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File	D01-15001 & D02-15006
Original To	Clerks



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Appendix	B
SRPRS	18.12.8
File(s)	D01-15001; D02-15006



Clerk's Department
Town of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON
L4B 3P4

November 24, 2017

Attn: Stephen Huycke

Dear Sir,

RE: Notice of Appeals Pursuant to Subsection 17(40) and 34(11) of the *Planning Act*
Application No. D01-15001, D02-15006 and D06-15014
13042 Yonge Street

We are the lawyers for Vitmont Holdings (Oak Ridges) Inc. in respect of the property known municipally in the Town of Richmond Hill as 13042 Yonge Street (the "Site"). We are writing on behalf of our client to appeal applications for Official Plan Amendment and Zoning By-law Amendment (the "Applications") to the Ontario Municipal Board (the "Board") pursuant to subsections 17(40) and 34(11) respectively of the *Planning Act*, for the failure of the City to make a decision on the Application.

Background

The Site has a total area of 0.265 hectares (0.65 acres). It is located on the west side of Yonge Street, south of the intersection of Yonge Street and Aubrey Avenue. The lands support a building and accessory structure.

Our client filed applications for Official Plan Amendment and Zoning By-law Amendment in respect of the Site on March 5, 2015. These applications were declared complete by the municipality August 9, 2016. A planning justification prepared by SRN Architects Inc. was submitted in support of the Application. The overall applicable Provincial, Regional and Township policy context suggests the Site is appropriate for intensification and that the

application is appropriate for the site. The Planning Justification Report describes the site, surrounding context and applicable planning policy framework further and in greater detail.

Proposed Development

The application proposed a six-storey (22 metre) residential rental apartment comprised of 51 apartment units on the Site at a density of 1.48 FSI. A total of 49 parking spaces are proposed. A lot coverage of 28.86 percent is proposed. The proposed development would gain access from Yonge Street.

The Site is designated as Oak Ridges Local Centre (ORLC) as per the Town of Richmond Hill Official Plan. The Site is zoned as General Commercial One (GC1) as per By-law 1275 as amended by By-law No. 366-86.

The Applications propose an official plan amendment to allow for a site specific density of 1.5 FSI and a building height of 22 metres and a site specific Zoning By-law amendment to facilitate the proposed application.

Reasons for Appeal

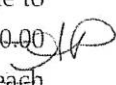
Our client believes the Application is consistent with the Provincial Policy Statement, conforms to the Growth Plan, appropriately implements the Regional and local Official Plans, represents good planning and is in the public interest. This appeal is made given uncertainty regarding proposed amendments to the Planning Act. Our client expects to continue working with Town staff, Council and local residents to address comments and anticipates resolving issues through continued dialogue or Board-led mediation.

Planning Rationale

In our opinion, the Application represents good planning and urban design, and is worthy of the Board's approval for the following reasons:

- The in-force policy framework including Provincial, Regional and Town levels support the intensification of the Site;
- The proposed development is within the existing urban area;
- The building design is consistent with the overall planned context for the area and would allow for an appropriate transition in scale;
- The building design avoids undue adverse impact on adjacent properties;
- The development of a rental apartment residential use supports the provincial policy framework including the provision of a range and mix of housing types and tenures in the area.

This rationale will be expanded upon through opinion evidence from expert witnesses through the appeal process.

We respectfully request a prehearing conference at the Board's earliest opportunity. The Appellant Form is enclosed, along with cheques each in the amount of \$300.00 (\$600.00 in total) payable to the Minister of Finance. ~~In addition, we have enclosed cheques each in the amount \$150.00 (\$300.00 in total) payable to the Town of Richmond Hill, representing the required processing fee for each appeal.~~ If further information is required, please contact the undersigned. 

Yours truly,

PARENTE BOREAN LLP

Per: 

Gerard C. Borean

GCB/immu