town staff outlining the study process, background information, and conceptual scenarios for parks, streets, and built form. A number of informational panels including the conceptual scenarios were displayed for viewing. Following the presentation and informal open house, staff asked participants to provide feedback on the conceptual scenarios through a survey.

A public survey was provided at the March 6, 2018 public open house and an online version via the Survey Monkey website was available between March 6 and March 16, 2018 to obtain feedback on the conceptual scenarios. The survey questions asked for feedback on the overall vision for the Tertiary Plan area, on which scenarios were preferred for built form, streets, and parks, input on the future use of a Town-owned property on Leyburn Avenue, and input on future parkland within the Tertiary Plan Area.

Feedback and noteworthy common themes that were heard through the public open house and survey include:

- Questions posed at the open house regarding the purpose of the Tertiary Plan, the study process and outcomes;
- Feedback regarding concerns with traffic in the area;
- Support for additional parks (urban squares and linear park) in the Tertiary Plan area;
- Support for a grid network of streets (Scenario 2 Grid Network) to provide access and connectivity for vehicles, pedestrian and cyclists;
- Support for new parks to provide features such as multi-use trails and community gardens and that new parks serve as meeting places;
- Support for the Town-owned land on Leyburn Avenue (located immediately west of the Tertiary Plan area) to be used as a future development lot;
- Support for townhouses in the Tertiary Plan area and a preference for single detached and semi-detached dwellings along Naughton Drive.

A copy of the survey and a summary of the survey responses received are attached to this report as Appendix B.

Feedback from the public, stakeholders, landowners, and staff were considered in the preparation of the Tertiary Plan. It should be noted that the Tertiary Plan may not reflect all of the individual preferences indicated in the survey responses as all of the comments received during the study process were considered comprehensively.

## **South Brookside Tertiary Plan:**

The following section of this staff report summarizes key sections of the South Brookside Tertiary Plan (attached as Appendix A) including an overview of the recommended land use and design guidelines that have been established to guide development within the Tertiary Plan area. As noted earlier in this staff report, development within the Tertiary Plan area shall be subject to the comprehensive policies of the OP and the key directions set out in the Tertiary Plan following Council's consideration and approval of the Tertiary Plan.

The Tertiary Plan document is divided into two parts. The Plan component consists of Vision & Principles, Plan Elements which speak to land use and public realm requirements, Design Guidelines related to built form, and an Implementation section. The Appendix component provides background information including site context, consultation, Official Plan policies, and the options that were considered when developing the Tertiary Plan.

### **Vision and Principles**

A vision and a series of principles rooted in the OP and informed through public consultation provide the basis for the land use and design direction set out in the Tertiary Plan.

The Tertiary Plan is to be guided by the policies of the OP and the following principles established through the Bernard KDA study process:

1. maintain and reinforce the stability of low-density residential neighbourhoods through built form recommendations to ensure intensification is compatible with and appropriately transitions to established residential neighbourhoods;
2. strengthen connections to the existing Greenway System and establish new open spaces to accompany redevelopment; and
3. Improve connectivity by providing a fine-grain street network to create a multi-modal transportation system and support transit-oriented development.

The following vision statement reflects the broad principles set out for the Tertiary Plan and is intended to guide development in the Tertiary Plan area over the long-term:

*“To create a vibrant, walkable community that provides an appropriate transition of development from the Bernard KDA to the existing neighbourhood, while improving connections and green spaces.”*

### **Tertiary Plan Schedule**

The guidance provided in the Tertiary Plan is directed to lands within the Tertiary Plan Study Area that are designated “Neighbourhood” in the Official Plan. There is recognition that the boundaries of the Neighbourhood designation may be adjusted



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subject to further analysis, such as the delineation of natural features and their associated buffer areas.

The Tertiary Plan Schedule (provided on page 5 of the Tertiary Plan) illustrates the recommended structure of land use, street patterns and the location of parks within the Tertiary Plan study area. The Schedule conceptually identifies: patterns for new streets and circulation; areas with natural heritage considerations; location of parks; areas identified for low-density residential uses; and areas identified as appropriate for medium-residential uses. The Schedule is to be read together with the Design Guidelines, which provides detailed guidance regarding matters of built form and design.

### **Streets**

The Tertiary Plan Schedule identifies new public streets to serve new development and provide pedestrian, cycling, and vehicular connections within the Tertiary Plan area. The identification of these streets has evolved from the Bernard KDA study process, where the development of a street connection from Brookside Road to Yonge Street via the Tertiary Plan area was first identified. The Bernard KDA study process also recommended the closure of Naughton Drive at the current jersey barrier and the construction of a future link from Naughton Drive to the Tertiary Plan area. Refinements to the street configuration as recommended in the Bernard KDA Study has occurred through the more detailed consultation process staff have undertaken for this Tertiary Plan. It should be noted that the exact alignment of proposed streets shall be determined through the development application process and that the construction of these streets will occur in tandem with the approved development.

The vacant Town-owned property on Leyburn Avenue was not identified as a location where a street, park or pedestrian pathway would be required. Consequently, it has been identified and recommended through the Tertiary Plan as a potential future development lot.

### **Built Form**

The Tertiary Plan Schedule identifies three distinct areas of built form: low density residential area, medium density residential area, and medium density residential overlay area. The areas are generally intended to facilitate a transition in terms of the type and scale of buildings from the higher density Bernard KDA to the lower density surrounding Neighbourhood. All three areas allow for single and semi-detached dwellings and duplex dwellings. The medium-density residential area also allows townhouse dwellings and the overlay area, which is closest to Yonge Street and the Bernard KDA, allows for walk-up apartment dwellings in addition to townhouse dwellings. This section of the Tertiary Plan provides conceptual illustrations and photographs to demonstrate the range of built form that is possible within the Tertiary Plan area.

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It should be noted that transition of built form is a key principle of the Tertiary Plan. The design and massing of medium density and low density residential development in the Tertiary Plan area is generally intended to provide for a gradual decrease in density and height away from the Bernard KDA, towards lands designated as Neighbourhood in the OP. With respect to lands along Naughton Drive, the Tertiary Plan allows for single detached and semi-detached dwellings along Naughton Drive and west of proposed Street 'C' to ensure compatibility of built form with the abutting neighbourhood areas to the west and north of the Tertiary Plan area. East of the proposed Street 'C' and along Naughton Drive, the Tertiary Plan allows for a greater mix of uses, including townhouse dwellings in consideration of the existing physical context that presently exists along Naughton Drive which includes townhouses on the south side of this street between Leyburn Avenue and Yonge Street, and along both sides of Abitibi Street south of Naughton Drive.

In the eastern portion of the Tertiary Plan area (generally east of proposed Street 'A' and north of proposed Street 'B') the Tertiary Plan reemphasizes the key principle of transition by directing for a greater mix of built form closest to Yonge Street and away from the established low-rise Neighbourhoods to the west. The Tertiary Plan directs the greatest mix of built form to the medium density overlay area which allows for low-rise townhouse and walk-up apartment forms of dwellings along the eastern edge of the Tertiary Plan area in close proximity to Yonge Street and adjacent to the Bernard KDA.

### **Natural Heritage**

In the eastern portion of the Tertiary Plan area, there is a watercourse as well as associated valley lands and wooded features which have been identified as Greenway System on the Tertiary Plan Schedule. Development is not to occur within the limits of this area. A Natural Heritage Evaluation will be required as part of a development application on lands adjacent to this area in order to determine the exact location of all natural features and associated buffers.

### **Parks**

The Tertiary Plan Schedule identifies a conceptual Linear Park along the western edge of the Greenway System with two conceptual parkettes providing entrances to the Linear Park from Brookside Road at the north end and from the new proposed public street that connects to Yonge Street at the south end. This park system is expected to be designed to provide connections with the Greenway System and space for a multi-use trail, as well as other park amenities. This park will serve both as an amenity space for area residents and businesses and also as a means to expand and enhance the Greenway System already identified in the Town's Official Plan.

### **Design Guidelines**

This section sets out design guidelines which provide guidance for future development in the Tertiary Plan area. The design guidelines are based on the compatibility policies set out in the Neighbourhood designation of the OP and provide guidance on the form, design and treatment of development within the Tertiary Plan area. These guidelines

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build on the Town's town-wide Urban Design Guidelines and are also informed by recent approvals of medium density development within the Town. The preparation of these guidelines also took into consideration best practices from other jurisdictions.

Detailed guidance is provided for all built form typologies that are identified within the Tertiary Plan. The guidelines require consideration of the community context and provide direction on site design direction and other matters such as: placement of buildings, pedestrian and vehicular network, parking, enhanced treatment of laneways, loading and waste collection, landscape design including landscaped area, amenity area, front yard landscaping and courtyards/pedestrian mews. The Tertiary Plan also provides guidance with respect to building design such as height, massing, lot frontage, unit width, garages, façade treatment, and projected elements. These guidelines are not meant to be prescriptive but are intended to ensure that as development applications are received and reviewed, the overall development of the area will be cohesive and compatible in the long term.

### **Implementation**

This section provides a plan that outlines the implementation requirements for the Tertiary Plan. This includes requirements related to various matters including planning approvals, required studies or assessments for development and coordination and land assembly requirements for lands within the Tertiary Plan area.

Subject to Council's consideration and approval of the South Brookside Tertiary Plan, development applications within the Tertiary Plan area not only will be required to conform to the approved policies of the OP but they will also be assessed using the land use and design criteria set out in the Tertiary Plan.

### **Yonge MCD Inc. Development Applications and OMB Appeal**

In 2016, development applications (Town File Numbers D01-16002, D02-16012, and D03-16006) were submitted by Yonge MCD Inc. for the property at 59 Brookside Road for a high-density, mixed-use commercial/residential development covering the majority of the Tertiary Plan study area and also a portion of the Bernard KDA. The development proposal consists of high-rise residential apartment buildings (ranging from 16 to 29 storeys) and a mix of single-detached dwellings, townhouses, and stacked townhouses.

In June, 2017, the applications were subsequently appealed to the Ontario Municipal Board (renamed the Local Planning Appeal Tribunal). The applications are still currently under appeal and the second pre-hearing conference has been scheduled for June 25, 2018. A separate directions report will be prepared in advance of the June 25, 2018 pre-hearing conference, which will discuss this application in greater detail.

### **Financial/Staffing/Other Implications:**

There are no financial/staffing/other implications.

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### **Relationship to the Strategic Plan:**

The Tertiary Plan has been prepared in accordance with the Town's Official Plan. It addresses the goals of the Strategic Plan – 'A Plan for People a Plan for Change' as follows:

#### **Stronger Connections in Richmond Hill**

The Tertiary Plan strengthens the physical connections within the South Brookside Tertiary Plan area by providing guidance for a linear park and new streets to improve pedestrian, cycling, and vehicular connections in the South Brookside Tertiary Plan area. A linear park will also help to connect and support the natural environment and provide a place for respite and recreation.

#### **Better Choice in Richmond Hill**

The Tertiary Plan provides guidance to establish low-density and medium density residential dwellings within the neighbourhood thereby providing better options for where to live with a variety of housing types permitted in the area. The Tertiary Plan also provides guidance for a new linear park which will help provide better options for residents to move around and be active through the development of active transportation routes such as a multi-use trail.

#### **A More Vibrant Richmond Hill**

The Tertiary Plan will help maintain a vibrant Richmond Hill by providing guidance that will help to create a sense of identity and place as it develops into an area that provides a transition between the Bernard KDA and the surrounding neighbourhood. It will also provide guidance that respects the past as the built form respects the natural heritage features along Yonge Street.

#### **Wise Management of Resources in Richmond Hill**

The Tertiary Plan provides guidance that promotes sustainable development within the Tertiary Plan area through the creation of a new street network and linear park that could provide a multi-use trail to enhance cycling and walkability to reduce the dependency on the private automobile.

### **Conclusion:**

This report recommends that the South Brookside Tertiary Plan, attached to this staff report as Appendix A, be approved by Council. The Tertiary Plan has been prepared in accordance with the policy framework of the OP and provides direction on where and how development may be permitted in the South Brookside Tertiary Plan area over the long-term.

The Tertiary Plan identifies where medium density residential development is and is not directed in the South Brookside area and sets out urban design guidelines for development to ensure that it represents a "good fit" within the context of the area.

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### **Attachments:**

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

- Appendix A – South Brookside Tertiary Plan
- Appendix B – Survey and Survey Response Summary

**Report Approval Details**

Document Title:	SRPRS.18.111_South Brookside Tertiary Plan.docx
Attachments:	- SRPRS.18.111 Appendix A - South Brookside TP - May 4 2018.pdf - SRPRS.18.111 Appendix B - Survey and Summary of Responses.pdf
Final Approval Date:	May 8, 2018

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

**Sybelle von Kursell - May 4, 2018 - 10:47 AM**

**Patrick Lee - May 8, 2018 - 9:36 AM**

**Kelvin Kwan - May 8, 2018 - 10:31 AM**

**Neil Garbe - May 8, 2018 - 4:34 PM**