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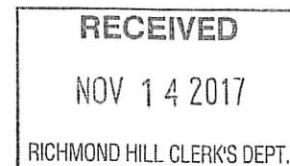
November 14, 2017

Our File No.: 172997

Town Clerk  
Town of Richmond Hill  
225 East Beaver Creek  
Richmond Hill, Ontario L4B 3P4

**Attention: Town Clerk**

Clerk's Copy To			
Mayor	<input checked="" type="checkbox"/>	PRS	<input checked="" type="checkbox"/>
Council	<input checked="" type="checkbox"/>	Legal	<input checked="" type="checkbox"/>
CAO	<input checked="" type="checkbox"/>	Others	<input type="checkbox"/>
CFS	<input checked="" type="checkbox"/>		<input type="checkbox"/>
CS	<input checked="" type="checkbox"/>		<input type="checkbox"/>
EIS	<input type="checkbox"/>		<input type="checkbox"/>
File <u>D02-16002</u>			
Original To <u>Clerks</u>			



Dear Sirs/Mesdames:

**Re: Notice of Appeal Pursuant to Subsection 34(11) of the *Planning Act***  
**Town File Nos. D02-16002, D05-16002 and D06-16001**  
**227-235 King Road, Town of Richmond Hill**

We are solicitors for the owners of the properties known municipally in the Town of Richmond Hill as 227-235 King Road (the "Site"). We are writing on behalf of our client to appeal our client's zoning by-law amendment application (the "**Application**") to the Ontario Municipal Board (the "**Board**"), pursuant to subsection 34(11) of the *Planning Act*, for the failure of the City to make a decision on the Application.

### **Background**

The Site, which has an area of approximately 0.76 hectares, is located on the south side of King Road west of Yonge Street with approximately 62.79 metres of frontage along King Road. The Site contains one single detached dwelling and is otherwise vacant. The area context includes a number of applications/approvals for infill redevelopment.

On January 15, 2016, our client filed the Application in respect of the Site, which was declared complete by the Town as of March 10, 2016. The Planning Justification Report submitted in support of the Application describes the surrounding uses and policy context in greater detail. Overall, the applicable Provincial, Regional and Township policy context suggests the Site is an excellent candidate for intensification.

### **The Proposed Development**

As filed, the Application proposed redevelopment of the Site with 90 stacked townhouse units, with heights of four-storeys and three-storeys. The lower townhouse units are proposed on the southern portion of the Site to achieve transition to the single family housing proposed to be built to the south of the Site. Access is proposed from King Road, with all proposed parking (140

spaces for residents and 23 spaces for visitors) located below-grade. The Planning Justification Report contains a more detailed description of the proposal.

### **Reasons for the Appeal**

Our client believes the Application is consistent with the Provincial Policy Statement, conforms to the Growth Plan, appropriately implements the Region's and the Town's Official Plans, represents good planning and is in the public interest. While the Application is being processed by the Town, in light of the current uncertainty regarding proposed amendments to the *Planning Act* and potential transition provisions, we have advised our client that it would be prudent to appeal the Application to preserve the right to a hearing before the Board.

Despite this appeal, our client looks forward to continuing to work with Town staff, the local Councillor and local residents on the Application, as we anticipate that many issues can be resolved through continued meaningful dialogue and/or Board-led mediation.

### **Planning Rationale**

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

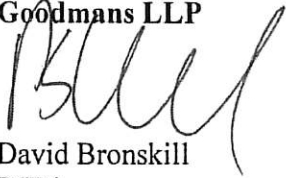
- The in-force policy framework at the Provincial, Regional and Town levels supports infill intensification for the Site.
- The Site is underutilized and the introduction of a high quality townhouse development implements the applicable policy context, including the provision of a mix and range of housing types in the community.
- The proposed buildings feature high quality architectural design with appropriate transition to adjacent land uses.
- The proposed development will not cause any undue adverse impacts on adjacent properties or environmental lands.
- The Site can be developed within the existing and planned capacity of the Town's hard and soft infrastructure, with the supporting studies confirming strategies to service the Site in an appropriate manner.

These reasons will be expanded upon through opinion evidence from various expert witnesses.

We would respectfully request a prehearing conference at the Board's earliest opportunity. The Appellant Form is enclosed, along with a cheque in the amount of \$300.00. In addition, we have enclosed a cheque for \$310 payable to the Town of Richmond Hill. If any additional information is required, please contact the undersigned.

Yours truly,

Goodmans LLP

A handwritten signature in black ink, appearing to read 'D. Bronskill', written over the printed name.

David Bronskill

DJB/

6753111