

## Appendix I to SRPRS.20.058 – List of Submissions from Public and External Stakeholder Consultation

Name / Agent	Municipal Address	Date of Submission
John Li	206 Brookside Road	Tuesday March 31, 2020
Anthony Sun, Toronto and Region Conservation Authority	n/a	Thursday March 19, 2020
Zachary Fleisher, Davies Howe	59 Brookside Road (Yonge MCD)	Friday March 13, 2020
Jeffrey E. Streisfield, Land Law	11005 Yonge Street (North Elgin Centre)	Friday March 13, 2020
Saad Aksander	71 Yorkland Street	Friday March 13, 2020
Helen Balistreri	212 Bernard Avenue	Friday March 13, 2020
Ivy Choi	107 Yorkland Street	Friday March 13, 2020
Nixon Chan, LEA Consulting Ltd.	11005 Yonge Street (North Elgin Centre)	Friday March 13, 2020
Mike Venditti	54 Brookside Road	Friday March 13, 2020
Sunah Choi	17 Canyon Hill Avenue	Friday March 13, 2020
Stella Domenichini	50 Brookside Road	Thursday March 12, 2020
John Krim	152 Bernard Avenue	Thursday March 12, 2020
Yvonne Chevannes	85 Yorkland Street	Wednesday March 11, 2020
Yvonne Chevannes	85 Yorkland Street	Monday March 09, 2020
Sungjo Bang	17 Canyon Hill Avenue	Wednesday March 11, 2020
Joyce Jia	5 Price Street	Tuesday March 10, 2020
Done Tran	5 Price Street	Tuesday March 10, 2020
Julia Orechnikova	197 Rothbury Street	Tuesday March 10, 2020
Mike Garfinkle	32 Canyon Hill Avenue	Tuesday March 10, 2020
Mike Manett, MPLAN Inc.	11005 Yonge Street (North Elgin Centre)	Tuesday March 10, 2020
Frank DiPede	16 Naughton Drive	Monday March 09, 2020
Marcello Marino	n/a	Monday March 09, 2020
Benjamin Botbol	67 Yorkland Street	Monday March 09, 2020
Concetto Minicuci	9 Squire Drive	Monday March 09, 2020
Dong Steven Huang	66 Mandel Crescent,	Monday March 09, 2020
Jason Wong	184 Bernard Avenue	Sunday March 8, 2020
Joe Stenta	48 Newmill Crescent	Sunday March 8, 2020
Bahar Mahani	17 Justus Drive	Sunday March 8, 2020
Zhiqiang Xu	30 Mandel Crescent	Sunday March 8, 2020
Junjie Guo	35 Loyal Blue Crescent	Sunday March 8, 2020
Hamid Abolhassani	131 Bernard Avenue	Sunday March 8, 2020
Rashid A.Maruf	63 Yorkland Street	Saturday March 7, 2020
Matthew Piazza	107 Leyburn Avenue	Friday March 06, 2020
Doug Miller	n/a	Sunday February 23, 2020
Rosemund Yee	n/a	Friday February 14, 2020

<b>Name / Agent</b>	<b>Municipal Address</b>	<b>Date of Submission</b>
Augustine Ko, York Region	n/a	Tuesday February 11, 2020
Augustine Ko, York Region	n/a	Tuesday February 11, 2020
John Li	206 Brookside Road	Thursday January 30, 2020
Deborah Mida	198 Canyon Hill Avenue	Thursday January 30, 2020
Gilbert Luk, York Region District School Board	n/a	Thursday January 23, 2020
Adam McDonald, York Region Catholic School Board	n/a	Wednesday January 22, 2020
Consolidated comments from Open House comment forms		Thursday December 10, 2019

## Andrew Crawford

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**From:** J. Li <cadtocam@yahoo.com>  
**Sent:** March 31, 2020 3:53 PM  
**To:** Kelvin Kwan; bernardKDA  
**Cc:** tucctim@gmail.com; Hubert Ng; Sybelle von Kursell; Dan Terziewski; Patrick Lee; David West; Dave Barrow; Wei Hua; Sheila Wang; Jason Cherniak; Emily Lee; Sherry Zhang; Deborah Mida; LESTER CHAN; Matthew Piazza; Michael A.  
**Subject:** Please Postpone the Bernard KDA Council Meeting  
**Attachments:** Cap of Community Planning Density - YRA 2020-03-31.pdf

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Dear Kelvin,

It is our knowledge that your team is scheduling an electronic council meeting without public participation to vote on the draft revision of the Bernard KDA Plan on April 15<sup>th</sup>. In light of this, the Yonge-Bernard Residents Association (YRA) has to send this email to your attention even when the country & city are in such a difficult time, fighting the COVID-19 pandemic.

As you know, the residents of the YRA and planning staff have disagreed over proposed densities for the Yonge/Bernard KDA. After years of discussion, we now believe this was due to the planning staff erroneously applying the parcel planning principal to a community level plan. For a community-level plan, public-use land is considered for roads, schools, parks and other public facilities for the community to function properly. There is no such consideration for parcel planning. In community level planning, it is public-use land that naturally leads to the population and employment density. It appears that the planning staff has ignored these principles and that this is why the Bernard KDA, (a BRT station) is supposedly able to achieve record-breaking densities. For a detailed explanation see attached letter.

This is a fundamental planning issue; we understand that your team may have different opinions. For such an ultra-high-density plan that the city is proposing, it will almost certainly be passed at the pro-developer council, if there is no public involvement.

The COVID-19 pandemic is spreading most rapidly in the most densely populated areas. For the public well-being, we implore your team to postpone the Bernard KDA councilor voting meet to a date where the public can safely participate.

Keep healthy and safe!

Sincerely,

John Li, On Behalf of

Yonge-Bernard KDA Association (YRA)

Yonge-Bernard Residents Association (YRA)

March 31<sup>st</sup>, 2020

Via Email

Attn: Kelvin Kwan  
Commissioner  
Planning and Regulatory Services Dept.  
City of Richmond Hill

## Cap of Community Planning Density

Dear Kelvin,

As you know, the residents of the YRA and planning staff have disagreed over proposed densities for the Yonge/Bernard KDA. After years of discussion, we now believe this was due to the planning staff erroneously applying the *parcel planning principal* to a community level plan [1]. For a community-level plan, public-use land is considered for roads, schools, parks and other public facilities for the community to function properly. There is no such consideration for parcel planning. In community level planning, it is public-use land that naturally the population and employment density. It appears that planning staff ignored these principles and that this is why the Bernard KDA, (a BRT station) is supposedly able to achieve record-breaking densities. I will explain in detail.

For parcel developments, the focus of planning is building structures. However, community developments have to focus on how the community will function. Therefore, for community planning, some developable land must be assigned for public use:

- 1) Depending on the density and transit system, **10% to 30% of all developable land should be devoted to roads** [1] [4] [16];
- 2) Parkland is essential for a community; the standard is either 1 hectare per 300 units, or 1 hectare per 1,000 residents [1][5]. In either case the standard will be a **minimum 10 m<sup>2</sup> per resident for parkland**. Please note, the standard of a 5% max of the developable land for parkland will not apply for ultra-high-density development [5][6], because you proposed only gives 1 m<sup>2</sup> per resident. This is one-sixteenth of the RH average for parkland!
- 3) New communities need schools. There are different standards to determine the requirements of new schools [1]; however, it is reasonable to expect the need for schools to accommodate 1,200 to 1,500 new students. It will require at least 6 to 10 hectares of land to build 2 new schools, or **6 to 10 m<sup>2</sup> school-land per resident**.
- 4) Excluding roads, parks, and schools, we will also **need land to build other public facilities** [1][4], i.e. libraries, fire stations, churches, hospitals, community centers, etc.

In short, we believe that community planning should provide for a minimum of 20 m<sup>2</sup> of public-use land per resident. It means that developable land per resident must be larger than 20 square meters; otherwise, you will have no remaining land called net parcels for residential and commercial development. As one hectare is 10,000 m<sup>2</sup>. If we apply the limit of 20 square meters per resident; then we can reach the cap density of 500 (= 10,000 / 20) residents per hectare.

Please note that the 20 m<sup>2</sup> public use land per resident is a very conservative number designated for high density development. For low and medium density development, public use land per resident is greater. In Toronto just the parkland per resident alone is 28 m<sup>2</sup> [7] and in RH it's 16 m<sup>2</sup> [8].

The purpose of maintaining public-use land in a high-density community development is to ensure that the planned community has the necessary ancillary facilities and is a self-sustaining community where residents

can have a reasonable quality life. The following is the Provincial Growth Plan for the Golden Great Horseshoe [9]:

**Urban growth centres** will be planned to achieve, by 2031 or earlier, a minimum density target of:

- a) 400 residents and jobs combined per hectare for each of the urban growth centres in the City of Toronto;
- b) 200 residents and jobs combined per hectare for each of the Downtown Brampton, Downtown Burlington, ..., Richmond Hill Centre/Langstaff Gateway, ...

**Major transit station areas** on priority transit corridors or subway lines will be planned for a minimum density target of:

- a) 200 residents and jobs combined per hectare for those that are served by subways;
- b) **160** residents and jobs combined per hectare for those that are served by light rail transit or **bus rapid transit**

Please keep in mind that the resources required by one resident is able to meet the needs of several employees (except for transportation system). Therefore, under the same conditions, a higher ratio of jobs in the community plan will greatly increase the density indicator. Let's analyze the Provincial Growth Plan. To simplify the analysis, let's make the following assumptions:

- Minimum public use land per resident: 20 m<sup>2</sup>
- Minimum public use land per job: 3.5 m<sup>2</sup>
- Gross Floor Area (GFA) per resident for high density development: 50 m<sup>2</sup>
- GFA per job for high density development: 33 m<sup>2</sup>

(1) Bus Rapid Transit (Bernard KDA), minimum 160 r&j/ha

Developable land per resident/job (r/j) = 10,000/160 = 62.5 m<sup>2</sup>  
Assume resident and job split is 80% vs. 20%  
Combined public use land per r/j = 20 x 80% + 3.5 x 20% = 16.7 m<sup>2</sup>  
Combined GFA per r/j = 50 x 80% + 33 x 20% = 46.6 m<sup>2</sup>  
Net parcel land per resident = 62.5 m<sup>2</sup> - 16.7 m<sup>2</sup> = 45.8 m<sup>2</sup>  
Net FSI = 46.6 m<sup>2</sup> / 45.8 m<sup>2</sup> = 1.02

(2) Urban Growth Centers in Toronto, minimum 400 residents/jobs per hectare

Developable land per r/j = 10,000/400 = 25 m<sup>2</sup>  
Assume resident and job split is 50% vs. 50%  
Combined public use land per r/j = 20 x 50% + 3.5 x 50% = 11.75 m<sup>2</sup>  
Combined GFA per r/j = 50 x 50% + 33 x 50% = 41.5 m<sup>2</sup>  
Net parcel land per resident = 25 m<sup>2</sup> - 11.75 m<sup>2</sup> = 13.25 m<sup>2</sup>  
Net FSI = 41.5 m<sup>2</sup> / 13.25 m<sup>2</sup> = 3.13

It is clear that by following the Provincial Growth Plan, we are able to developable a high-density yet self-sustaining community, where residents can have a quality life. Let's analyze the highest proposed density we have found to-date at the Yonge / Eglinton KDA [3]

(3) Yonge/Eglinton KDA core area, minimum 600 residents/jobs per hectare

Developable land per r/j = 10,000/600 = 16.7 m<sup>2</sup>  
Existing resident and job split is about 40% vs. 60%  
Combined public use land per r/j = 20 x 40% + 3.5 x 60% = 10.1 m<sup>2</sup>  
Combined GFA per r/j = 50 x 40% + 33 x 60% = 39.8 m<sup>2</sup>  
Net parcel land per resident = 16.7 m<sup>2</sup> - 10.1 m<sup>2</sup> = 6.6 m<sup>2</sup>  
Net FSI = 39.8 m<sup>2</sup> / 6.6 m<sup>2</sup> = 6.06  
Developable FSI = 39.8 m<sup>2</sup> / 16.7 m<sup>2</sup> = 2.39

The Yonge/Eglinton Gateway Hub is an ultra-high-density area. And its jobs account for 60% of the density, which requires little public lands other than the transportation. Currently Yonge-Eglinton area is entering into a world-class public transportation system, namely 2 subway stations and 4 LRT stations within walking distance.

Lastly let's analyze the draft revision of the Yonge/Bernard KDA Plan [2].

- (4) Revised Yonge/Bernard KDA, 638 residents/jobs per hectare  
(21 hectares developable land, 10,700 residents, 2,700 jobs)

Developable land per r/j =  $10,000/638 = 15.7 \text{ m}^2$

Proposed resident and job split is 80% vs. 20%

Combined public use land per r/j =  $20 \times 80\% + 3.5 \times 20\% = 16.7 \text{ m}^2$

Combined GFA per r/j =  $50 \times 80\% + 33 \times 20\% = 46.6 \text{ m}^2$

**Net parcel land per resident =  $15.7 \text{ m}^2 - 16.7 \text{ m}^2 = -1.0 \text{ m}^2$**

Calculated developable FSI =  $46.6 \text{ m}^2 / 15.7 \text{ m}^2 = 2.97$  (Please note the City has proposed a density of 4.0, which means developers can legally increase their density by 34% without violating the proposed KDA plan)

As you can see clearly, the Bernard KDA developable land cannot meet the public-use land requirements. This creates 2 options: (1) raise the jobs ratio in density from 20% to 70% or more; or (2) reduce public use land in the KDA and shift all required public use functions to the neighboring communities and impoverish the entire Yonge/Elgin Mills area in this regard. However, neither option will resolve the transportation issue. For a density of over 450 residents and jobs, a simple ground-level transportation system and grid will not properly handle any peak load. Please check the Provincial & York Region Intensification Plans [9][10] for any exceptions – There is **NONE!**

All of the high-density development limitations and infrastructure requirements are clearly stated in the Provincial and York Regional Intensification Plans [9 -15]. We implore the City to follow these plans. The councilor's "the sky is the limit" pronouncements are not a proper rationale to proceed with the current density proposals.

Please remember:

- The Provincial & York Regional growth target is not a proper rationale for proposing such staggering density. York Region's density target for this KDA is 200 residents and jobs per hectare [15], which will meet and exceed the Provincial and York region population and employment growth target [13].  
The councilor's complains on numbers of immigrant intakes by the Federal government and how they will be accommodated do not provide a rationale for such density in this neighborhood.
- Developers and pro-developer councilors are creating a toxic work environment which is not a justification for applying parcel planning principles to Community level planning.
- LPAT hearings are not a rationale to justify ignoring fundamental planning mistakes.

If more evidence is required to prove the proposed density is irrational, we can provide upon request.

#### **Our requirements:**

- 1) Reduce the proposed density to half (still double the provincial target [9]): 320 residents and jobs per development hectare
- 2) Revise the holding by-law [2] as following:

Scenario	The overall KDA density (existing and approved development <sup>1</sup> ) along with the proposed development is:	And, the Regional Projects (a-f) listed above are constructed:	And, the KDA & Yonge Corridor minimum modal split is:	And, the minimum modal splits along Bayview Avenue and Bathurst Street corridors are:	And, Regional Project (g) listed above is constructed/ under construction:
A	Under 160 Residents / Jobs per hectare and Net FSI <2.5	n/a	n/a	n/a	n/a
B	160 -240 R/J/hectare and Net FSI <3.0	Yes	30%	20%	n/a
C	160 -240 R/J per hectare and Net FSI <3.0	Yes	17%	11%	Yes
D	240 -320 R/J per hectare	Yes	30%	20%	Yes

1: "Approved development" may be site plan approved, draft plan approved, and/or development for which allocation of servicing has been approved

In these difficult times in the world, we appreciate your attention to this critical matter. Keep healthy and safe.

Sincerely,

John Li, On Behalf of  
Yonge-Bernard KDA Association (YRA)

## References

- [01] Shaping the Toronto Region, Past, Present, and Future. Zack Tylor and John Van Nostrand, Sept 2008
- [02] Draft Yonge Bernard KDA Secondary Plan, Feb 2020
- [03] Yonge-Eglinton KDA Secondary Plan, City of Toronto, 2018
- [04] The Urban Growth Centers Strategy in the Great Golden Horseshoe: Lessons from Downtowns, Nodes, and Corridors, Pierre Fillion, May 2007
- [05] Richmond Hill Staff Report SRPRS19022\_Attachment 6, Comparison of Municipal Parkland OP Policies, Parkland Dedication By-laws, and Per Capita Parkland, 2019
- [06] Assessment of Sequential/Cumulative Rates for High Density Development, City of Markham, April 2013
- [07] Parkland Strategy – Growing Toronto Parkland, City of Toronto, Nov 2017
- [08] Richmond Hill Staff Report SRPRS19022\_Attachment 2, Map of 2011 Parkland Per Capita within Each of the Town's Concession Blocks and Town-wide
- [09] A Place to Grow – Growth Plan for the Great Golden Horseshoe, Province of Ontario, May 2019
- [10] 2019 Planning for Intensification Background Report \_ Attachment 2, Draft Major Transit Station Areas and Additional Strategic Growth Areas, York Region, April 2019
- [11] The Regional Municipal of York Official Plan – 2019 Consolidation Plan, April 2019
- [12] York Region 2041 Preferred Growth Scenario\_Attachment 1, 2041 Draft Growth Scenario Evaluation, Nov 2015
- [13] York Region 2041 Preferred Growth Scenario\_Attachment 2, York Region 2041 Population and Employment Forecasts, Nov 2015
- [14] York Region 2041 Preferred Growth Scenario\_Attachment 3, York Region 2041 Intensification Strategy, Nov 2015
- [15] 2019 Planning for Intensification Background Report \_ Attachment 1 York Region, April 2019
- [16] Achieving Density Targets in New Communities in York Region, York Region, 2014

## Andrew Crawford

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**From:** Sybelle von Kursell  
**Sent:** March 19, 2020 2:03 PM  
**To:** bernardKDA  
**Subject:** FW: Yonge-Bernard KDA - draft / modified ZBL & Secondary Plan  
**Attachments:** 57138 PL Yonge Bernard KDA Mar 15 2020.pdf

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**From:** Anthony Sun  
**Sent:** March 19, 2020 10:06 AM  
**To:** Sybelle von Kursell  
**Cc:** Shelly Cham ; Michelle Dobbie  
**Subject:** Yonge-Bernard KDA - draft / modified ZBL & Secondary Plan

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Hi Sybelle,

Please find attached our comments for the draft modifications to the Yonge-Bernard KDA zoning by-law and secondary plan.

Regards,

**Anthony Sun**, B.E.S.  
Senior Planner – York Region East  
Development Planning and Permit | Development and Engineering Services

T: (416) 661-6600 ext. 5724

E: [anthony.sun@trca.ca](mailto:anthony.sun@trca.ca)

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6 | [trca.ca](http://trca.ca)





March 15, 2020

CFN: 57138

**BY EMAIL: [sybelle.vonkursell@richmondhill.ca](mailto:sybelle.vonkursell@richmondhill.ca)**

Ms. Sybelle von Kursell  
City of Richmond Hill  
225 East Beaver Creek  
Richmond Hill, ON  
L4B 3P4

Dear Ms. von Kursell,

**Re: Town File nos. D01-16002, D02-16012, D03-16006  
12 & 24 Naughton Dr., 0, 11014, 11034, 11044 & 11076 Yonge St., and  
0, 47 & 59 Brookside Rd.  
Yonge Bernard Key Development Area Secondary Plan**

TRCA staff have reviewed the revised Yonge and Bernard Key Development Area Secondary Plan Zoning By-law and draft Proposed Policy Changes to the Yonge and Bernard Key Development Area Secondary Plan and wish to offer the following comments. These comments are based upon our review of additional information received for the northern tributary which traverses the KDA. These additional information sources include:

- Updated Rouge River hydrology modelling
- Scoped Natural Heritage Evaluation – 102 Yorkland Street, prepared by Palmer Environmental Consulting Group Inc., dated May 10, 2019;

**Comments**

*Water Resources Engineering*

Previously in 2017, it was determined that flooding from the watercourse (a tributary of the Rouge River) along the northern boundary of the KDA was contained within the channel. TRCA is now in the process of updating our floodplain mapping for the Rouge River Watershed. As part of this process, the hydrology model for the Rouge River Watershed has been completed and actual floodplain delineation and confirmation is currently underway. It is anticipated that this work will be completed in the coming months.

Through preliminary work (which is unverified and very draft at this time; and as such, cannot be released by the TRCA) it appears that the development concept plan for an additional building on 70 Bernard Avenue may be within the flood plain. The concept plan, which we understand that the City is aware of, was previously submitted to the TRCA in October 2019. At that time, we informed Dave Leighton from Urbantech (working on behalf the retirement centre), that the flood plain impacts this property and needs to be confirmed and that TRCA is working on producing new flood plain mapping for the area.

We note that this preliminary flood plain mapping work indicated very little to no change in the flooding limits for the adjacent property to the west compared with our current flood plain map.

In light of this preliminary work, TRCA recommends that a 10 metre wide OS zone be applied along the entire northern property boundary (across both 10993 Yonge St. and 70 Bernard Ave.) to provide a flood plain buffer and recognize potential channel overtopping on 70 Bernard Avenue. This buffer would be subject to refinement when redevelopment is applied for on the affected properties. We note that the refinement may result in the flood plain buffer bumping out in some places or brought in closer to the property boundary in others.

### *Ecology*

It should be noted, given that the KDA is within a designated Settlement Area of the ORMCP, MVPZ's identified through an environmental study can prevail over those required under the ORMCP Table. The following are the Key Natural Heritage Features (KNHF) and Key Hydrologic Features (KHF) that affect these lands.

According to the Savanta report, dated March 13, 2017, for the KDA:

- Fish Habitat;
- Significant Woodland;
- Significant Valleyland;
- Contributing Habitat for RSD (Habitat of Endangered Species and Threatened Species)

The Scoped Natural Heritage Evaluation by Palmer Environmental dated May 10, 2019 prepared in support of a proposed development for 102 Yorkland St. (north of the KDA and adjacent to the channel that borders 10993 Yonge and 70 Bernard) identified the following within the western end of this channel:

- Wetland

TRCA note that neither of these reports (the Savanta and Palmer reports) identified the channel itself as being considered a:

- Permanent and Intermittent Stream

Based upon the additional information sources received since the KDA was initially drafted, TRCA offer the following comments for the various KNHF / KHF listed above.

### **Fish Habitat**

Regarding Fish Habitat, a 30 metre MVPZ is required under ORMCP. However, the EIS by Palmer Environmental for the Jubilee site on the north side of the exact same stretch of the tributary concludes that it is not viable Fish Habitat due to the lack of aquatic vegetation and barriers along this stretch of the tributary. In-stream barriers were also identified in Savanta's report for the KDA under Figure 2. TRCA agree that this channel does not provide direct fish habitat; however, it constitutes very degraded indirect fish habitat. As such, a 10 metre MVPZ would be appropriate for this specific stretch of the tributary and a 30 m Fish Habitat MVPZ is not applicable.

### **Significant Woodland**

Regarding Significant Woodland, it is our opinion that this section of tributary does not qualify as a Significant Woodland, it lacks any of the qualifying criteria under the ORMCP Technical Paper 7. Therefore; a 30 m Significant Woodland MVPZ is not applicable for this stretch of the

tributary. Reference to Significant Woodland in the Savanta report likely relates more to German Mills Creek (in the Don Watershed).

### **Significant Valleyland**

Regarding Significant Valleyland, while the tributary might be considered a Valleyland, it is not significant. Reference to Significant Valleyland in the Savanta report likely relates more to German Mills Creek (in the Don Watershed). Therefore; a 30 m Significant Valleyland MVPZ is not applicable for this stretch of the tributary.

### **Redside Dace Habitat**

Based upon current TRCA data, this stretch of the Rouge River tributary does not constitute contributing Redside Dace Habitat. Furthermore, under the ORMCP, there are no required MVPZ's for endangered species habitat (or contributing habitat for that matter). Therefore; a 30 m MVPZ for contributing Redside Dace or habitat for Endangered and Threatened Species is not required or applicable for this stretch of the tributary.

### **Wetland**

Typically, under the ORMCP, a 30 m MVPZ would apply from the edge of the wetland; however, the Palmer Report states that the 10 m setback that was proposed for the Jubilee site was sufficient as the wetland is constrained within the channelized watercourse, which has been hardened in places by gabion baskets. We agree with this assessment and note that it would be appropriate to apply a similar setback along the south side of the channel into the KDA lands. As such, a 10 m MVPZ from the wetland would also be appropriate for KDA lands in this instance given that the creek hardening reduces the ecological function by reducing connectivity between the creek and floodplain.

### **Permanent and Intermittent Stream**

Typically, under the ORMCP, a 30 m MVPZ would apply from the meander belt of a Permanent and Intermittent Stream. Given the characteristics of the channelized watercourse as described in the Palmer Report and the existing developed condition of the surrounding area, there is very little ecological connectivity between the channel and surrounding area, as such a 10 m MVPZ from the meander belt limit would likely be appropriate in this instance. We note that given the hardened nature of this channel, a natural meander in accordance with natural fluvial geomorphic processes would not apply and the limit of the gabion baskets on both sides of the watercourse could be considered the limit of the meander belt.

We trust this is of assistance. Should you have any further questions or comments, do not hesitate to contact the undersigned.

Yours truly,

Anthony Sun, B.E.S.  
Senior Planner  
Development Planning and Permits  
Tel: (416) 661-6600, Ext. 5724

## Brian DeFreitas

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**From:** Zachary Fleisher <ZacharyF@davieshowe.com>  
**Sent:** Friday, March 13, 2020 6:42 PM  
**To:** bernardKDA  
**Cc:** John Alati; Frank Mazzotta - Armour Heights Developments (frank@armourhd.com); 'rguetter@westonconsulting.com'; ssgotto@westonconsulting.com; Barnet Kussner (bkussner@weirfoulds.com); Alan Tregebov (ajt@ajta.ca); Kelvin Kwan; Patrick Lee  
**Subject:** Yonge Bernard KDA - Comments from Davies Howe LLP on Behalf of Yonge MCD Inc. (703010)  
**Attachments:** Yonge Bernard KDA - ZBL Council Submissions (01481620xCDE1C).PDF

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Good afternoon,

Kindly find attached correspondence from Mr. John Alati of our office with regards to the Yonge Bernard KDA Secondary Plan and Zoning By-law.

Please let me know if you require anything further or have difficulty accessing the attached files.

Regards,

Zach

**Zachary Fleisher**

Student-at-Law

Direct Line: 416.263.4501



Davies Howe LLP

The Tenth Floor, 425 Adelaide Street West

Toronto, Ontario M5V 3C1

416.977.7088

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March 13, 2020

**By E-Mail Only to *bernardkda@richmondhill.ca***

Policy Planner  
City of Richmond Hill  
225 East Beaver Creek Road  
Richmond Hill, ON  
L4B 3P4

To Whom It May Concern:

**Re: Yonge Bernard KDA Secondary Plan and Zoning By-law  
Comments on Draft Implementing Documents on Behalf of Yonge MCD Inc.**

We are counsel to Yonge MCD Inc. Our client is the registered owner of 59 Brookside Road (the "Property") formerly identified as 49 Brookside Road, 59 Brookside Road, 11014 Yonge Street, 11076 Yonge Street, 12 Naughton Road, and 24 Naughton Road in the City of Richmond Hill. The Property is legally described as Part of Lots 1, 2, and 23 on Registered Plan 1624, all of Lots 1, 2, 3 and 4 on Registered Plan 3600 and all of Lots 1 and 4 on Registered Plan 3799, City of Richmond Hill.

The following letter and attachments constitute our client's comments on the draft Yonge Bernard KDA Secondary Plan (the "Secondary Plan") and Zoning By-law implementing documents which were provided to us through outside counsel for the City of Richmond Hill (the "City") in late January and February of this year.

In the interest of being fully transparent and explaining precisely what our client is seeking to achieve on the portion of the Property subject to the Secondary Plan, we have appended to this letter the following documents:

1. The concept plan/development scheme that our client is seeking to have approved and built on the portion of the Property subject to the Secondary Plan;
2. A marked up/track changes version of the City's proposed Secondary Plan, which we believe would implement and permit the development of our client's proposed development scheme;
3. A revised Height and Density Schedule (Schedule 2) for the Secondary Plan;

4. A marked up/track changes version of the City's proposed draft Zoning By-law 111-17; and,
5. A revised Schedule C to Zoning By-law 111-17.

The proposed amendments that our client is recommending be made to the documents set out in Items 2 through 5 above are intended to facilitate the concept plan/development scheme in Item 1. To the extent that our client's consultants may have inadvertently missed some potential changes which would be necessary to implement the scheme in Item 1, then our client is reserving its right to request those further modifications.

In the event that City Council makes further changes to any of the details of the proposed amending implementing documents which are presented to it by Staff at the April 8, 2020 Council meeting, either as a result of further input from Staff or on Council's own initiative, then our client is reserving its right to make further suggested revisions and comments on the proposed Secondary Plan and associated By-law. For example, our client was informed by others that City Council and/or Staff may be considering further adjustments and changes to the road network in various portions of the Secondary Plan including the Property. Should such changes be made that would impact the Property, then our client will reserve its right to challenge or address those proposed changes. Our client's present scheme as shown in Item 1 is predicated on the road pattern currently contemplated.

Additionally, our client's architectural and transportation consultants continue to review the proposed implementing draft documents distributed by the City. As a result, our client may have additional comments on various aspects, policies, and provisions of same. For example, we are still awaiting additional feedback pertaining to some of the proposed vehicle and bicycle parking standards, some of the transportation demand management strategy initiatives which the City is recommending, as well as some of the phasing requirements.

While we have included, from an architectural perspective, proposed revisions in the draft implementing documents that would permit heights of up to 18 storeys in the western and northwestern portion of the Property, our concept plan presently shows a rental apartment building with a height of 20 storeys in this northwestern area and a second tower building height of 15 storeys. It is our client's view, however, that it would be more appropriate to regulate the maximum height in this area of its lands through the use of the angular plane rather than by prescribing a maximum height by way of a number of storeys. Our client's architect and planner have confirmed that heights in the range of 25 to 28 storeys may be achievable in some of these areas through deployment of the angular plane methodology as a control mechanism, notwithstanding the lower height of 15 storeys depicted for our client's second tower on its attached concept plan/development scheme.


In summary, our client does not see a need for a transition in height from the portion of the Property subject to the high density permissions in the Secondary Plan to its adjacent

Tertiary Plan lands or the lands owned by others to the south. An appropriate transition has already been established through our client's Phase 1 plan which includes a mid rise (6 storey senior's building) in combination with the use of an angular plane.

We are prepared to further elaborate and make a deputation, at the appropriate time, on the proposed changes that our client is seeking to be made to the draft implementing documents which the City has provided.

We trust that this package of materials will provide additional clarity on our client's position and in the event that Staff or the City Council members have any additional questions we would be happy to discuss same.

Yours truly,  
**DAVIES HOWE LLP**



John M. Alati

JMA:JA  
encls.: as above

copy: F. Mazzotta, Yonge MCD  
R. Guetter, Weston's  
S. Sgotto, Weston's  
A. Tregabov, YYZ  
B. Kussner, Weir & Foulds, Counsel to Richmond Hill  
K. Kwan, Richmond Hill Commissioner of Planning  
P. Lee, Richmond Hill

**ITEM 1**



**Yonge MCD STATS**

**6-Feb-19**

**PHASE 2 - WITHOUT PREJUDICE**

LEGAL DESCRIPTION

PART OF LOT 1 AND 2 REGISTERED PLAN 1642,  
 ALL OF LOTS 1, 2, 3, AND 4 REGISTERED PLAN 3600  
 ALL OF LOTS 1 AND 4 REGISTERED PLAN 3799  
 TOWN OF RICHMONDHILL  
 REGIONAL MUNICIPALITY OF YORK

BOUNDARY AND TOPOGRAPHIC SURVEY:  
 KRCMAR SURVEYORS LTD. 2010

LOT INFORMATION	SQM.	HA
ORIGINAL LOT AREA	46,415	4.6415

AREA FROM KRCMAR SURVEY 2015

TRCA LANDS	8,645	0.86
KDA - Future Develop.	11,900	1.19
NEIGHBOURHOOD	25,870	2.59
<b>TOTAL LOT AREA</b>	<b>46,415</b>	<b>4.64</b>
<b>NET LOT AREA</b>	<b>37,770</b>	<b>3.78</b>

AREA EXCLUDING TRCA LANDS

STATISTICS																	
ZONE	AREA (SQM.)	AREA (HA)	BUILDING TYPE	HEIGHT (STOREY)	GFA COMMERCIAL	GFA RESIDENTIAL	FSI RESIDENTIAL	# STOREYS	FLOOR AREA (SQM.)	# STOREYS	FLOOR AREA (SQM.)	UNIT BREAKDOWN					UPH RESIDENTIAL (UNITS/HA)
												1+ BED	2 BED	3 BED	4 BED	TOTAL	
KDA - Future Develop.																	
HIGH DENSITY (7,700 SQM.)			TOWER 1	30	4,000	19,500		4	1,000	26	750	110	130	10		250	
PUBLIC PARK (975 SQM)			TOWER 2	15		11,250				15	750	65	75	10		150	
PUBLIC ROAD (2,515 SQM.)			TOWN HOMES	4		1,700				4	90		10	7		17	
CUL-DU-SAC (710 SQM.)			RENTAL	20		15,000				20	750	133	40	10		183	
<b>TOTAL</b>	<b>11,900</b>	<b>1.19</b>			<b>4,000</b>	<b>30,750</b>	<b>2.6</b>					<b>308</b>	<b>255</b>	<b>37</b>	<b>0</b>	<b>600</b>	<b>504</b>

<b>NEIGHBOURHOOD</b>																	
MEDIUM DENSITY																	
PUBLIC PARK (3,065 SQM.)																	
ROAD WIDENING (196 SQM.)	936																
<b>TOTAL</b>	<b>14,495</b>	<b>1.45</b>															
<b>LOW DENSITY</b>																	
ROAD WIDENING (143 SQM.)																	
PED. EASEMENT (292 SQM.)																	
<b>TOTAL</b>	<b>7,740</b>	<b>0.77</b>															
<b>PUBLIC STREET</b>	<b>3,635</b>	<b>0.36</b>															
<b>TOTAL</b>	<b>25,870</b>	<b>2.59</b>															

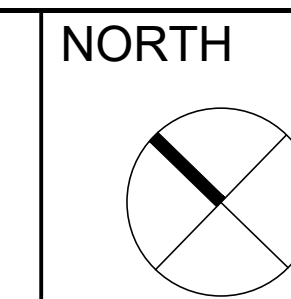
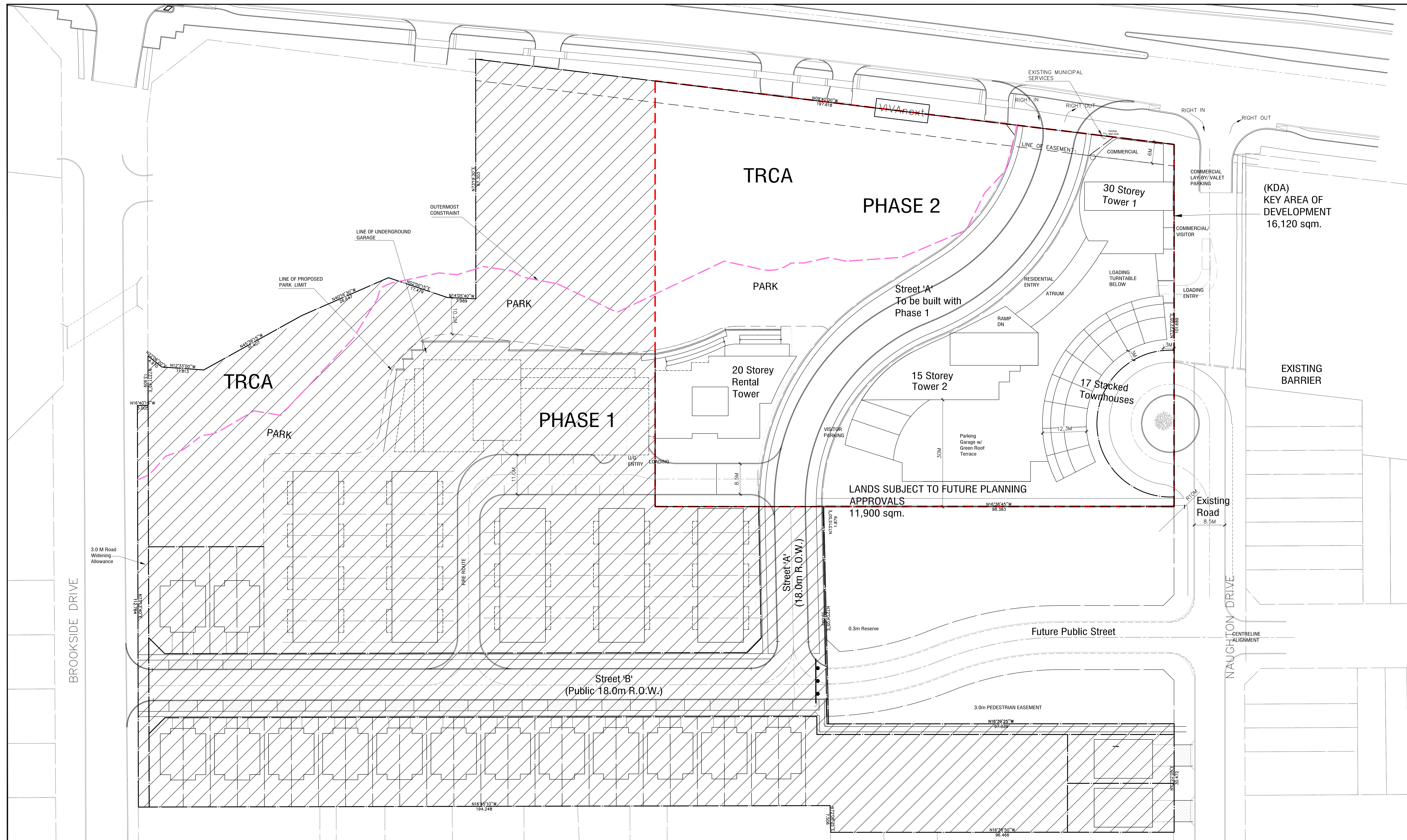
PUBLIC PARK	4,050	0.41
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ZONE SUMMARY:	
	SQM.
OPEN SPACE (TRCA)	8,645
KDA - Future Develop.	11,900
NEIGHBOURHOOD	25,870
<b>TOTAL</b>	<b>46,415</b>

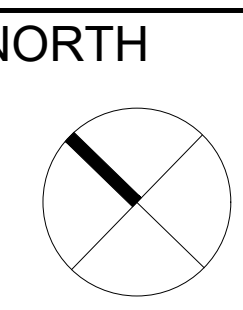
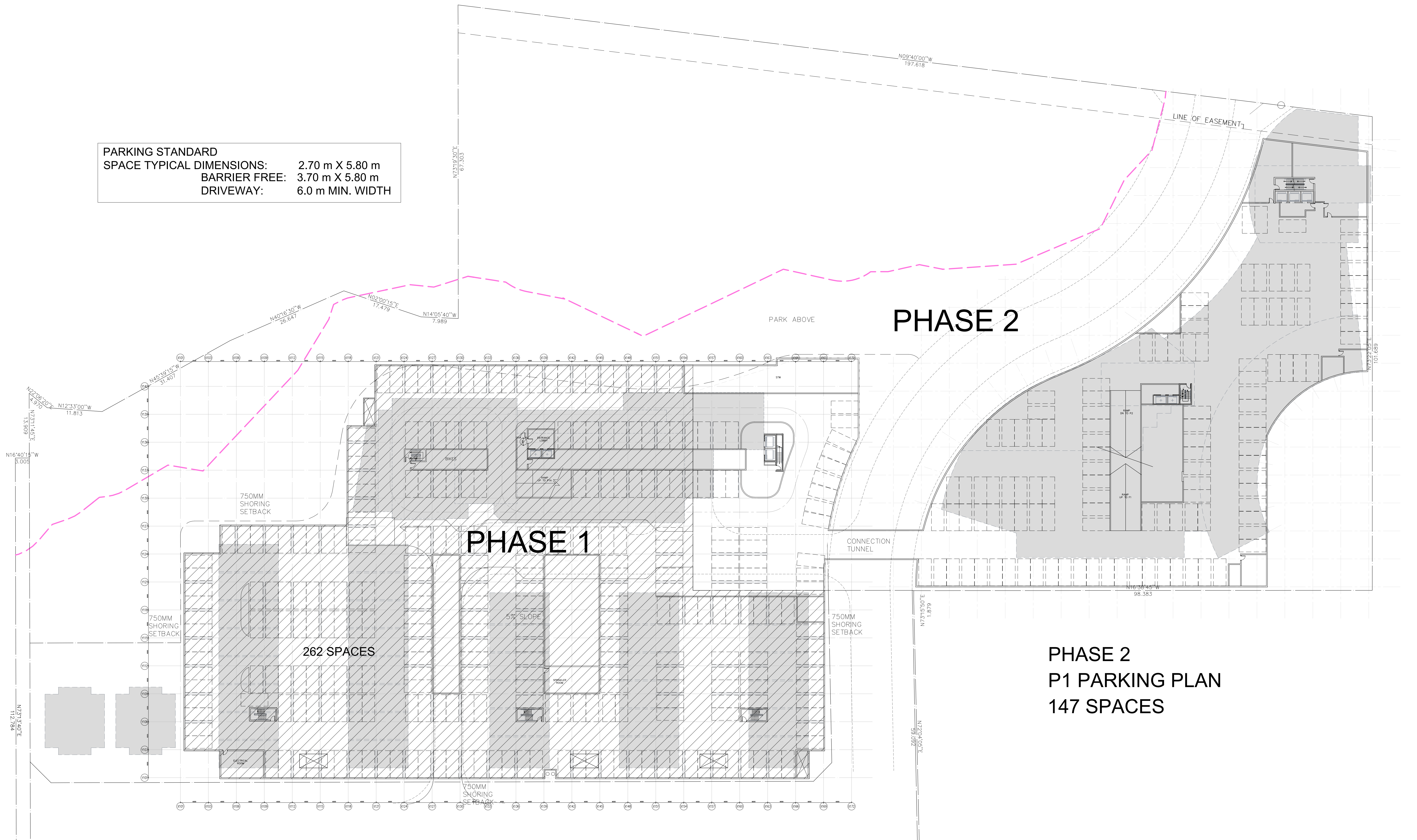
GFA SUMMARY:	
	SQM.
COMMERCIAL	4,000
RESIDENTIAL	30,750
<b>TOTAL</b>	<b>34,750</b>

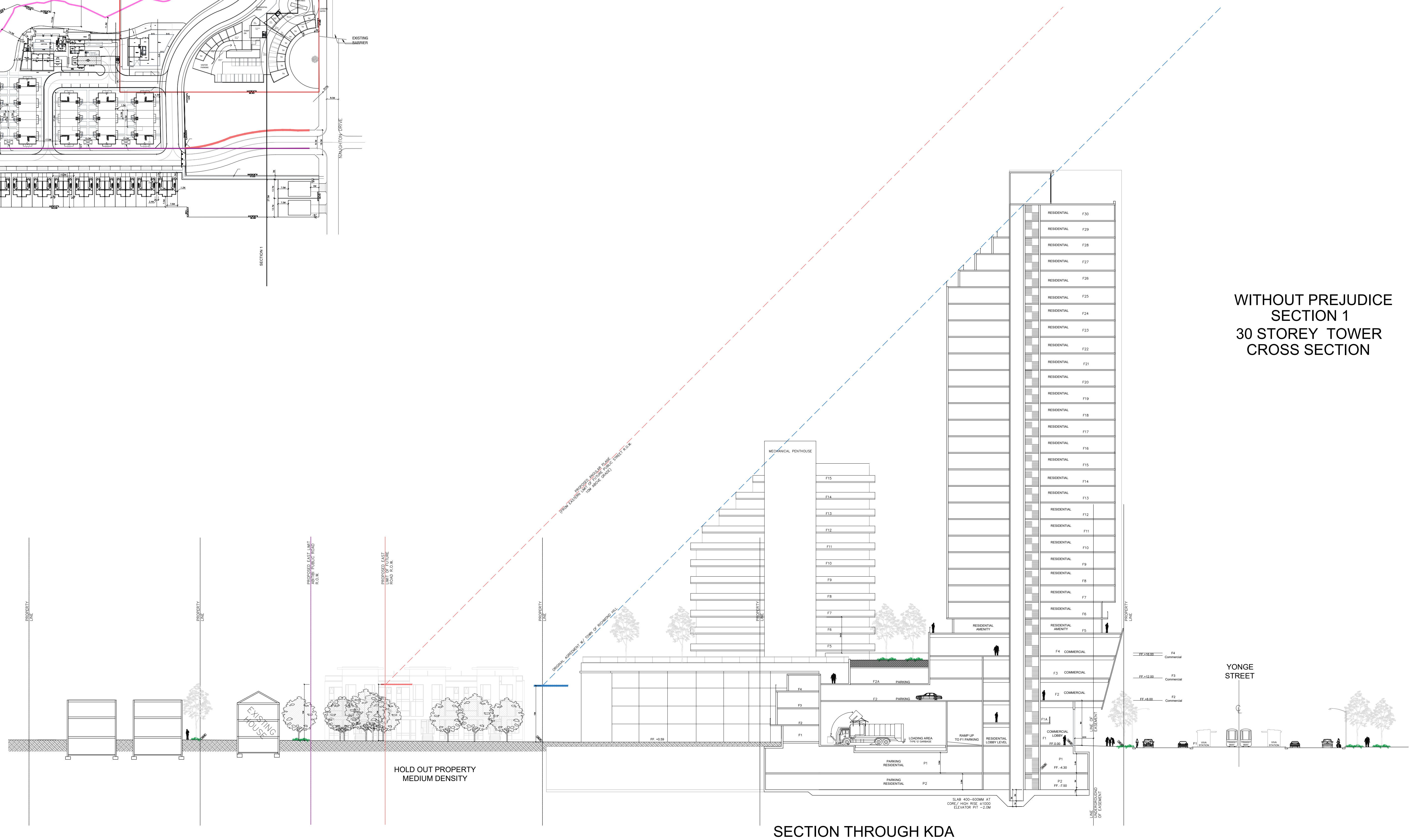
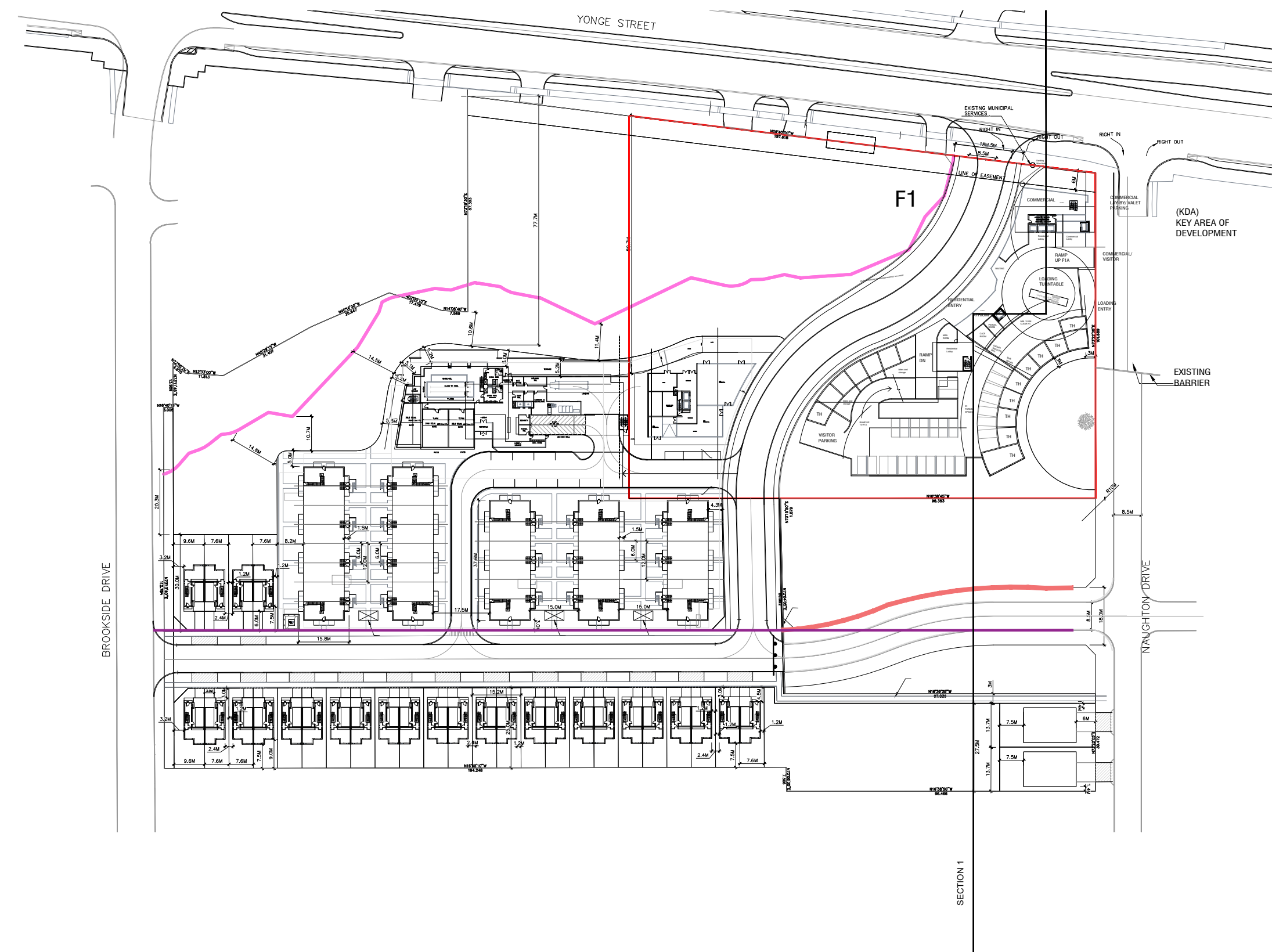
PROVIDE PARKING SUMMARY:	
	SPACES
COMMERCIAL	180
RESIDENTIAL + VISITOR	340
<b>TOTAL</b>	<b>520</b>

RESIDENTIAL SUMMARY:	
	D.U.
APARTMENTS	400
RENTAL APARTMENTS	183
STACKED TOWNS	17
SEMIS	0
SINGLES	0
ADULT LIFE	0
<b>TOTAL</b>	<b>600</b>



**PARKING STANDARD**  
 SPACE TYPICAL DIMENSIONS: 2.70 m X 5.80 m  
 BARRIER FREE: 3.70 m X 5.80 m  
 DRIVEWAY: 6.0 m MIN. WIDTH





**TREGEBOV COGAN ARCHITECTURE**

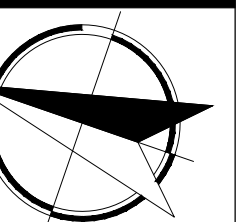
40 St. Clair Avenue East, Suite 303  
 Toronto, ON M4T 1M9  
 PHONE: (647) 352-3350  
 EMAIL: office@ajta.ca

**YONGE MCD  
 YONGE AND NAUGHTON**

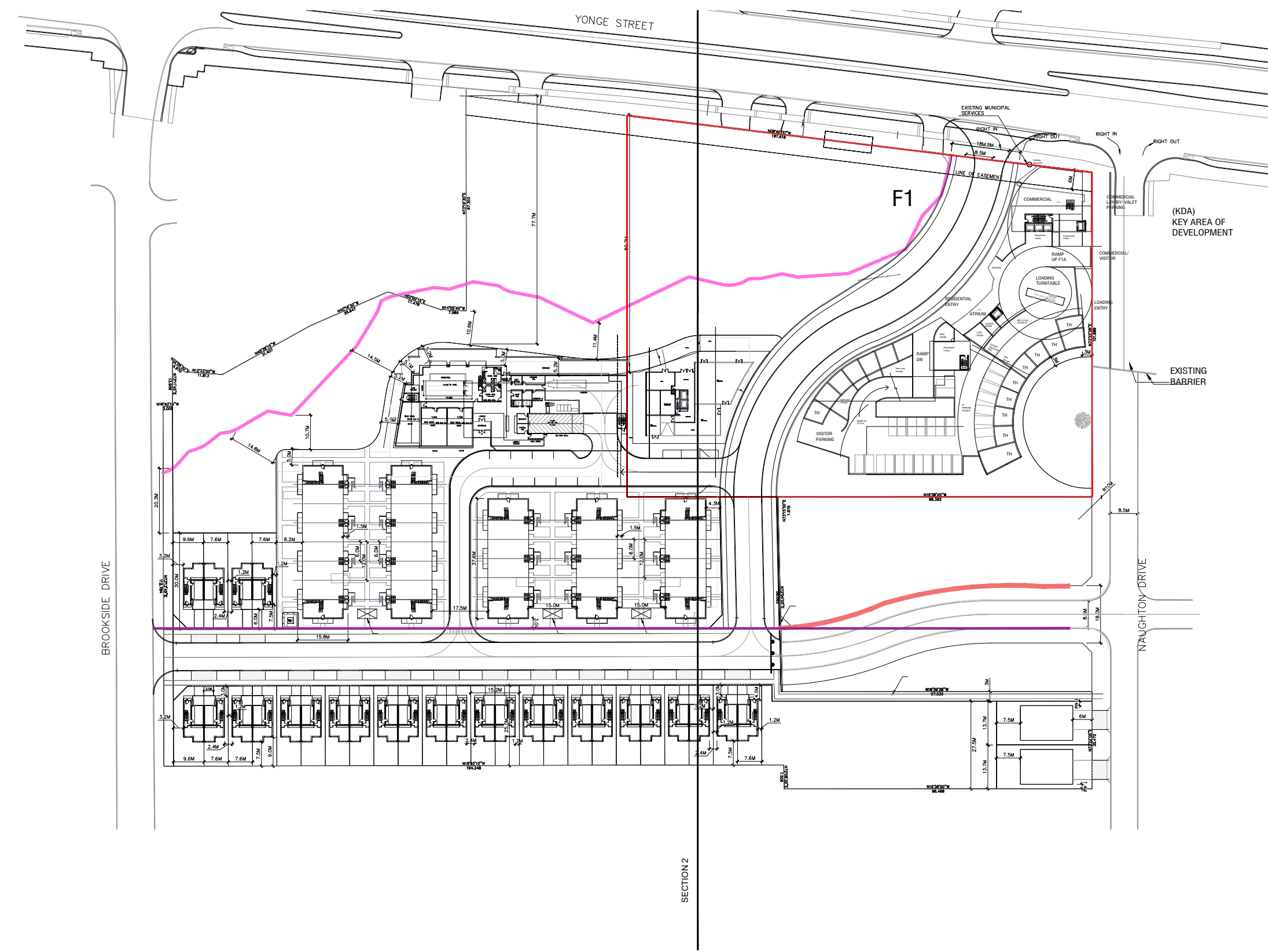
**WITHOUT PREJUDICE**

ANGULAR PLANE SECTION  
 DIAGRAMS

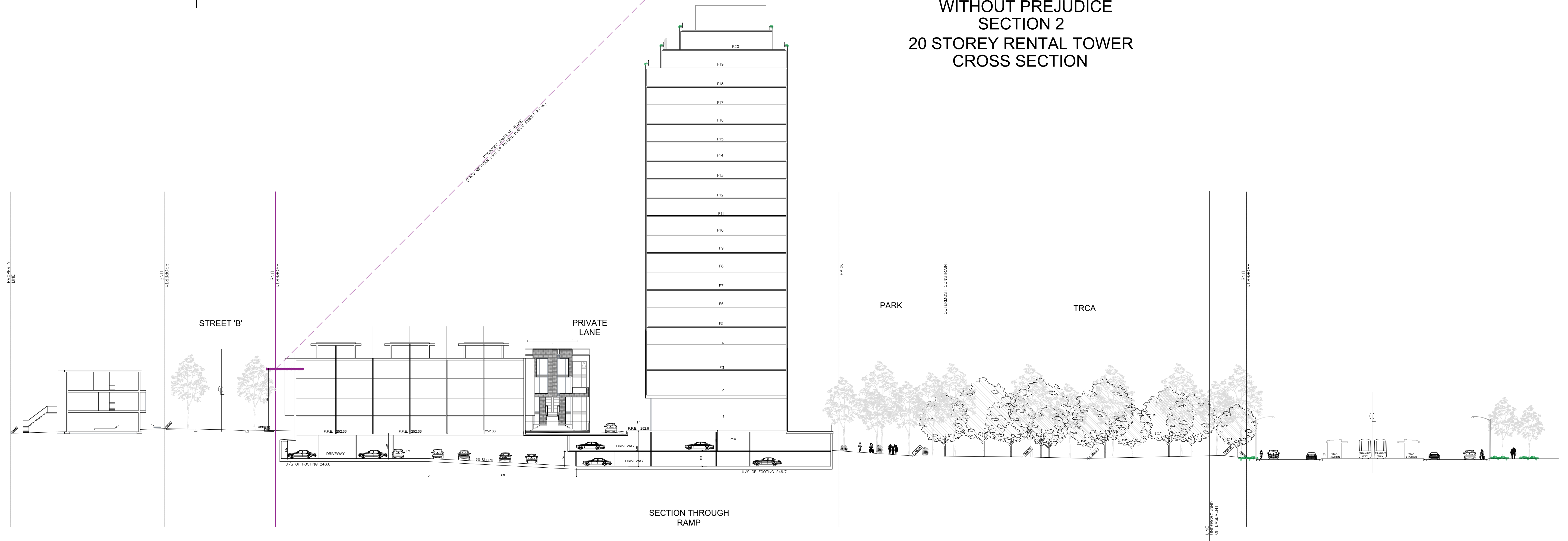
NORTH



SCALE: 1:8500  
 2020-FEB-06



WITHOUT PREJUDICE  
SECTION 2  
20 STOREY RENTAL TOWER  
CROSS SECTION



# ITEM 2

## **12.0 Yonge and Bernard Key Development Area Secondary Plan**

### **12.1 Introduction**

#### **12.1.1 Purpose**

The purpose of this Secondary Plan is to further articulate policies to guide the evolution of development in the Yonge and Bernard KDA Secondary Plan area as shown on **Schedule A10** (Secondary Plan Areas) to the Official Plan. The policies in this Secondary Plan are intended to supplement, not replace, the policies of the Part 1 Plan. To accurately understand and interpret all of the policies in this Secondary Plan, they must be read in conjunction with the Part 1 Plan.

This Secondary Plan further articulates the policy framework for enhancing the retail and commercial character of the Bernard KDA through the process of intensification. The policies guide and direct intensification of the Bernard KDA in a manner that will maintain and enhance the existing commercial and retail focus of the area by establishing a greater mix of uses through new development.

Furthermore, this Secondary Plan provides direction to support the continuation of the Bernard KDA's bus terminal function for the City and Region. Additionally, this Secondary Plan acknowledges that the Bernard KDA is an intensification area located within the settlement designation in the Oak Ridges Moraine Conservation Plan and as such, it provides policy direction to ensure that future development is appropriate for this sensitive environment. In order to meet Regional Major Transit Station Area minimum density targets and targeted mix of land use in this area, at build-out this KDA should accommodate a minimum of approximately 4000 residents and 1300 jobs. Based on the planned density in this area, should new development reach the maximum density this Secondary Plan permits, it is envisioned that, the Secondary Plan area may accommodate a planned population of up to 10,700 people and employment of approximately 2,700 jobs. These estimates are approximate as assumptions on the average density of people and jobs anticipated were used.

#### **12.1.2 Vision**

The Bernard KDA is envisioned to become the third most intensely developed area in Richmond Hill after the Richmond Hill Centre and the Yonge and 16th KDA. Over time, the Bernard KDA will be transformed into a cohesive community through redevelopment that builds on the area's existing assets, and promotes a shift away from the focus on automobile use towards the creation of a transit, cycling, and pedestrian oriented destination. As the lands within the Yonge Street and Bernard Avenue Key Development Area are designated "Settlement Area" in accordance with the Oak Ridges Moraine Conservation Plan, intensification will take place in a manner sensitive to the environment and natural heritage character of the surrounding area. An enhanced streetscape is planned in all quadrants of the Bernard KDA to enhance natural features and integrate low impact development practices into new infrastructure.

The Bernard KDA is envisioned to have three distinct character areas: the Corridor, which reflects the Yonge Street corridor of taller and higher density development; the Interior, the transitional tier of interior development; and the Neighbourhood Edge, the area abutting established residential communities. Through the establishment of the three character areas, the Bernard KDA will evolve from an existing retail/ commercial node to a more connected, mixed-use urban centre that will become a transit, cycling, and pedestrian-oriented destination. The Bernard KDA will build on its assets to evolve into a vibrant place where the community will live, shop, work, and be entertained.

The Bernard KDA is envisioned to become a mixed-use area with a range of building types and forms, including various forms of townhouses, mid-rise and high-rise street related buildings. The highest and most dense buildings are directed along Yonge Street. Heights and densities will transition down from Yonge Street to respect the adjacent lower-rise Neighbourhood. The existing amount of commercial and retail floor space will be maintained and expanded through new development in a more urban format. The area will also provide opportunities for new office and major office development to increase employment opportunities. The planned heights and densities are supportive of a major transit station area as directed by the Growth Plan for the Greater Golden Horseshoe, 2019.

### **12.1.3 Principles**

Three principles reflect the values of the community, the inherent characteristics and qualities of the area, and the policy direction of the Part 1 Plan for the Bernard KDA. These principles set the framework that will guide the transformation of the Bernard KDA.

#### **1. Improve Connectivity**

- a. Provide a fine-grained, walkable street network to improve pedestrian and cycling infrastructure and access to public transit.
- b. Strengthen connections to the existing Greenway System and establish new linear parks and urban plazas to accompany redevelopment.
- c. Create an enhanced streetscape to frame new *development* by providing an improved streetscape environment for pedestrian activity and low impact development practices into new infrastructure.

#### **2. Accommodate Transition**

- a. Maintain and reinforce the stable *low density residential* neighbourhoods through built form policies to ensure intensification takes place in a way that protects and appropriately transitions to established residential neighbourhoods.
- b. Direct the majority of non-residential *development* to the intersection of Yonge Street and Bernard Avenue and along the Yonge Street Corridor to create a central node of commercial activity and public life at the heart of the Bernard KDA.

#### **3. Create Local Identity**

- a. Permit and encourage *development* that will create a vibrant, mixed-use destination that ensures compatibility with surrounding residential areas and that contributes to the animation of Yonge Street.
- b. Encourages the establishment of vibrant, active at-grade street frontages through the provision of *commercial, retail, or community uses* at grade in a mixed-use building format.

## **12.2 Character Areas**

The vision for the Bernard KDA is to create a more cohesive mixed-use centre with a strong identity, a range of land uses, and new public open spaces, while maintaining and enhancing existing retail uses. To establish this vision, the Bernard KDA is envisioned to have three distinct character areas, each with its own built form and function.



### **Corridor Character Area**

The Corridor Character Area is planned along Yonge Street as shown on **Schedule 1** to this Secondary Plan. This area is envisioned to be comprised of a mix of uses and built forms, with the tallest and most dense buildings encouraged to front Yonge Street to reinforce the creation of a strong Yonge Street Corridor. This area will also provide pedestrian-oriented active at-grade street frontages that provide retail, commercial and other community services to strengthen Yonge Street’s main street character.

### **Interior Character Area**

The Interior Character Area is generally planned between the Corridor Character Area and the Neighbourhood Edge Character Area as shown on **Schedule 1** to this Secondary Plan. This area is intended to provide a built form transition from the higher heights and densities along the Corridor to the Neighbourhood Edge Character Area, with a mix of uses such as at grade retail or live/work units to animate the streets and provide a range of housing forms such as townhouses to mid-rise buildings.

### **Neighbourhood Edge Character Area**

The Neighbourhood Edge Character Area is generally planned along the existing lower rise residential areas as shown on **Schedule 1** to this Secondary Plan. This area is intended to provide a built form transition between the lower rise established neighbourhoods adjacent to the Bernard KDA and the higher intensity form in the centre of the KDA and along the Corridor.

#### **12.2.1 Mix of Uses**

This Secondary Plan provides policy direction to maintain and enhance the area’s retail and commercial functions while enhancing the mix of uses to strengthen residential *development*, *office* and *major office* uses, as well as major retail development over the long-term.

1. *Development* shall be subject to the land use permissions of the Part 1 Plan.
2. In order to achieve the Official Plan’s complete community goals, and the Region’s mix of use target for the Major Transit Station Area in which this KDA is located, new development fronting “Active At Grade Frontages” as shown on **Schedule 4** must dedicate a minimum of 15% of its total gross floor area to non-residential uses, such as commercial, retail, office or institutional uses. In the case of sites with multiple existing and/or planned buildings, the 15% gross floor area requirement can be satisfied within each building or within one building provided that the overall non-residential gross floor area of the site is 15% of the total gross floor area.
3. In addition to the requirements for non-residential uses at grade in a mixed use building format on Yonge Street and Bernard Avenue as described in Policy 4.4.1(5) of the Part 1 Plan, *development* shall provide active at-grade street frontages through *commercial*, *retail*, or community uses at grade in a mixed-use building format along Yonge Street, Bernard Avenue, and Canyon Hill Avenue, and along planned local and collector streets as shown on **Schedule 4**. *Live-work units* shall also be permitted on active at-grade street frontages along planned local streets.
4. *Development* on lands with existing *retail* or *commercial* uses shall generally increase or maintain the existing amount of gross leasable floor area devoted to *retail* or *commercial* uses to enhance and support the existing *retail* or *commercial* focus of the area.

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**Yonge and Bernard Key Development Area Secondary Plan – Draft Policy Modifications**

5. *Development* shall be encouraged to include *office* or *major office* space located above the ground floor of buildings especially along Yonge Street and Bernard Avenue.
6. *Retail, commercial* or community uses shall also be encouraged to front onto linear parks and be in a more compact format.

### 12.2.2 Height

The Official Plan directs for a height vision that requires the tallest buildings to generally be concentrated at the Yonge Street and Bernard Avenue intersection and along the Yonge Street corridor. As reflected by the three character areas, height and density will decline gradually towards the edges of the Bernard KDA boundaries, as distance increases away from the intersection. The lowest and least dense buildings will be located in areas that about the Neighbourhood designation.

The height, density and angular plane policies of the Part 1 Plan and this Secondary Plan work together to prescribe an appropriate upper limit, which may be less than the maximums identified on Schedules 1 and 2, to guide the scale of *development* envisioned in the Bernard KDA. Not all *development* will be able to achieve the maximum height permitted in every instance due to the varying characteristics of each site and area. The maximum height of any building shall be the lesser of: the height indicated in Schedule 2 or established via the application of a 45 degree angular plane measured from the closest adjacent Neighbourhood property line. The Part 1 Plan requires a minimum height of 3 storeys for *development* within the KDA.

1. *Development* shall be subject to the minimum and maximum height requirements as shown on **Schedule 2** to this Secondary Plan.

Minor adjustments to the location of height boundaries shown on **Schedule 2** to this Secondary Plan shall not require an amendment to this Secondary Plan provided that the intent of this Secondary Plan is maintained.

### 12.2.3 Density

The Official Plan directs that the KDA achieve a minimum density of 2.5 FSI and a maximum density of 4.0 FSI overall. . In order to achieve the purpose, vision and principles for development of the Bernard KDA as set out in Sections 12.1.1, 12.1.2 and 12.1.3 of this Secondary Plan, density will be accommodated on specific development sites and on a Secondary Plan-wide basis in accordance with **Schedule 2** to this Secondary Plan, and subject to compliance with all other policies of this Secondary Plan. Similar to the height strategy and as reflected by the three character areas, the highest densities are directed along the Yonge Street corridor, transitioning down to lower densities adjacent to the Neighbourhood.

<p><b>How is Floor Space Index (FSI) determined?</b> As defined in the Part 1 Plan, FSI is the ratio of gross floor area for all buildings on a site to its respective lot area. When calculating FSI, the City considers the total site area including any lands that may be dedicated for parkland or public streets.</p>
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1. The deployment of density within the Key Development Area is shown in categories on **Schedule 2** to this Secondary Plan.
2. The maximum site density for *development* within the Key Development Area is as shown on **Schedule 2** to this Secondary Plan.

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**Yonge and Bernard Key Development Area Secondary Plan – Draft Policy Modifications**

3. In the event a property spans more than one density category, corresponding density permissions will be calculated based on the land area present within each category.
4. Minor adjustments to the location of density boundaries shown on **Schedule 2** to this Secondary Plan shall not require an amendment to this Secondary Plan provided that the intent of this Secondary Plan is maintained.
5. In order to ensure that all new development within the KDA is transit supportive, new development shall demonstrate that it can support a minimum of 200 residents and jobs per hectare for the development site. This generally translates to a minimum FSI of 1.5 for the site.

### 12.2.4 Community Benefit Provisions

- a.
2. In accordance with Section 37 of the Planning Act, as amended, the City may ~~permit~~**require** provision of “in kind” community benefits, such as but not limited to:
  - a. Streetscape/landscape improvements over and above the City’s standards for the enhanced streetscape within the Bernard KDA, as shown on **Appendix 2**;
  - b. Provision of public parking;
  - c. Provision of public art;
  - d. Provision of offsite pedestrian and cycling connections, facilities or TDM supportive infrastructure;
  - e. Provision of *affordable* housing over and above the requirements of policy 12.2.7 (1 – 3);
  - f. Provision of public community uses;
  - g. Provision of Linear Parks in accordance with policy 12.3.2;
  - h. Achievement of an “Excellent” Sustainability Score under the City’s Sustainability Metrics program;
  - i. Contribution towards community gardens in accordance with the City’s Community Garden Policy; and/or,
  - j. Any other community benefit or contributions deemed appropriate by Council.

NOTE: This policy implements Bill 108 changes to the Planning Act. On a date to be prescribed by the Planning Act or once the City’s Community Benefits Charge By-law is in effect (whichever is sooner) section 5.5 of the Part 1 Plan will no longer be in effect. Accordingly, Section 5.5 of the Part 1 Plan does not apply to development within this Secondary Plan.

### 12.2.5 Built Form

#### 12.2.5.1 Street Orientation and Streetwall

The location and orientation of buildings in relation to the street is important because of the impact on the street at the pedestrian level. A consistent and active street edge is desired.

1. *Development* shall generally orient and place buildings at or near the street edge to animate and enhance the pedestrian realm.

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2. Where a continuous streetwall exists within or nearby the Bernard KDA, such as the podiums of buildings along the Regional Mixed Use Corridor, *development* shall generally be sited to maintain and enhance the streetwall.
3. To encourage pedestrian amenities at grade, partial recessing of buildings may be permitted.
4. In accordance with Policy 3.4.1(58) of the Part 1 Plan, *development* shall site towers of high-rise buildings to provide a minimum of half of the required tower separation distance from the adjacent developable lots as shown in Figure 1.
5. Notwithstanding Policy 3.4.1(59) of the Part 1 Plan, residential buildings 10 storeys or less shall not be required to have a slender floorplate above the podium and policy 12.2.5.1 (6) regarding distance separation between mid-rise buildings shall apply.
6. *Mid-rise* buildings with windows facing a sideyard shall be designed to provide a sufficient separation distance of approximately 10 to 15 metres between both proposed and existing buildings and be sited to provide a minimum of half of the required separation distance from the adjacent developable lots to maintain light, view and privacy conditions.

**12.2.5.2 Angular Plane and Shadowing**

To ensure appropriate transition to the adjacent Neighbourhood designation and parks, angular plane and shadow analysis requirements have been established.

1. *Development* shall be subject to the angular plane requirements of Policy 3.4.1(55) and 4.4.1(10) of the Part 1 Plan.
2. In the event that the Neighbourhood designation immediately abuts the lot line of lands within the KDA, such as a side-lot or back-lot condition, the angular plane may be measured from 10 metres above grade at the lot line.
3. *Development* adjacent to an existing or planned park shown on **Schedule 3** to this Secondary Plan shall be required to demonstrate that any shadowing of parks is limited, so as to ensure adequate sunlight for plant growth and comfortable public recreational use in the park during the spring and summer seasons (March to September).

**12.2.5.3 Views and Gateway Features**

To create a unique sense of place, establishing an attractive urban appearance is key to transforming the Bernard KDA and creating a distinct destination. Establishing new focal points on buildings and properties will help to create a sense of place in the area.

1. *Development* shall provide visual focal points that contribute to a unified theme that may include coordinated building materials, streetscape elements, landscaped spaces, and/or public art.
2. The City's Public Art Policy shall be utilized to determine the provision of public art.
3. *Development* shall be encouraged to provide new public art within linear parks as shown on **Schedule 3** to this Secondary Plan.

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4. Distinctive gateway buildings, features and amenity spaces shall be oriented towards the intersection of Yonge Street and Bernard Avenue, and *development* at this intersection shall be designed to include architectural features or materials that contribute to the sense of arrival such as distinct and prominent store fronts with awnings, stand-alone markers, public art, or landscape treatments.

### **12.2.6 Community Services**

In accordance with Policy 4.1.1(2) of the Part 1 Plan, community services and facilities are encouraged throughout and adjacent to the Bernard KDA to support the needs of the growing centre. To support the residents of this area, community services such as schools, recreation centres, libraries, day nurseries, and emergency facilities shall be planned to keep pace with the growing population.

1. Community uses shall be accommodated in a more compact, urban form in accordance with Policy 3.1.7(4) of the Part 1 Plan; accordingly, Policy 4.1.1(4 - 7) does not apply to lands within the Bernard KDA.
2. Community uses shall be encouraged to co-locate on a site or within a building.

### **12.2.7 Housing**

1. A ~~target minimum~~ of 35 per cent of new dwelling units within the Bernard KDA shall be *affordable* in order to realize the City and Region's affordable housing targets, and to provide housing that is responsive to the needs of the City's residents.
2. *Affordable* housing shall comprise a mix and range of types, lot sizes, unit sizes, functions, and tenures to provide opportunity for all household types including larger families, seniors and residents with special needs.
3. *Medium density residential or high density residential development* on a site shall demonstrate how the ~~minimum target~~ 35 per cent *affordable* housing target is met or exceeded over the long term on the site.
4. *High density residential development* on a site shall provide a minimum of 5 per cent of units that contain 3 or more bedrooms.
5. New rental accommodation will be promoted.

## **12.3 Parks and Urban Open Space System**

The Bernard KDA parks and urban open space system is shown on **Schedule 3** to this Secondary Plan and is envisioned as a series of linear parks and urban plazas connecting to the larger Greenway System. The linear parks envisioned east and west of Yonge Street will strengthen connectivity and improve passive recreation. Urban plazas will contribute to the character of the Bernard KDA, and are encouraged in areas to complement and support places of greater activity.

This system of parks and urban open space is intended to support mobility and connectivity while improving the public realm and enhancing a sense of place within the Bernard KDA. Additionally, this system is designed to connect the urban environment of the Bernard KDA to the abutting Greenway System and its associated natural heritage features, which include watercourses and *significant woodlands*.

1. The parks and urban open space system shown on **Schedule 3** to this Secondary Plan identifies:
  - a. Greenway System lands along German Mills Creek and the tributary to the Rouge River;

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- b. Linear Parks
  - c. Enhanced Streetscape.
2. In addition to Schedule 3 parks and open spaces, *development* shall be encouraged to provide private urban plazas that are publicly accessible.
  3. The City may further articulate design elements that will be used to unify and create an identity for the parks and urban open space system.
  4. Minor adjustments to the location of parks shown on **Schedule 3** to this Secondary Plan shall not require an amendment to this Secondary Plan provided that the intent of this Secondary Plan is maintained.

### 12.3.1 Greenway System

The German Mills Creek is located along the western edge of the KDA, and a tributary to the Rouge River is located along the northern edge of the KDA. These lands are designated Natural Core in the Part 1 Plan and contain key natural heritage and key hydrological features as defined by the Oak Ridges Moraine Conservation Plan (ORMCP), as well as hazard lands. Buffers from Natural Core areas are required to be more specifically defined through a Natural Heritage Evaluation at the time of *development*.

Section 3.2.1 of the Part 1 Plan directs that lands within the Greenway System shall be protected, enhanced, and actively maintained over the long term. These lands are envisioned to become a key connection point between the Bernard KDA and the larger Greenway System to the west and north of the KDA.

1. *Development* and *site alteration* shall be subject to section 3.2.1(1)(18) and section 4.10.5 (Natural Core) of the Part 1 Plan.
2. *Development* and *site alteration* adjacent to natural heritage or hydrological features shall be subject to the natural heritage evaluation requirements of section 3.2.1(1)(27) of the Part 1 Plan and appropriate buffers shall be established in accordance with the Part 1 Plan policies.

### 12.3.2 Parks

A series of public gathering spaces will be created to enhance and complement existing public spaces. These spaces will serve as focal points and will enhance the sense of place within the KDA and over time, will contribute to creating a continuous network of public spaces for the pedestrian and cyclist.

1. .

#### Linear Parks

Linear Parks are shown on Schedule 3 to this Secondary Plan. Linear parks are public parks intended to provide connections between parks and other community destinations. Linear parks can also be sited to act as a physical, green separation between abutting land uses.

1. Linear parks are planned in the northwest, southeast, and southwest quadrants to improve block permeability and strengthen multi-modal connectivity while enhancing the open space within the KDA.
2. The following criteria shall apply to the location and siting of linear parks:
  - a. Linear parks shall be sited to facilitate pedestrian and cycling connections between destinations such as *commercial* and *retail* areas and transit stations.

- b. The location of linear parks shall be used to create a visual impression, where applicable, or add to the connectivity of the broader parks and urban open space system.
- c. To provide for appropriate active transportation and recreation opportunities and to support the scale of development permitted:
  - i. The minimum width of the linear park within the south-east quadrant shall be 23 metres, and
  - ii. The minimum width of the linear park within the south-west quadrant shall be 15 metres.

### **12.3.3 Urban Plazas**

Urban plazas are privately-owned, publicly accessible spaces that are intended to support areas with a high level of pedestrian activity. Urban plazas are a key component to enhancing the identity and connectivity of the Bernard KDA. Over time, these spaces are intended to function as landmarks that people meet in or use for wayfinding or active transportation purposes.

- 1. The following criteria shall apply to the location and siting of new urban plazas:
  - a. Urban plazas shall be sited to reinforce a high quality, formalized relationship with adjacent built form, uses and the streetscape.
  - b. Large sites may include a single, large scale urban plaza or a series of smaller urban plazas.
  - c. The location of urban plazas shall be used to create a visual impression or add to the connectivity of other parks or urban open spaces.

### **12.3.4 Enhanced Streetscape**

The enhanced streetscape is shown on Schedule 3 to this Secondary Plan. The Enhanced Streetscape is intended to frame new development and provide an important and welcoming streetscape environment to allow for cycling infrastructure, wider sidewalks, green stormwater infrastructure, permeable paving and the provision of flexible seating. The enhanced streetscape also presents the opportunity to integrate low impact development practices into new infrastructure.

- 1. An enhanced streetscape is planned in all quadrants of the Bernard KDA to strengthen the appearance and health of the current street network to support the plan's vision for a walkable and environmentally sustainable community.
- 2. The enhanced streetscape shall be comprised of the following zones, as shown on Appendix 1 to this Secondary Plan:
  - a. An amenity zone, including enhanced tree plantings, street furniture, enhanced lighting, bio-swales, and/or enhanced landscape plantings, as appropriate.
  - b. A pedestrian travel zone, including a continuous 2 metre minimum and 3 metre desired pedestrian space and enhanced paving patterns and/or permeable paving, as appropriate.

- c. A spill out zone, including building entries and displays, awnings, public art, landscaping or plazas, as appropriate. Front yard setback requirements will provide for wider sidewalks and contribute to the streetscape enhancements.
3. *Development* shall provide enhanced streetscape components where identified on **Schedule 3**. Enhanced streetscape components may be provided within and/or adjacent to the public right of way.
4. Streetscape design within the enhanced streetscape shall reflect the mixed use character of the KDA, and shall complement adjacent land use and built form.
5. Examples of enhanced streetscape components are provided in **Appendix 2**. The City may consider alternative enhancements where it is demonstrated that the proposed enhancement improves walkability and/or provides suitable environmental benefits.

## **12.4 Connectivity and Mobility**

The vision for the Bernard KDA is to provide for a more connected and multi-modal transportation system. By creating smaller development blocks with the introduction of new streets, more opportunities for movement are provided with less reliance on the arterial streets for site access within the Bernard KDA. Creating a more walkable block structure and introducing a finer grain street network is fundamental to the vision for the Bernard KDA. In accordance with Policy 3.5.1(15) of the Part 1 Plan, which identifies the long-term target transit modal split of 50% in the Regional Centres and Regional Corridors during peak periods, the policies in this section are designed to encourage modal shifts away from single occupant vehicles in favour of more sustainable transportation measures to ensure maximum benefits from transit and active transportation investments. Development levels beyond those projected by this Plan are likely to jeopardize reasonable operations of the existing and planned street network.

1. A fine-grain grid of streets and blocks is fundamental to the vision for the Bernard KDA. The street network and block structure shown on **Schedule 4** to this Secondary Plan has been planned to:
  - a. Introduce more options for moving around the area with less reliance upon Yonge Street;
  - b. Create shorter, more pedestrian-oriented blocks that provide logical and direct connections within the Bernard KDA and between the area and the surrounding Neighbourhood through the provision of pedestrian and cycling connections and new public streets to support active transportation and transit use;
  - c. Support access to the bus rapid transit stations;
  - d. Ensure connectivity and permeability within the Bernard KDA and to the adjacent Neighbourhood;
  - e. Minimize walking distances between the *retail, commercial, office, major office* and community uses within the Bernard KDA and the surrounding Neighbourhood;
  - f. Minimize vehicular access onto arterial streets to maximize their efficiency; and
  - g. Ensure vehicular interconnections between blocks to connect to public roadways to maximize their efficiency, where appropriate.



2. Transportation demand management (TDM) will be critical to achieve a balanced transportation system in the Bernard KDA that provides and promotes attractive modes of travel other than the automobile. Section 12.4.3 of this Secondary Plan outlines the approaches the City shall utilize to implement TDM, in cooperation with York Region and landowners.
3. The street network shown on **Schedule 4** to this Secondary Plan has been evaluated as it relates to the projected population and employment outlined in Section 12.1.1 of this Secondary Plan. While the planned Regional Road improvements and proposed street network, coupled with TDM strategies and other transit initiatives, is sufficient to keep pace with the projected population and employment growth, a development proponent may be required to monitor traffic conditions and modal splits, to prepare detailed studies to address area-specific or site specific transportation issues.

### **12.4.1 Active Transportation**

The Bernard KDA is envisioned as a cycling and pedestrian-oriented, compact and mixed-use environment. A key component of realizing this vision is to promote active transportation as a desirable way to travel within the Bernard KDA. Fostering active transportation connections adds to the identity of the Bernard KDA as a unique place within the City that people will want to visit. This Secondary Plan outlines the active transportation framework envisioned for the area.

#### **Pedestrian and Cycling Connections**

Pedestrian and cycling connections provide an opportunity for a finer-grained active transportation network. Portions of the Bernard KDA provide opportunities to create pedestrian-scaled blocks, while other portions have larger blocks where opportunities exist to improve connections. Where feasible, cycling facilities shall have their own dedicated right-of-way to increase the level of safety and comfort for cyclists.

1. The Bernard KDA shall be planned to establish a well-connected system of pedestrian and cycling routes and streets as shown on **Schedule 4** to this Secondary Plan.
2. *Development* in the Bernard KDA shall provide for a 2 metre minimum pedestrian space on both sides of the streets as shown on Schedule 4, and 3 metre pedestrian space is desired along Yonge Street.
3. *Development* shall incorporate or enhance the planned pedestrian and cycling connections shown on **Schedule 4** to this Secondary Plan.
4. Cycling facilities are proposed along Bernard Avenue, Canyon Hill Avenue, Leyburn Avenue, and Yorkland Street. A cycling facility is planned to be accommodated on streets shown on **Schedule 4** to this Secondary Plan.
5. Pedestrian connections within and between sites and cycling connections shown on **Schedule 4** shall be designed to incorporate:
  - a. Appropriate pedestrian-scaled lighting;
  - b. Landscaping, where possible, that is consistent with Crime Prevention Through Environmental Design (CPTED) principles of design and Accessibility for Ontarians with Disabilities Act (AODA) requirements;
  - c. Appropriate signage with clear and legible directions;

- d. Sufficient width to provide sky-view within the connection, and
  - e. Connections to destinations such as public trails, parks, urban plazas, transit stations, community uses and the adjacent Neighbourhood. These connections include but are not limited to those identified as “Potential Trails” on Schedule 3.
6. The York Region Transportation Master Plan, the City’s Pedestrian and Cycling Master Plan and the City’s Urban MESP shall be utilized to plan for pedestrian and bicycle connections.

#### **Bicycle Parking and Other End-of-Trip Facilities**

7. *Development* shall provide street furniture or end-of-trip cycling facilities, including but not limited to secure, indoor bicycle parking, shower and change facilities, long-term bicycle parking at grade, and other amenities in accordance with the City’s Zoning By-law and approved Sustainability Metrics.
8. Adequate and sheltered public bicycle parking shall be provided, where feasible, in accordance with the City’s Zoning By-law and approved Sustainability Metrics.
9. Short-term (visitor) bicycle parking facilities shall be located near the entrance of the building, where feasible, and to the satisfaction of the City.

#### **12.4.2 Transit**

The Bernard KDA is well served by local and regional transit. A supportive transit system encourages ridership. Transit riders often walk or bike to or from transit stops, providing physical activity. Bus Rapidway Transit (BRT) featuring dedicated bus lanes will run along Yonge Street through the Bernard KDA. As Yonge Street forms the spine of Richmond Hill, the planned BRT service will provide an important rapid transit connection for the City. Local York Region Transit (YRT) services will continue to evolve with growing transit demands and the Bernard Bus Terminal will maintain its function as a transit hub for several YRT routes.

#### **Bus Rapidway Transit (BRT)**

BRT stations are planned at the intersection of Yonge Street and Bernard Avenue in the Bernard KDA as identified on **Schedule 4** to this Secondary Plan.

1. *Development* shall support transit by:
  - a. Ensuring a mix of uses consistent with the Part 1 Plan, including employment uses to draw peak ridership in the morning and afternoon and destination uses such as *retail, commercial*, and arts and cultural facilities to draw ridership during off-peak hours.
  - b. Siting entrances close to the edge of the right-of-way and providing landscaping that animates the pedestrian realm, where appropriate.
  - c. Ensuring a transit-supportive built form and site density in accordance with Schedule 2 to this Secondary Plan.
  - d. Implementing the finer-grained street network as identified in this Secondary Plan.
  - e. Implementing appropriate on site connections to the pedestrian/cycling network..

2. The City will work with York Region to ensure that *development* is well connected and integrated into the planned pedestrian and cycling network along Yonge Street.

#### **Bernard Bus Terminal**

3. *Development* within the southeast quadrant shall support the potential redevelopment of the Bernard Bus Terminal as an integrated use within the Bernard KDA including the potential configuration of bus facilities integrated into the development of the future street network and/or integrated into a mixed-use building. The ultimate location of the Bus Terminal shall be determined in consultation with the transit authority, ensuring maximum utility and efficiency of service over the long term. Any additional land that is required to support the transit terminal shall be dedicated to the Region in accordance with the *Planning Act*.

#### **12.4.3 Transportation Demand Management (TDM)**

The goal of Transportation Demand Management (TDM) is to reduce the amount of travel by decreasing the need to travel, shifting travel away from the single occupant vehicle, and peak period travel. This Secondary Plan facilitates TDM by planning for appropriate *intensification* and a mix of uses that supports increased transit use. An improved pedestrian environment, pedestrian and cycling connections, and a system of parks and urban open spaces will provide more travel options and encourage more people to walk or cycle to shops, services and transit stops. Municipal TDM opportunities within the Bernard KDA will be explored to provide further support for end of trip mobility options.

1. The City shall encourage and support implementing car-share facilities in the Bernard KDA.
2. The City shall encourage and support implementing bike-share or other micro-mobility facilities to offer opportunities for short distance trips to be made by employees or residents.
3. The City may introduce public bicycle parking within the enhanced streetscape.
4. The City may establish a system of thematic wayfinding signage for the Bernard KDA to emphasize the proximity of destinations within each quadrant and serve as a branding opportunity.
5. *Development* shall be required to prepare and implement a TDM Strategy to the City's satisfaction, which ~~may~~**must** incorporate, but shall not be limited to, any or all of the following:
  - a. Cycling infrastructure and end-of-trip infrastructure such as secure bicycle storage and shower and change room facilities;
  - b. Secure public bicycle parking;
  - c. Bicycle maintenance facilities;
  - d. Dedicated cycling routes internal to the site to and from key destinations;
  - e. Connections to existing municipal bicycle network;
  - f. Pedestrian amenities, such as treed sidewalks, benches and marked crossings;
  - g. Continuous pedestrian linkages to minimize pedestrian walking distances;

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- h. Functional building entrances oriented to locations where pedestrians, cyclists, and transit users arrive such as a street, park, or urban plaza;
- i. Subsidized transit passes or pre-loaded transit cards for new residents and/or employees;
- j. Pick-up/drop-off spaces;
- k. Preferential carpool parking;
- l. Varying hours of work to reduce peak hour loads;
- m. Commitment to participate in residential or workplace TDM program;
- n. Commute trip reduction programs;
- o. Maximum parking rates;
- p. Dedicate spaces to priority uses;
- q. Unbundle parking spaces from lease agreement;
- r. Transportation marketing services;
- s. The TDM Strategy may also include, but shall not be limited to, any of all of the following:
  - i. Additional long-term bicycle parking (beyond minimum requirements);
  - ii. Improved access to long-term bicycle parking;
  - iii. Enhanced short-term bicycle parking;
  - iv. Public bicycle share spaces;
  - v. Shared bicycle fleet and subsidization of the service provider to encourage expansion to new areas;
  - vi. Weather protection along street frontages adjacent to transit stops;
  - vii. Shuttle bus service, provided and operated by the development;
  - viii. Employer shuttles or vanpools supported by preferential parking;
  - ix. Electric vehicle charging stations or rough-ins;
  - x. Paid parking for non-residential uses;
  - xi. Other innovative strategies (i.e. valet, off-site parking, agreements, rented parking);
  - xii. Location of off-street parking / overflow parking plan;

- xiii. Technology that displays general transit information (e.g. information to resident, employees and visitors about transit, rideshare and taxi services, bicycling facilities, and overflow parking options);
  - xiv. Technology that displays real-time transit information (e.g. next vehicle arrivals, current schedules, detours, etc.);
  - xv. Multimodal wayfinding signage;
  - xvi. Other measures that may be identified.
6. In addition to the Transportation Demand Measurements outlined above, direct reductions in parking supply and may be permitted through:
- a. The provision of publicly accessible car-share parking spaces with implemented car-sharing programs, to the satisfaction of the City of Richmond Hill.
  - b. The consideration of shared parking supply between office and residential visitor uses situated in the same parking facility under one property owner.

**Such reductions shall be permitted at the sole discretion of the City; upon the provision of a satisfactory Transportation Planning Study and Transportation Demand Management Strategy; and in accordance with rates and formulas prescribed in the City’s most current Parking Strategy.**

#### **12.4.4 Public Streets**

Streets represent important public spaces and aid in shaping the experience and identity of a place. More than a road to move vehicular traffic, a street defines and considers all of the elements that combine to create the quality and character of the “urban room” that contains the street: sidewalks, trees, lighting, furnishings, signage and the character and quality of the buildings that define the streetwall. Given that a culture of walking and cycling is fundamental to achieving a successful Bernard KDA, streets must be designed to balance pedestrian, cycling, transit, land use and civic functions, in addition to the movement of vehicles.

- 1. The intent of the hierarchy of streets shown on **Schedule 4** to this Secondary Plan is to identify the characteristics that will be fostered to create pedestrian and cycling oriented streets. Additional private streets and pedestrian paths are encouraged to be provided in order supplement the planned network for this area. The cross-sections shown in **Appendix 1** to this Secondary Plan illustrate the intended character shall be utilized to inform detailed design.
- 2. Streetscapes shall be designed with high-quality design elements to improve the character of the Bernard KDA and enhance the appearance, health, and enjoyment of the urban landscape.
- 3. The streets shown on **Schedule 4** to this Secondary Plan include existing and planned arterial, collector and local streets that are required to support the long term development of this area.
- 4. In addition to streets, the Bernard KDA includes pedestrian and cyclist connections.

#### **12.4.4.1 Regional Arterial Street**

Yonge Street is an existing arterial street and will remain a primary street framed by buildings along the majority of its length through the Bernard KDA. Vehicular access to Yonge Street shall be limited and generally

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provided from collector or local streets where access consolidation is not feasible, to the satisfaction of York Region.

1. Yonge Street shall have a maximum right-of-way width of 45 metres.
2. Characteristics for Yonge Street in the Bernard KDA include:
  - a. Dedicated bus lanes in the centre median.
  - b. Two vehicle travel lanes in each direction.
  - c. Left turn lanes at signalized intersections.
  - d. 2 metre minimum and 3 metre desired pedestrian space.
  - e. The pavement is marked at all signalized intersections to define pedestrian cross walks.
3. Pursuant to a comprehensive area-wide parking strategy, the City will work cooperatively with York Region to investigate the provision of on-street parking in off-peak hours.
4. *Development* shall be designed to protect for a potential new signalized intersection on Yonge Street, north of Bernard Avenue, subject to the review of York Region.

**12.4.4.2 Collector and Local Streets**

Collector and local streets provide linkages within the Bernard KDA or to the adjacent Neighbourhoods as described in the Part 1 Plan. Collector and local streets are shown on **Schedule 4** to this Secondary Plan.

1. Characteristics for collector and local streets include:
  - a. Sidewalks on both sides;
  - b. Cycling facilities.
  - c. On-street parking on one side, and on two sides where feasible. Permeable paving may be included, as appropriate.
  - d. Enhanced streetscape components as per section 12.3.3.
2. Collector streets and local streets shall be designed in accordance with section 3.5.5 and 3.5.6 of the Part 1 Plan.
3. New collector and local streets shall be acquired through the development process to provide for a finer grained street network in accordance with the Part 1 Plan.
4. Minor adjustments to the location of streets shown on **Schedule 4** to this Secondary Plan shall not require an amendment to this Secondary Plan provided that the intent of this Secondary Plan is maintained.

~~5. An existing barrier currently restricts access to Yonge Street from Naughton Drive. As development occurs along the northwest quadrant of the KDA, the remaining portion of Naughton Drive connecting Yonge Street may be removed and become developable land.~~

#### **12.4.5 Private Streets**

1. Private streets shall be designed to function and appear the same as public streets, including being designed in accordance with the City's design standards and providing connectivity between sites.

#### **12.4.6 Access**

1. Where feasible, *development* shall consolidate accesses between properties to minimize the impact of servicing and loading. The need for interconnection between properties shall be determined by the City and/or Region, including public easements to allow cross property access.

#### **12.4.7 Encroachments**

1. Permanent structural components of any new *development* such as colonnades, balconies, and underground parking structures are not permitted to encroach onto public property.
2. Notwithstanding 12.4.7 (1), underground parking may be permitted below parks and public streets where the City deems it to be necessary and appropriate, as per policy 3.1.8(3)(i) of the Part 1 Plan.
3. The following temporary or semi-permanent encroachments into the public realm, including onto or over public sidewalks, or parks, may be considered subject to appropriate approvals by the City or York Region:
  - a. Awnings;
  - b. Outdoor cafés and seating for restaurants; and
  - c. Semi-permanent structures, including entry features, arcades and perpendicular signage attached to the building.
4. Any permitted encroachment, whether temporary or semi-permanent, shall be established by the City on a site-by-site basis through the City's encroachment permit application process.

#### **12.4.8 Parking**

Parking infrastructure is a component of the overall transportation system and is used to support the vision for the Bernard KDA as a mixed-use, pedestrian-oriented area. Parking rates and related requirements shall be specified in the implementing zoning by-law and shall be informed by the City's Parking Strategy.

1. The City, in cooperation with York Region, shall investigate the opportunity and appropriateness of implementing on-street lay-by parking on Yonge Street and local and collector streets.
2. *Development* shall locate parking below grade or where it is not feasible, in structured or surface parking at the rear or side of a site in accordance with Policy 3.4.1(49) and (50) of the Part 1 Plan. Parking for new *major retail development* shall be required to locate below grade or where it is not feasible, in structured parking integrated at the rear or side of a building in accordance with Policy 4.4.2(2) of the Part 1 Plan.
3. Where permitted, above grade structured parking shall be integrated within the podium of the building, subject to Policy 12.4.8.4, and where feasible, the ground floor portion of the podium that faces a street or

open space shall be occupied by *commercial, retail* or community uses, to provide at grade animation of these spaces.

4. The façade of an above-grade parking structure shall be well designed to appear as a fenestrated building, with well-articulated openings and high-quality materials, subject to review through the development process.
5. In order to reinforce streets as important public spaces, the locations of parking, driveways, service entrances and loading areas shall be carefully considered and coordinated with the locations for pedestrian entrances. Parking facilities, service access points, loading areas and any visible waste containers and/or mechanical equipment should be located in a manner that has a minimal physical impact on sidewalks and accessible open spaces. *Development* shall, where feasible, provide shared access at the side and/or rear of buildings to aid in providing for these functions.

## **12.5 Implementation**

### **12.5.1 Community Improvement Plan**

1. Lands within the Bernard KDA may be identified as part of a Community Improvement Plan Area.
2. The City shall consider the preparation of a Community Improvement Plan or a series of Community Improvement Plans, in order to identify public realm improvement priorities and establish programs to assist the private sector in improving their properties.
3. The following programs may be considered by the City as part of the Bernard KDA Community Improvement Plan:
  - a. A program to promote *office* or *major office* uses to locate within the Bernard KDA.
  - b. A program to promote enhanced landscape treatments to improve the image of the Bernard KDA.
  - c. A program to promote *affordable* housing.
  - d. Other programs as determined by Council.

### **12.5.2 Monitoring**

1. The City shall monitor key statistics on an ongoing basis to determine the following:
  - a. Population and employment growth within the area;
  - b. The uptake of the density distribution shown on **Schedule 2** of this Secondary Plan;
  - c. The mix of uses within the area;
  - d. The amount, range, and size (total gross floor area) of non-residential uses;
  - e. Travel characteristics, modal split, and implementation of transportation demand management measures;
  - f. The supply and demand of vehicular and bicycle parking;



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- g. The provision of municipal infrastructure to support growth within the KDA; and
- h. The percentage of new *affordable* housing units across the Bernard KDA.

Key statistics may include gross floor area, *dwelling units*, and number of people and jobs added within the Secondary Plan Area.

- 2. Over time, the City shall monitor if and how *development* contributes to the achievement of the vision, principles, and policies of this Secondary Plan, and identify emerging priorities and initiatives to ensure the policies of this Secondary Plan remain relevant.

### **12.5.3 Land Acquisition**

- 1. The City may acquire lands for public uses, such as: parks and environment protection, parking or access, (whether for streets or parking facilities), through one or more of the following mechanisms:
  - a. Acquisition in accordance with Provincial legislation;
  - b. Working with the Provincial Government, York Region, and Toronto and Region Conservation Authority to acquire land;
  - c. Encouraging landowners to dedicate or bequeath lands;
  - d. As a condition of development approval;
  - e. Land exchanges with the City and/or other landowners;
  - f. Easements registered on title;
  - g. Public purchase; and
  - h. Any other available means.

### **12.5.4 Zoning By-laws**

#### **12.5.4.1 General**

- 1. An Implementing Zoning By-law for the Bernard KDA shall provide the appropriate zoning provisions and *development* standards to implement the policies of the Bernard KDA Secondary Plan.
- 2. Any reference to the Zoning By-law within this Secondary Plan should also be interpreted to apply to a Development Permit By-law in accordance with Section 5.16 of the Part 1 Plan, should the City adopt such a by-law for this area.

#### **12.5.4.2 Holding By-law**

The density allocations in Schedule 2 of this Secondary Plan are premised on the provision of servicing required to support the cumulative growth forecasted for this KDA. From a transportation perspective, the analysis assumes that certain modal splits within the KDA and outside of the KDA will be achieved, and that the following Region of York Capital projects are completed to support the full buildout of the KDA:

- a) Highway 404 HOV expansion (Highway 7 to Stouffville Road)
- b) Yonge Street Rapidway (Highway 7 to 19<sup>th</sup> Avenue)
- c) Leslie Street road widening (19<sup>th</sup> Avenue to William F. Bell Parkway)

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- d) Elgin Mills Road East grade separation over the CN Rail Corridor
- e) Elgin Mills Road West road widening (Bathurst Street to Yonge Street)
- f) 19th Avenue road widening (Bayview Avenue to Leslie Street)
- g) Bathurst Street road widening (Major MacKenzie to Elgin Mills)

While at the time of approval of this Secondary Plan most of these projects are under construction, the City will need to monitor the status of the remaining projects to ensure that future growth within the KDA is supported by the identified transportation infrastructure. Similarly, the City will need to monitor the achievement of modal splits through the development approval process.

Accordingly, development shall be subject to a holding by-law to ensure orderly development within the KDA.

1. The lifting of the “H” will be subject to a requirement that a development proponent prepare and submit, in addition to all other studies and reports required for a complete application, a transportation planning study which demonstrates to the satisfaction of Council or other approval authority that the proposed development meets all of the required conditions prescribed for the applicable development scenario contained in the following table:

Scenario	The overall KDA density (existing and approved development <sup>1</sup> ) along with the proposed development is:	And, the Regional Projects (a-f) listed above are constructed	And, the KDA & Yonge Corridor minimum modal split is...	And the minimum modal splits along Bayview and Bathurst corridors are...	And, Regional Project (g) listed above is constructed/ under construction
A	Under 3.0 FSI	n/a	n/a	n/a	n/a
B	3.0 – 3.6 FSI	✓	30% min.	20% min.	n/a
C	3.0 – 3.6 FSI	✓	17% min.	11% min.	✓
D	3.6 – 4.0 FSI	✓	30% min.	20% min.	✓

<sup>1</sup> “approved development” may be site plan approved, draft plan approved, and/or development for which allocation of servicing has been provided.

**12.5.5 Subdivision of Land**

1. Where a development application is proposed on lands within the Secondary Plan that include a planned street, linear park, and/or the Bernard Bus Terminal as identified on Schedules 3 and/or 4, the City may require that the proponent submit an application for Plan of Subdivision, or where deemed appropriate an

application for consent to sever. This may be required in order that the lands which the City or other approval authority considers necessary for such purposes be conveyed to the City and/or Region as authorized by Section 51(25) of the Planning Act, so as to ensure that the planned infrastructure required to support growth within the KDA is achieved.

### **12.5.6 Site Plan Control**

1. As part of the Site Plan Control process, the City may include conditions of approval requiring reciprocal easements in perpetuity between properties or public access easements to ensure connectivity is maintained between *development* that fronts onto private streets.

### **12.5.7 Servicing**

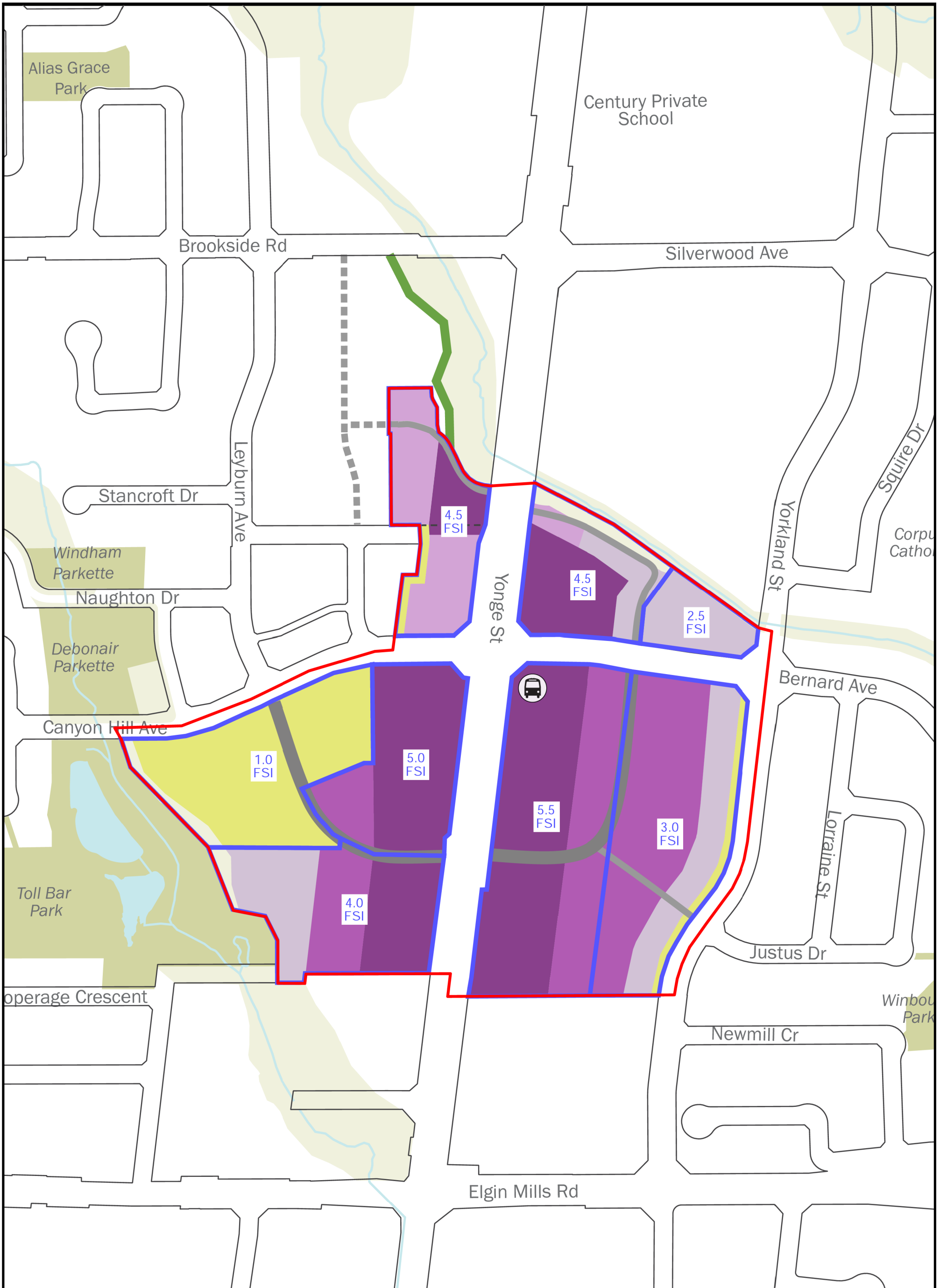
The City's Urban MESP completed in 2014 determined that the City's existing water distribution system is generally sufficiently sized to accommodate the planned intensification within the Bernard KDA. This analysis was confirmed through the background work conducted prior to the adoption of this Secondary Plan. Further refinements to the system will be required at the time of development when additional site plan information is available.

The City's 2014 Urban MESP did not identify any issues regarding the capacity of the existing storm sewer network within the area of the Bernard KDA. With the development of new streets, additional storm sewers will be required to safely convey the runoff from the roadways to an appropriate outlet and to provide safe access of the roadways. The proposed storm sewers will be designed as per the City's standards.

The sanitary servicing analysis indicates that there is sufficient existing and future reserve capacity in the current sanitary collection system to service the northeast, northwest and southeast quadrants of the KDA. The existing sanitary sewer (Reach C) servicing the southwest quadrant of the KDA will need to be upgraded to accommodate growth within this portion of the KDA. The capacity analysis will be refined at the time of development, based on additional site plan information and based on the recommendations of the Urban MESP Update Study.

1. *Development* shall be required to submit a Functional Servicing Report in accordance with the requirements of Policy 5.3(7)(d) of the Part 1 Plan to demonstrate conformity with the recommendations of the City's Urban MESP. The Functional Servicing Report shall, without limitation, address adequacy of the storm, sanitary and water systems, stormwater management including *development* impacts to groundwater and surface water resources. The Functional Servicing Report shall include supporting Geotechnical, Hydrogeological and Water Balance studies in accordance with the recommendations of the City's Urban MESP. The Geotechnical and Hydrogeological Report may be subject to peer review to strengthen the level of oversight of the development process.
2. *Development* shall incorporate sustainable water conservation technologies and low impact development measures for stormwater volume control in accordance with the City's approved Sustainability Metrics and the City's Urban MESP.
3. Should Council approve a Community Energy Plan for District Energy in the Bernard KDA, *development* shall design new buildings for district-energy readiness in accordance with the City's Community Energy and Emissions Plan.

# ITEM 3



**RICHMOND HILL**  
**Bernard KDA**  
**Secondary Plan**

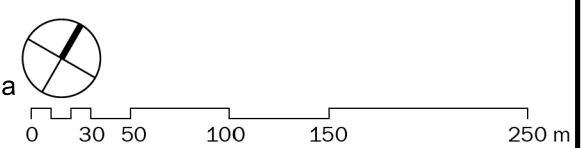
**HEIGHT & DENSITY**  
**SCHEDULE 2**

**MODIFIED**

**LEGEND**

KDA Development Block	Up to 30 storeys; min 4 storeys
Greenway System	Up to 25 storeys; min 4 storeys
Existing Park	Up to 18 storeys; min 4 storeys
Existing Bernard Bus Terminal (see policy 12.4.2(3))	Up to 10 storeys; min 4 storeys
Planned Collector Street	3 storeys
Planned Local Street	Boundary of density category area with maximum density
Planned Local Street - alignment outside of KDA to be confirmed	
Naughton Drive Restricted Access	

**NOTE:**  
 The information provided in this Schedule constitutes an operative part of the Richmond Hill Official Plan. While every effort is made to ensure its accuracy, currency and completeness, it is not a plan of survey. Due to size constraints and changes that occur over time, the City cannot warrant its accuracy, currency and completeness. Interested parties are therefore urged to make enquiries with the City of Richmond Hill Planning and Regulatory Services Department to ensure that the information depicted in this Schedule is accurate, current and complete in all respects.



# ITEM 4

## **FOR PUBLIC CONSULTATION FEBRUARY 2020**

**The Corporation of the  
City of Richmond Hill**

**By-law 111-17**

**Yonge and Bernard Key Development Area Secondary Plan  
Zoning By-law**

NOTE: This by-law was adopted on November 28, 2017 and was appealed to the Ontario Municipal Board (now the Local Planning Appeal Tribunal) in its entirety.

Section 5.24 in effect as of March 8, 2018 - the Ontario Municipal Board Order issued a decision that modified and approved section 5.24.

Sections 6.33, 6.41 and 6.45 were the subject of an LPAT hearing in August 2019 for which the decision is still pending.

The sections of this by-law have been renumbered as a result of modifications, insertions, and deletions. Further, provisions in this by-law have been modified, deleted or new wording added with the following intent:

- address changes to the secondary plan;
- address issues raised by the appellants; and,
- provide greater clarity to the original provisions.

For reference, please refer to the adopted version.

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## Explanatory Note to By-law 111-17

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### Lands Affected

By-law 111-17 is a Comprehensive Zoning By-law that applies to the lands located within the Yonge Street and Bernard Avenue Key Development Area (“Bernard KDA”), as shown on Schedule "A" to this By-law.

### Existing Zoning

The lands subject to this By-law were zoned in accordance with By-law 111-17, as amended of the City of Richmond Hill. The existing zoning for these lands is generally for residential, commercial and institutional uses.

### Purpose

The purpose of By-law 111-17 is to prohibit the use of land and the erection of **buildings** and **structures** except for such purposes as set out in this By-law and to regulate the type of construction, height, bulk, location, size, floor area, spacing, character and use of buildings or structures on the lands covered by this By-law. It is intended that this By-law implement the policies contained within the Yonge and Bernard Key Development Area Secondary Plan.

The new zoning categories are intended to be consistent with the newer residential, commercial, and mixed use zones used elsewhere in the Town.

### Effect of By-law

The effect of By-law 111-17 is to place all lands within zones that will lead to the development of a mixed use community consistent with the policies of the Yonge and Bernard Key Development Area Secondary Plan. This by-law will be implemented through development applications providing for a range of residential units and provides for development standards for residential, commercial, mixed use, institutional and open space uses.



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**Section 1 Administration**

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**1.1 Title**

This By-law shall be known as the “Yonge and Bernard Key Development Area Secondary Plan Zoning By-law” of the City of Richmond Hill.

**1.2 Zoning Schedules**

Schedule A (Zones) shows the area of all lands covered by this By-law and the **zone** categories applicable to the lands covered by this By-law.

Schedule B (Density) shows the permitted density distribution of all lands covered by this By-law.

Schedule C (Height in Storeys) shows the permitted height distribution of all lands covered by this By-law.

Schedule D (Angular Plane) shows the areas where the angular plane applies for all lands covered by this By-law.

**1.3 Compliance with Zoning By-law**

No land, **building** or **structure** shall be used and no **building** or **structure** shall be erected, altered or enlarged after the date of the passage of this By-law except in compliance with the provisions of this By-law.

**1.4 Calculating Required Minimum Yards**

In calculating **minimum required yards**, the minimum horizontal distance from the respective **lot lines** shall be used. Except as may be established elsewhere in this by-law, the **minimum required yard** from the hypotenuse of the **daylighting triangle** shall be the lesser of the **minimum required yards** along the **flankage lot lines** of the **lot**.

**1.5 Building Permits, Certificates of Occupancy and Municipal Licences**

No permit for the use of land or for the erection or use of any **building** or **structure** and no Certificate of Occupancy or approval of application for municipal licence within the jurisdiction of **Council** shall be issued or given, where the proposed **building, structure** or use is in violation of any provision contained in this By-law.

**1.6 Enforcement**

Any person convicted of a violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction to a fine of not more than \$25,000.00 and on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

Any corporation convicted of a violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction to a fine of not more than \$50,000.00 and on a subsequent conviction to a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

**1.7 Severability**

A decision of a Court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

**1.8 Effective Date**

This By-law shall come into force upon approval by the Local Planning Appeal Tribunal.

**1.9 Repeal of Former By-laws**

The provisions of Zoning By-laws 184-87, 190-87 and 2523, as amended, are hereby repealed insofar as it affect the lands covered by this By-law.

DRAFT



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## Section 2 Establishment of Zones

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### 2.1 Zones

For the purposes of this By-law, the following **zones** are established and they may be referred to by the name or by the symbol set opposite the name of the **zone** below:

#### Mixed Use Zone

**KDA**      **Key Development Area Mixed Use Zone**

#### Open Space Zone

**O**            **Open Space Zone**

### 2.2 Location of Zones

The **zones** and **zone** boundaries are shown on the schedule A which are attached to and form part of this By-law.

### 2.3 Determining Zone Boundaries

Where the boundary of any **zone** is shown on the schedules forming part of this By-law, the following provisions shall apply:

- a) Where a **zone** boundary is indicated as approximately following **lot lines** shown on a registered **Plan of Subdivision** or **lots** registered in a registry office or land titles office, the boundary shall follow such **lot lines**.
- b) Where a **street, lane** or railway right-of-way, electrical transmission line right-of-way, or watercourse is included on the schedules to this By-law and serves as a boundary between two or more different **zones**, a line midway on such **street, lane, right-of-way** or watercourse shall be considered the boundary between **zones** unless specifically indicated otherwise.
- c) Where a **zone** boundary is indicated as following the limits of the City of Richmond Hill, the limits of the City of Richmond Hill shall be the boundary.
- d) If the **zone** boundary separates a **lot** into portions, each portion of the **lot** shall be used in accordance with the provisions and standards of this By-law for the applicable **zone**.
- e) If a **lot** is subject to the Open Space **Zone** overlay as shown on Schedule A, the **zone** boundary may be redefined through an Environmental Impact Statement or equivalent comprehensive evaluation approved by the City through a development application pursuant to the applicable sections of the *Planning Act, R.S.O.* Where the Open Space **Zone** boundary is reduced or removed, the portion of the land formerly subject to the Open Space **Zone** shall be deemed to be in accordance with the underlying **zone** as shown on Schedule A. Where the Open Space **Zone** boundary is increased, the portion of the land formerly within the underlying **zone** as shown on Schedule A shall be deemed to be in accordance with the Open Space **Zone**.
- f) Where none of the above provisions apply, the **zone** boundary shall be scaled from the attached schedules.

### 2.4 Exception Zones

Where a **zone** symbol on the attached schedule(s) is followed by one or more bracketed numbers, e.g. (KDA)(1) or KDA(1)(8), the bracketed numbers refer to Subsection 7 – Exceptions of this by-law.

---

**Section 3 Permitted Uses**


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**3.1 Zones**

- a) Uses which are permitted in the **zones** are identified in Tables A1 and B1.

<b>Zone</b>	Table
Key Development Area Mixed Use <b>Zone</b> Permitted Uses	Table A1
Key Development Area Mixed Use <b>Zone</b> Special Provisions	Table A2
Open Space <b>Zone</b> Permitted Uses	Table B1
Open Space <b>Zone</b> Special Provisions	Table B2

- b) Permitted uses in a **zone** are noted by the letter 'X' in the column for that **zone** corresponding with the row for a specific permitted use. A number or numbers following the symbol 'X', or following the **zone** heading, or following the name of a permitted use, indicates that one or more special provisions apply to the noted use or **zone** and subject to the following:
- i. the special provisions in Table A2 shall specially apply where referred to in Table A1; and,
  - ii. the special provisions in Table B2 shall specially apply where referred to in Table B1.
- c) One or more residential uses and non-residential uses prescribed in Table A1 may be permitted on one **lot**.

Table A1 – Key Development Area Mixed Use Zones Permitted Uses

Zone	KDA
Use	
<b>Residential Uses</b> (4)(6)(10)	
<b>Apartment Dwelling</b>	X (2)(7)(9)
<b>Block Townhouse Dwelling</b>	X (1)(3)(7)
<b>Street Townhouse Dwelling</b>	X (1)(3)
<b>Rear Lane Townhouse Dwelling</b>	X (1)(3)
<b>Stacked Townhouse Dwelling</b>	X (1)(3)(7)
<b>Back to Back Dwelling</b>	X (1)(3)(7)
<b>Quadruplex Dwelling</b>	X (1)(3)
<b>Non-Residential Uses</b> (2)(5)(11)	
<b>Commercial</b>	X
<b>Day Nursery</b>	X
<b>Public Authority</b>	X(8)
<b>Place of Worship</b>	X
<b>Long Term Care Facility</b>	X
<b>Private Utility</b>	X
<b>Post Secondary School</b>	X
<b>Secondary School</b>	X
<b>Primary School</b>	X
<b>Private School</b>	X
<b>Senior Citizen's Dwelling</b>	X
Hospitals and healthcare centres and ancillary commercial uses	X
Arts and Cultural Facilities	X
<b>Social Services</b>	X

Table A2 – Key Development Area Mixed Use Zones Special Provisions

All numbers are in metric, unless otherwise shown

Special Provision Number	Description of Special Provision
1	<del>Use prohibited to abut an Active At Grade Frontage.</del>
2	Apartment Dwelling and non-residential uses shall only be permitted in a <b>building</b> that is a <b>high rise, mid rise or low rise building</b> .
3	A <b>live-work unit</b> shall be subject to Section 5.1.3.
4	A <b>home occupation</b> shall be subject to Section 5.1.2.
5	The <b>outdoor storage</b> of goods, materials, machinery or equipment is prohibited.
6	A <b>private home daycare</b> shall be permitted.
7	Where a <b>Block Townhouse Dwelling, back to back dwelling or stacked townhouse dwelling</b> is integrated to form part of a <b>high rise or mid-rise building</b> , the following shall apply:

Special Provision Number	Description of Special Provision
	<p><del>a) a Block Townhouse Dwelling, back to back dwelling or stacked townhouse dwelling shall not be permitted to abut an Active At Grade Frontage and a street; and,</del></p> <p>b)a) a Block Townhouse Dwelling, back to back dwelling or stacked townhouse dwelling shall share a common wall with a high rise or mid-rise building.</p>
8	Public Authority shall be subject to Section 5.20.
9	No apartment dwelling in the form of a high rise or mid-rise building shall be permitted to abut an Active At Grade Frontage, unless subject to Section 5.6(c).
10	For a high rise, mid rise or low rise building with 20 or more dwelling units, a minimum 5% of the total number of dwelling units shall contain 3 or more bedrooms per dwelling unit.
11	Each lot shall provide or maintain a minimum of 15% of total building(s) gross floor area for non-residential uses as prescribed in Table A1.

**Table B1 – Open Space Zone Permitted Uses**

<b>Zone</b>	<b>O</b>
<b>Use</b>	
Conservation	X
Forestry	X
<b>Public Authority (1)</b>	X
Stormwater Management Facilities	X
Low Impact Development Technology	X

**Table B2 – Open Space Zone Special Provisions**

All numbers are in metric, unless otherwise shown

<b>Special Provision Number</b>	<b>Description of Special Provision</b>
<b>1</b>	Refer to Section 5.21.

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**Section 4 Use Standards**


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**4.1 Zones**

- a) Standards for the Key Development Area **Zone** are shown in the following standards table A3:

<b>Zone</b>	<b>Table</b>
Key Development Area Mixed Use <b>Zone</b> Standards	Table A3.1
Key Development Area Mixed Use <b>Zone</b> Standards Special Provisions	Table A3.2
Key Development Area Mixed Use <b>Zone</b> – Street Townhouse Standards	Table A4.1
Key Development Area Mixed Use <b>Zone</b> – Street Townhouse Standards Special Provisions	Table A4.2

- b) All uses prescribed in Table A1, save and except for **Street Townhouse Dwelling**, shall be subject to Tables A3.1 and A3.2. All special provisions in Table A3.2 apply to Table A3.1. Other standards are provided in Section 5: General Provisions.
- c) **Street Townhouse Dwelling** shall be subject to Tables A4.1 and A4.2. All special provisions in Table A4.2 apply to Table A4.1. Other standards are provided in Section 5: General Provisions.

**Table A3.1 – Key Development Area Mixed Use Zone Standards**

All numbers are in metric, unless otherwise noted

Minimum Lot Frontage		Minimum Required Front Yard (Metres)	Minimum Required Side Yard (Metres)	Minimum Required Flankage Yard (Metres)	Minimum Required Rear Yard (Metres)	Minimum Floor Space Index (FSI)	Maximum Floor Space Index (FSI)	Minimum and Maximum Building Heights (Storeys)
Interior Lot (Metres)	Corner Lot (Metres)							
30	30	3.0	0	3.0	0	1.5	Pursuant to Schedule "B"	Pursuant to Schedule "C"

**Table A3.2 – Key Development Area Mixed Use Zone Standards Special Provisions**

All numbers are in metric, unless otherwise shown

Special Provision Number	Description of Special Provision
1	No portion of any <b>building</b> shall be permitted to be located above the <b>angular plane</b> .
2	For a <b>high rise</b> or <b>mid rise building</b> , any <b>storey</b> above the <b>street wall</b> shall be step back a minimum of 3.0 metres.
3	No <b>Block townhouse Dwelling, Back To Back Dwelling, Rear Lane Townhouse Dwelling, Stacked Townhouse Dwelling, Quadruplex Dwelling</b> shall be permitted unless subject to the following: a) shall have a maximum <b>building</b> length of 48 metres unless integrated to form part of a <b>high rise</b> or <b>mid rise building</b> and attached by a common wall above <b>grade</b> ;

Special Provision Number	Description of Special Provision
	<p>b) shall have a minimum 15 metre separation distance between <b>building</b> blocks where the longer sides of the <b>main walls</b> of the <b>building</b> blocks have living space and abut one another; and,</p> <p>c) a <b>block townhouse dwelling, back to back dwelling</b> and <b>rear lane townhouse dwelling</b> shall have a minimum <b>dwelling unit</b> width of <del>6</del><u>5.5</u>metres.</p>
4	<p>A <b>tower</b> shall be subject to the following <b>minimum required yards</b>:</p> <p>a) 12.5 metres <b>side yard</b> and <b>rear yard</b> that does not abut a <b>street</b>, a <b>lane</b> or a public park; and,</p> <p>b) in addition to (a), a <b>tower</b> shall have a minimum separation distance of <del>25</del><u>20</u>.0 metres from another <b>tower</b>.</p>
5	<p>Where the <b>rear lot line</b> abuts a <b>street</b> or a <b>lane</b>, a <b>building main wall</b> shall be <b>setback</b> a minimum of 3.0 metres from a <b>street</b> and 1.5 metres from a <b>lane</b>.</p>
6	<p>A minimum <b>setback</b> of 7.5 metres from the <b>building main wall</b> with windows or openings to a <b>side lot line</b> or <b>rear lot line</b>, that does not abut a <b>street</b> or a <b>lane</b>, shall be required for a <b>low rise, mid rise</b> or <b>high rise building</b>, save and except for the <b>tower</b> which shall be subject to special provision 4 in Table A3.2.</p>
7	<p>For the purposes of calculating <b>Floor Space Index</b>, the <b>lot area</b> shall be deemed to be the total <b>lot area</b> prior to any conveyance of land to a <b>public authority</b>.</p>
8	<p>The permitted minimum and maximum <b>building height</b> is the numerical value in storeys on Schedule C.</p>
9	<p>The permitted maximum <b>density</b> is the numerical value in Schedule B.</p>
10	<p>The <b>minimum required yards</b> shall not apply to any portion of a <b>building</b> or <b>structure</b> below <b>grade</b>.</p>
11	<p>The minimum required <b>height</b> of the <b>first storey</b> of a <b>building</b> abutting any <b>Active At Grade Frontage</b>, measured between the floor of the <b>first storey</b> and the ceiling of the <b>first storey</b>, shall be a minimum of 4.5 metres.</p> <p>For the purposes of this special provision, the portion of the first <b>storey</b> exceeding 4.5 metres, as defined in <b>storey</b>, shall not be deemed to be an additional <b>storey</b>.</p>



Special Provision Number	Description of Special Provision
12	Where a <b>side yard</b> or <b>rear yard</b> abuts a public park, the minimum <b>setback</b> shall be 3.0 metres.
13	Section 5.21 shall not apply to a <b>structure</b> .

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**Table A4.1 – Key Development Area Mixed Use Zone – Street Townhouse Dwelling Standards**

All numbers are in metric, unless otherwise noted

Dwelling Unit Type	Minimum Lot Frontage		Minimum Lot Area Interior Lot (Square Metres)	Corner Lot (Square Metres)	Maximum Lot Coverage (Percentage)	Minimum Required Front Yard (Metres)	Minimum Required Side Yard (Metres)	Minimum Required Flankage Yard (Metres)	Minimum Required Rear Yard (Metres)	Minimum Building Height (Storeys)	Maximum Building Height (Storeys)
	Interior Lot (Metres)	Corner Lot (Metres)									
STH	6.0	7.2	150	170	60	3.0	1.2	2.4	7.0	3	4

**Table A4.2 – Key Development Area Mixed Use Zone Standards Special Provisions**

All numbers are in metric, unless otherwise shown

Special Provision Number	Description of Special Provision
1	For the purposes of calculating <b>Floor Space Index</b> , the <b>lot area</b> shall be deemed to be the total <b>lot area</b> prior to any conveyance of land to a <b>public authority</b> .
2	The permitted minimum density shall not be less than 1.5 FSI and the maximum density is the numerical value in Schedule B.
3	No <b>street townhouse</b> shall be permitted to abut any <b>Active At-Grade Frontage</b> .
4	Where a <b>side yard</b> abuts a public park, the minimum <b>side yard</b> shall be 3.0 metres.
5	Section 5.21 shall not apply to a <b>structure</b> .
6	A <b>street townhouse dwelling</b> :

Special Provision Number	Description of Special Provision
	a) shall have a maximum <b>building</b> length of 48 metres; and, b) shall have a minimum <b>dwelling unit</b> width of 6 metres.

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## Section 5 General Provisions

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### 5.1 Accessory Buildings, Structures, and Uses

Where this By-law provides that land may be used or a **building** or **structure** may be **erected** or used for a purpose, that purpose may include any **accessory building**, **accessory structure** or **accessory** use.

#### 5.1.1 Uses Prohibited in Accessory Buildings and Structures

- a) Unless specifically permitted by this By-law, no **accessory building** or **accessory structure** shall be used for an occupation for gain or profit or for human habitation.
- b) An **accessory** use to a **major retail** use shall be permitted for outdoor display and sales of seasonal items, provided that all other provisions of the by-law are met.

#### 5.1.2 Regulations for Accessory Home Occupations

**Home occupation** is permitted in a **street townhouse dwelling**, **block townhouse dwelling**, **stacked townhouse dwelling**, **rear lane townhouse dwelling**, **back to back dwelling** or a **quadruplex dwelling** subject to the following provisions:

- a) shall be conducted entirely within an enclosed **building**;
- b) shall not detract from the residential character of the **dwelling unit** or the **lot** on which the **home occupation** is located;
- c) shall not involve the **outdoor storage** or an outdoor display and sales area for materials or finished products associated with the **home occupation** use;
- d) shall not occupy more than 25 percent of the **gross floor area** of the **dwelling unit**;
- e) shall not result in the discharge or emission of odorous, noxious or toxic matter or vapours, heat, glare, noise or radiation, or recurrently generated ground vibrations;
- f) shall only be for an **office**;
- g) shall not consist of an occupation that involves the salvage, repair, maintenance or sales of **motor vehicles** or **motor vehicles'** engines or parts; and,
- h) shall not consist of an occupation that involves the sale of a commodity not produced on the **premises**, except that telephone or mail order sales of goods may be permitted provided that customers do not enter the **premises** to inspect, purchase or take possession of the goods.

#### 5.1.3 Regulations for Live-Work Unit

A **live-work unit** is permitted in a **Block Townhouse Dwelling** or a **street townhouse dwelling** and shall be subject to the following provisions:

- a) shall not be permitted to abut the Yonge Street and Bernard Avenue **Active At Grade Frontages**;
- b) must be the primary **dwelling unit** of the occupant; and
- c) a **live-work unit** with a **retail** use shall only be permitted on the **first storey** and shall have direct access to a **street**; and,

- d) **outdoor storage** and outdoor display shall be prohibited.

#### 5.1.4 Secondary Suites

**Secondary suites** are permitted subject to the following provisions:

- a) A **secondary suite** shall be wholly contained within the same **street townhouse dwelling, block townhouse dwelling, rear lane townhouse dwelling**, or above an **attached or detached garage** located on a **lot** that has a **side lot line** or the **rear lot line** abuts a **lane or an attached garage**;
- b) No more than one secondary **dwelling unit** shall be permitted per primary **dwelling unit**;
- c) Table 5.1.4.1 outlines the minimum habitable floor area requirements for the following **secondary suites**:

**Table 5.1.4.1**

<b>Unit type</b>	<b>Minimum Habitable Floor Area</b>
Study (bachelor)	25 square metres
1 bedroom	32 square metres
2 or more bedrooms	32 square metres as required for a one bedroom unit plus 9 square metres for each additional bedroom.

- d) No more than one **dwelling suite** entrance is contained within any **main wall** facing a **street**;
- e) Entrance to the **secondary suite** shall be located in the front or side wall of the **street townhouse, block townhouse, or rear lane townhouse dwelling** and shall not be contained within a garage. Where the **secondary suite** is located above a **detached or attached garage**, the entrance to the **secondary suite** is permitted in the front, side or rear walls of the **detached or attached garage**;
- f) Where a **secondary suite** is located below **grade**, all other applicable laws and standards such as the *Ontario Building Code* and *Fire Code* shall be complied with;
- g) No **secondary suite** shall be located in a floodplain; and,
- h) **Home occupation** shall be associated with the primary **dwelling unit** only.

#### 5.1.5 Regulations for Detached Accessory Buildings and Structures

A **detached accessory building or structure**, shall be permitted in the **rear yard** and/or **side yard** only, provided that:

- a) it is **setback** from any **rear lot line** and **side lot line** by a minimum of 0.6 metres;
- b) it is not located closer to a **flankage lot line** than the minimum distance between the nearest point of the **main wall** of the **main building** on the **lot** and the **flankage lot line**; and,

- c) the height of a **detached accessory structure** with a peaked roof (having a slope equal to or greater than 1:6 ratio) shall not exceed 3.6 metres to the peak of the roof with a maximum wall height of 2.44 metres, or the height of a **detached accessory structure** with a flat roof (having a slope of less than 1:6 ratio) shall not exceed 2.75 metres.

#### 5.1.6 Regulations for Attached Garages if the Garage is Located in the Rear Yard

An **attached garage** to a **street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **quadruplex dwelling** is permitted in a required **rear yard** provided that:

- a) no more than 50 percent of the area of the required **rear yard** is covered by the **attached garage**;
- b) the **attached garage** is not located closer to the **flankage lot line** and **side lot line** than the **main building** on the **lot**; and,
- c) the **attached garage** shall be **setback** a minimum of 0.6 metres from the **rear lot line**.
- d) Notwithstanding the above, there is no minimum **setback** from the **side lot line** for an **attached garage** if the **attached garage** is to be **attached** to another **attached** or **detached garage** on an **abutting** lot.

#### 5.1.7 Regulations for Detached Garages

A **detached garage** to a **street townhouse dwelling, block townhouse dwelling** or **rear lane townhouse dwelling** is permitted on a **lot** provided that:

- a) if the wall of the **detached garage** closest to and adjacent to the **side lot line** has no openings, the **detached garage** shall be **setback** from the **side lot line** by 0.6 metres;
- b) if the wall of the **detached garage** closest to and adjacent to the **side lot line** has openings, the **detached garage** shall be **setback** from the **side lot line** by the required **side yard setback**;
- c) if the **detached garage** is to be **attached** to another **detached garage** on an **abutting lot**, no minimum **setback** shall be required for the **detached garage** from the **side** and/or **rear lot line**;
- d) if a **detached garage** is accessed from a **lane** at the rear of a **lot**, the **detached garage** shall be **setback** a minimum of 0.5 metres from the **rear lot line**;
- e) if a **detached garage** is not accessed from a **lane** at the rear of a **lot**, the **detached garage** shall be **setback** a minimum of 0.6 metres from the **rear lot line**;
- f) the maximum **floor area** of any **detached garage** shall be 40 square metres;
- g) the maximum height of any **detached garage** shall be 4.2 metres to the peak of the roof. In the case of a **detached garage** having a **secondary suite**, the maximum height shall be 7.5 metres to the peak of the roof;
- h) in no case shall a **detached garage** extend closer to the **front lot line** or **flankage lot line** than the **main building** on the **lot**;
- i) the **detached garage** is **setback** from the **rear lot line** a minimum of 0.6 metres; and,

- j) the minimum interior width for a single car **detached garage** shall be 3.0 metres and the minimum interior width of a double car **detached garage** shall be 5.5 metres.

#### 5.1.8 Interior Garage Width

An **attached garage** to a **street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **quadruplex dwelling** shall have a minimum interior width for a single-car **attached garage** shall be 3.0 metres and the minimum interior width of a double-car **attached garage** shall be 5.5 metres.

#### 5.1.9 Regulations for Decks and Porches

**Decks** and **porches** are permitted on any **lot** comprised of **street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **quadruplex dwelling** in accordance with the following regulations:

- a) **Porches** not exceeding 4.5 metres in height, with the height being measured from the **established grade** to the underside of the rafters or ceiling of the **porch** and with or without **basements**, may encroach into:
- i. a **minimum required front yard** to a distance of 2.0 metres, provided the **porch** is not closer to a **side lot line** than the **main building** on the **lot**,
  - ii. a **minimum required flankage yard** a distance of 1.5 metres; and,
  - iii. a **minimum required rear yard** a distance of 2.5 metres, provided the **porch** is not closer to a **side lot line** than the **main building** on the **lot**.
- b) **Decks** which are 0.6 metres in height or greater are permitted to encroach into the **minimum required rear yard** to a distance of 2.5 metres, 0.6 metres from the **side lot line**, but in no case shall the **deck** extend beyond a side **main wall** of the **dwelling**; and, 2.40 metres from the **flankage lot line**; and,
- c) **Decks** less than 0.6 metres in height are permitted to encroach into the **minimum required rear yard** provided the **deck** is located a minimum of 2.0 metres from the **rear lot line**, 0.6 metres from the **side lot line**, but in no case shall the **deck** extend beyond a side **main wall** of the **dwelling**; and, 3.0 metres from the **flankage lot line**.
- d) No **deck** or **porch** shall be enclosed to a height of more than 1.07 metres above floor level, exclusive of roof supports, but this shall not prohibit the enclosure of a **deck** or **porch** by latticing or screening or any other form of enclosure to the extent that 50% of the vertical plane of the wall is open to the movement of air.
- e) Notwithstanding the above provisions, stairs used to access a **deck** or a **porch** or an **entry element** shall be **setback** at least 0.45 metres from any **lot line**.

#### 5.1.10 Outdoor Patios

- a) Notwithstanding any provisions to the contrary in any other Section of this By-law, an **outdoor patio** is hereby permitted as an **accessory** use to a **restaurant**, tavern, banquet hall or any other similar **premises** where food or refreshments are consumed by the public in all **zones** where such uses are permitted, subject to the provisions of this By-law.

- b) An **outdoor patio** shall not constitute more than twenty percent (20%) of the **Gross Floor Area (G.F.A.)** of the **restaurant**, tavern, banquet hall or eating establishment it serves, but in no case shall constitute more than one hundred and fifteen (115) square metres in total **outdoor patio** area.
- c) The **outdoor patio** area may be permitted to displace existing **parking spaces** only if the total remaining **parking spaces** satisfy the minimum parking requirements for the main **building**.
- d) **Outdoor patios** shall be prohibited in any **yard** which abuts any Residential (R) zone or a Residential Multiple (RM) zone except where such **zones** are separated by an arterial road as designated in the City of Richmond Hill Official Plan. **Outdoor patios** located on a **deck**, terrace or rooftop shall not be permitted on any **site** which abuts a Residential (R) zone or a Residential Multiple (RM) zone except where such zones are separated by an **Active At Grade Frontage**.
- e) The **outdoor patio** ground surface shall consist of appropriate hard surface materials and may also include perimeter **landscaping** and plantings.
- f) The **outdoor patio** area shall be delineated and enclosed with an appropriate barrier with a minimum of one emergency access available to outside of the **outdoor patio**.
- g) The **outdoor patio** area shall not interfere with any on-site **parking space**, pedestrian, vehicular circulation or **loading space**. The barrier for the **outdoor patio** area shall be **setback** a minimum of 1.5 metres from any adjacent **driveway**, internal circulation area, parking aisle, or **loading space**.

## 5.2 Multiple Uses on One Lot

Where any **building**, **structure** or **land** is used for more than one purpose as provided in Section 3 of this By-law, the said **building**, **structure** or **land** shall comply with the provisions and standards of this By-law relating to each use. In the case of a conflict, the more stringent provision shall apply.

## 5.3 Frontage on a Public Street

No person shall **erect** any **building** or **structure** and no person shall use any **building** or **structure**, **lot** or parcel unless the **lot** or parcel to be so used, or upon which the **building** is situated or **erected** or proposed to be **erected**, abuts or fronts onto a **street** which is assumed by the **Corporation** for maintenance purposes or is being constructed pursuant to a Subdivision Agreement with the **Corporation**.

## 5.4 Mechanical Equipment and Penthouses

- a) Parapets, **mechanical penthouses**, and other decorative roof **structures** including screening of mechanical equipment up to a maximum height of 5.5 metres shall be deemed not to be a **storey** and shall be excluded from the calculation of maximum **building height**.
- b) Rooftop mechanical equipment that is less than a height of 2 metres shall be fully screened by an architectural feature of equivalent height.
- c) Rooftop mechanical equipment that exceeds a maximum height of 2.0 metres shall be fully enclosed within a **mechanical penthouse** or screened by an architectural feature of equivalent height.



- d) A **mechanical penthouse** shall not occupy more than 40 percent of the area of the roof upon which it is located.
- e) Rooftop mechanical equipment shall be step back a minimum of 5.0 metres from all edges of a roof.
- f) Notwithstanding (d) above, no step back is required if rooftop mechanical equipment is fully enclosed within a **mechanical penthouse** or screened by an architectural feature of equivalent height.

## 5.5 Projections

- a) The following are permitted to project over the maximum height or **minimum required yards** defined in this by-law as listed below:

**Table 5.5.1**

<b>Structure</b>	<b>Yards In Which Projections are Permitted</b>	<b>Maximum Projections into a Minimum Required Yard</b>
Sills, belt courses cornices, eaves or canopies or gutters	any <b>yard</b>	70 centimetres
Chimneys, fireplaces, or pilasters	any <b>yard</b>	40 centimetres
Window bays	<b>Front yard, rear yard, and flankage yard</b>	1.0 metre over a maximum width of 3.0 metres
Balconies	<ol style="list-style-type: none"> <li>1. <b>Front yard, flankage yard and rear yard for street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling or a quadruplex dwelling; or</b></li> <li>2. any <b>yard</b> for other <b>building</b> types.</li> </ol>	2.0 metres
Roof overhangs	any <b>yard</b>	90 centimetres
A canopy or portico to a <b>high rise, mid rise or low rise building</b>	any <b>yard</b>	One half (1/2) the <b>setback</b> of the <b>building</b> from the <b>street line</b>
Exterior steps including any associated landings (for frame construction only)	any <b>yard</b>	90 centimetres
Satellite Dishes	any <b>yard</b>	90 centimetres

- b) No balcony projecting into a **minimum required yard** as permitted by this Subsection shall be enclosed to a height of more than 1.07 metres above floor level exclusive of roof supports, but this shall not prohibit the enclosure of a balcony by latticing or screening or any other form of enclosure provided that 50 percent of the vertical plane of the wall is open to the movement of air.
- c) In no case shall the roof overhang of any **detached accessory structure** encroach any closer than 0.45 metres to any **lot line**.
- d) A balcony cannot project beyond the **main wall** of a **high rise, mid-rise or low rise building** abutting any **Active At Grade Frontages**, where the distance from the floor of the balcony to **established grade** is 10.5 metres or less.
- e) Any flagpoles, lights, signage, **mechanical penthouses**, unenclosed balconies and terraces, parapets, **fences** and **at-grade landscaping** shall be permitted to project into the **angular plane**.

## 5.6 Street Wall

The following provisions shall apply to a **high rise** and **mid rise building**:

- a) A **street wall** shall be a minimum of 60% of the length of a **lot line** abutting a **street** or a **lane**.
- b) A minimum of 60% of the **first storey street wall** abutting any **Active At Grade Frontage** shall be comprised of windows and openings.
- c) A minimum 60% of the **first storey street wall** abutting the Yonge Street and Bernard Avenue **Active At Grade Frontages** shall contain **commercial** or **community** uses.
- d) **Dwelling units** shall be prohibited on the **first storey street wall** abutting the Yonge Street and Bernard **Active At Grade Frontages**.
- e) Indoor amenity space for an **apartment dwelling** is prohibited to locate in the **first storey** of a **building** within the first 10.0 metres of the depth of the **building** measured in from the **building main wall** along a **street line** abutting any **Active At Grade Frontages**.
- f) A minimum 40% of the **first storey street wall** abutting any other **Active At Grade Frontage** shall contain **commercial** or **community** uses.

## 5.7 Separation

The following provisions shall apply to the portion of a **high rise building** excluding a **tower**, or a **mid rise building** on a **lot**:

- a) Where a **main wall** of the **building** has windows and a line projected at a right angle from a **main wall** intercepts another **main wall** of a **building** or the same **building** with windows on the same **lot**, the minimum required above **grade** distance between the **main walls** shall be 15.0 meters.
- b) Where a **main wall** of the **building** has windows abuts another **main wall** of a **building** or the same **building** on the same **lot** which does not have windows and a line projected at a right angle from a **main wall** intercepts the other **main wall** of a **building** or the same **building**, the required minimum above-**grade** distance between the **main walls** is 7.5 metres.

## 5.8 Amenity Space

A **high rise, mid rise or low rise building** with 20 or more **dwelling units** must provide **amenity space** for each **dwelling unit** at a rate of 2.0 square metres per **dwelling unit**.

## 5.9 Landscaping

- a) The following provisions shall apply to a **high rise, mid rise or low rise building** on a **lot**:
- i. A minimum of 20% of the **lot area** must be **landscaping**, which may be located at **grade** or on top of a **building or structure**; and,
  - ii. Where a **high rise, mid rise or low rise building** abuts a **street townhouse dwelling, block townhouse dwelling** except as otherwise permitted under Section 3.1 special provision (8), **stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **quadruplex dwelling**, a strip of land not less than 3.0 metres in depth shall be used for **landscaping**.
- b) The following provisions shall apply to a **street townhouse dwelling, block townhouse dwelling, stacked townhouse dwelling, rear lane townhouse dwelling, back to back dwelling** or a **quadruplex dwelling**:
- i. A minimum 45% of the area of a **front yard** or a **flankage yard** shall be used for no other purpose than **landscaping**. Notwithstanding the foregoing, where a by-law permits **detached accessory structures** or **porches** to project into a **front yard** or **flankage yard**, the area of the **lot** covered by the **detached accessory structures** or **porches** shall be included in the calculation of the minimum **landscaping**; and,
  - ii. The parking of motor **vehicles** in **landscaping** is prohibited.

## 5.10 Number of Loading Spaces Required

- a) No person shall use any **land, building or structure** in any **zone** for any purpose permitted by this By-law, unless **loading spaces** are provided on the same **lot** in accordance with the provisions of this Section. The number of **loading spaces** required shall be calculated in accordance with the standards set out below in Table 5.10.1:

**Table 5.10.1**

Use	Minimum Required Loading Space
<b>Building</b> contains <b>dwelling units</b>	
0 to 30 <b>dwelling units</b>	0
31 to 399 <b>dwelling units</b>	1
400 <b>dwelling units</b> or more (1)	2
<b>Buildings</b> having a non-residential <b>gross floor area</b> less than 465 square meters	0
<b>Buildings</b> having a non-residential <b>gross floor area</b> of equal to 465 square metres and less than 2323 square metres.	1

Use	Minimum Required <b>Loading Space</b>
<b>Buildings</b> having a non-residential <b>gross floor area</b> equal to 2323 square metres and up to 9290 square metres	2
For every additional 9290 square metres of non-residential <b>gross floor area</b> thereof greater than 9290 square metres	1 additional

- b) Notwithstanding Section 5.11(a), of the two required loading spaces, one space may have a width of not less than 3.7 metres and a length of not less than 9.0 metres with a minimum of 4.3 metres overhead clearance. This space shall not be used for refuse loading.

### 5.11 Regulations for Loading Spaces

- a) A **loading space** shall be paved, free of any encroachments and have a width of not less than 3.5 metres and a length of not less than 13 metres with a minimum of 6.1 metres overhead clearance.
- b) A **loading space** shall not be located in any **yard** adjoining a **street** unless screened from view from the **street** by a **fence**, screen wall, or landscaped berm with a height of not less than 1.5 metres.
- c) Notwithstanding (b), a **loading space** shall not be permitted in a yard abutting an **Active At Grade Frontage**.
- d) Aisles and **driveways** leading to a **loading space** shall not be used for the temporary parking or storage of 1 or more **motor vehicles**.

### 5.12 Bicycle Spaces Standards

No person shall use any **land, building or structure** or **structure** in any **zone** for any purpose permitted by this By-law, unless bicycle spaces are provided on the same **lot** where there is a **parking structure**, in accordance with the provisions of this Section.

- a) The following Table 5.12.1 shall apply:

**Table 5.12.1**

Use	Minimum Rate – Bicycle Spaces	Minimum Rate – Visitor Bicycle Spaces
<b>Residential Use</b>	0.6 bicycle space per <b>dwelling unit</b> or portion thereof	5% of the minimum required bicycle spaces for <b>residential use</b>
Non-residential Use	0.13 bicycle space per 100 square metres of <b>gross floor area</b> or portion thereof	0.15 bicycle space per 100 square metres of <b>gross floor area</b> or portion thereof

- b) Visitor bicycle parking spaces shall be located at **grade**.
- c) Shower and change facilities shall be provided for each gender at the rate of 1 per 30 bicycle spaces for the non-residential use in Table 5.12.1.
- d) The minimum dimension of a bicycle space shall be:
- i. Minimum length of 1.8 meters; and,
  - ii. Minimum width of 0.6 metres.

### 5.13 Vehicle Parking Standards

No person shall use any **land, building or structure** in any **zone** for any purpose permitted by this By-law, unless **parking spaces** are provided on the same **lot** in accordance with the provisions of this Section. The number of **parking spaces** required shall be calculated in accordance with the standards set out below in Table 5.13.1.

**Table 5.13.1**

Use	Minimum Parking Space Standard	Maximum Parking Space Standard
<b>Residential</b> (parking space per Dwelling Unit or portion thereof)		
<b>a) Apartment Dwelling</b>		
i) Bachelor (1)	0.70	0.85
ii) 1 Bedroom (1)	0.80	1.00
iii) 2 bedroom (1)	0.90	1.10
iv) 3+ bedroom (1)	1.00	1.20
v) Visitor (1)	0.15	0.20
<b>b) Other Residential Uses</b>		
i) <b>Street Townhouse Dwelling, Rear Lane Townhouse Dwelling, Back to Back Dwelling and Quadruplex Dwelling with frontage on a street</b>	1.00	2.00
ii) <b>Block Townhouse Dwelling, Stacked Townhouse Dwelling, Rear Lane Townhouse Dwelling, Back To Back Dwelling or a Quadruplex Dwelling with an attached garage or detached garage accessed by a lane</b>	1.00	2.00
iii) <b>Stacked Townhouse with a parking structure</b>	1.00	1.25
iv) For b)ii) and b)iii) – Visitor parking spaces	0.15	0.20
v) <b>Senior Citizen Dwelling, Long Term Care Facility</b>	0.33	0.40
<b>Non Residential</b> (parking space per 100 square metres of <b>Gross Floor Area</b> or portion thereof, unless otherwise specified)		
i) <b>Major Office, Office</b>	2.80	3.50
ii) <b>Commercial</b>		
iii) <b>Medical Offices/Clinics</b>		
iv) <b>Day Nursery</b>		
v) <b>Financial Institution</b>		
vi) <b>Veterinary Clinics</b>		

Use	Minimum <b>Parking Space</b> Standard	Maximum <b>Parking Space</b> Standard
vii) <b>Place of Assembly</b> including <b>Assembly Hall</b> , and <b>Place of Worship</b> viii) Arts and Cultural Facilities ix) <b>Social Services</b>	4.25	5.40
x) <b>Hotel/Motel</b>	0.65 <b>parking spaces</b> per room plus an additional 4.25 <b>parking spaces</b> per 100 square metres <b>Gross Floor Area</b> for areas dedicated for banquet rooms and similar uses, but excluding lobbies, hallways and similar area	0.9 <b>parking spaces</b> per room plus an additional 5.40 <b>parking spaces</b> per 100 square metres of <b>Gross Floor Area</b> for areas dedicated for banquet rooms and similar uses, but excluding lobbies, hallways and similar area
xi) School, Primary xii) Private School, Primary	1.35 <b>parking spaces</b> per classroom	1.7 <b>parking spaces</b> per classroom
xiii) School, Secondary xiv) Private School, Secondary xv) School, Post Secondary	2.7 <b>parking spaces</b> per classroom	3.4 <b>parking spaces</b> per classroom

Supplementary Notes:

1. Where a **secondary suite** or **home occupation** is permitted, no additional **parking space** is required provided that the primary **dwelling unit** provides for the minimum required **parking spaces** in Table 5.13.1.
2. Where a **live-work unit** is permitted, no additional **parking space** is required provided that the primary **dwelling unit** provides for a minimum of two **parking spaces**.
3. Where there is one or more uses on a **lot**, the minimum required **parking spaces** and the portion thereof shall be applied to each of the uses in Table 5.13.1.

#### 5.14 Vehicle Parking Area Requirements

- a) Each **parking space** perpendicular to a **driveway** shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres.
- b) Each **parking space** parallel to a **driveway** shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres.
- c) A **parking space** that is not perpendicular or parallel to a **driveway** shall have an area comprised of a rectangle with a minimum width of 2.75 metres and a minimum length of 5.8 metres.
- d) The width of an aisle shall comply with the following provisions:
  - i. Aisles perpendicular to the **parking space**: a minimum of 6 metres.
  - ii. **Parking spaces** at sixty (60) degrees to the aisle: a minimum of 5.5 metres.
  - iii. **Parking spaces** at forty-five (45) degrees to the aisle: a minimum of 3.7 metres.

- e) The required **parking spaces** for a **Major Retail** use shall be located in a **below grade parking structure** or an **above grade attached parking structure** and subject to the requirements of Section 5.16.
- f) No **setbacks** shall be required for any **parking structure** or any portion thereof if it is constructed completely below the **established grade**.
- g) For a **street townhouse, block townhouse, back to back dwelling, stacked or rear lane townhouse dwelling, or a quadruplex dwelling**;, where a 0.3 metre **reserve** abutting a **street** exists, no part of any **attached garage** or **detached garage**, other than one completely below the **established grade**, shall be permitted closer than 5.8 metres to such **reserve**.
- h) Tandem **parking spaces** shall not be permitted in a **parking structure** or **parking area**.

#### 5.15 Vehicle Parking Area

For a **high rise, mid rise or low rise building**, the following shall apply:

- a) All **parking areas** shall be located in the **rear yard** or **side yards** of a **lot**.
- b) **Parking areas** shall not be permitted to locate in any **yard** abutting an **Active At Grade Frontage**.

#### 5.16 Vehicle Parking Structure

For any **high rise, mid rise or low rise building**, the following provisions shall apply:

- a) Any portion of an **attached parking structure** that is above **grade**, shall comply with the provisions for the **main building** on the **lot** in accordance with this By-law.
- b) An above **grade attached parking structure** is prohibited to locate in the **first storey** of a **building** within the first 10.0 metres of the depth of the **building** measured in from the **building main wall** along a **street line** abutting any **Active At Grade Frontages**.

#### 5.17 Parking and Storage of Commercial Vehicles

The following provisions shall apply to the parking and storage of **commercial motor vehicles, commercial machinery or equipment, school buses, semi-trailers or trailers** on a **lot** for a **street townhouse, block townhouse, rear lane townhouse, stacked townhouse, back to back dwelling, or quadruplex dwelling**:

- a) no **commercial motor vehicles, commercial machinery or equipment, school bus, semi-trailer or trailer** shall be parked on any **lot** unless parked entirely within a wholly enclosed **building**;
- b) notwithstanding subsection (a) above, any **commercial machinery or equipment** which is parked or stored on any **lot** for the purpose of **landscaping**, construction or excavation on that **lot** shall be permitted for no longer than ninety-six (96) hours prior to commencement and ninety-six (96) hours after the completion of said construction, **landscaping** or excavation on that **lot**; and,
- c) notwithstanding subsection (a) above, the parking of a **commercial motor vehicle** on a **lot** for not more than twenty-four (24) hours for the purposes of maintenance or service of, or delivery for the principal **building** on that **lot**, is permitted.

### 5.18 Barrier Free Access Ramp on Any Lot

The following provisions shall apply to a **barrier free access ramp** on any **lot**:

- a) a **barrier free access ramp** is permitted within any **yard**; and
- b) a **barrier free access ramp** shall be:
  - i. **setback** a minimum of 0.45 metres from the **front** and **rear lot lines**;
  - ii. **setback** a minimum of 0.90 metres from the **flankage lot line**; and
  - iii. **setback** in accordance with the **minimum required side yard setbacks** for the main **building** or a minimum of 0.9 metres from the **side lot line**, whichever is the lesser.

### 5.19 Driveways

**Driveways** used for the parking of motor vehicles and/or used to access a **building** or **structure** shall:

- a) not be located within a **daylighting triangle**;
- b) Have a minimum **setback** of 0.3 metres from the **side lot line**;
  - i. A **driveway** may have a setback of 0 metres from the **side lot line** if the **driveway** is to be shared with a **driveway** on an abutting **lot** or if the **driveway** is located along the **side lot line** of an end unit of a **street townhouse, block townhouse, back to back townhouse, rear lane townhouse, stacked townhouse** or **quadruplex dwelling**.
  - ii. **Driveways** leading to a **parking area** for **high rise, mid rise** or **low rise buildings**, and **dwelling units** with frontage onto a **lane**, shall have a minimum width of 4.0 metres for one-way traffic and 6.0 metres for two-way traffic.

### 5.20 Public Authority

The following provisions shall apply to the use of any **lot, building** or **structure** in all **zones**:

- a) A **public authority** is permitted the following uses including all new public transportation, infrastructure and utility uses listed below, and all upgrading or extension of existing transportation, infrastructure and utilities uses, including the opening of a **street** within an unopened road allowance:
  - i. public highways;
  - ii. transit lines, railways and related facilities;
  - iii. gas and oil pipelines;
  - iv. sewage and water service systems and lines and small-scale stormwater management facilities;
  - v. power transmission lines;
  - vi. telecommunications lines and facilities, including broadcasting towers;
  - vii. bridges, interchanges, stations, and other **structures**, above and below ground, that are required for the construction, operation or use of the facilities listed in provisions subsections (i) to (vi) above;



- viii. rights of way required for the facilities listed in provisions subsections (i) to (vii) above;
  - ix. community centres;
  - x. emergency service facilities;
  - xi. library;
  - xii. works yard;
  - xiii. conservation, and
  - xiv. parkland.
- b) Utilities including **buildings**, **structures** and **accessory** facilities used for the distribution of gas, steam, electricity or other forms of energy, and telecommunication provided by entities other than a **Public Authority** shall be permitted.
  - c) The uses permitted in provisions subsections (a) save and except for (vi), and (b) above shall only be permitted where:
    - i. such use, **building** or **structure** complies with all of the applicable development standards of the **zone** and all applicable general provisions related to the permitted use; and
    - ii. no **outdoor storage** shall be permitted.

#### 5.21 Private Utility

Private Utilities shall be permitted in all zone categories. The following provisions shall apply to a **Private Utility** use:

- a) Minimum **side yard setback**: 3.0 metres;
- b) Minimum **rear yard setback**: 8.0 metres;
- c) Maximum height: 1.85 metres; and,
- d) Maximum size of pad: 50 square metres.

#### 5.22 Municipal Services

The following provisions shall apply to prohibit the use of land or the erection of **buildings** or **structures** unless such municipal services as set out below are available to service the land, **buildings** or **structures**:

- a) For the purposes of this Section, all municipal services provided for in this Section are deemed to include all required service connections to the **street line** of the land on which the **building** or **structure** is to be located.
- b) Notwithstanding the provisions of this or any other By-law hereinbefore or hereinafter enacted pursuant to Section 34 of the *Planning Act* or any predecessor thereof, by **Council**, or any predecessor thereof, no land shall be used and no **building** or **structure** shall be **erected** or used for any purpose unless:
  - i. water and sanitary sewer capacity are both available and **Council** has allocated water and sanitary sewer capacity to service the said lands and **building** or **structure**, or **Council** has exempted the development or the class of development from the requirement for allocation capacity;

- ii. the **Commissioner** has confirmed that municipal services are available in accordance with subsection (c) hereof or subsection (d) hereof as the case may be.
- c) For the purposes of this Section, municipal services are deemed to be available to the lands, **building** or **structure** within a **plan of subdivision** registered after the enactment of this By-law, when the **street**, water, storm sewer, sanitary sewer and stormwater management facilities required to service such lands, **building** or **structure** satisfy the following requirements:
- i. the public highways and **lanes** in the **plan of subdivision** or external to the **plan of subdivision** necessary to service the lands, **building** or **structure** have been constructed to base course asphalt;
  - ii. the watermains, sanitary sewers, storm sewers, and stormwater management facilities necessary to service the lands, **building** or **structure** have been constructed and are operational;
  - iii. with respect to any required sanitary, storm and watermain trunks and stormwater management facilities external to the **plans of subdivision**:
    - 1. all property required for the service have been conveyed to the **Town** or other government having jurisdiction;
    - 2. all easements required for the service have been conveyed to the **Town** or other government having jurisdiction;
  - iv. the watermain and required service connections have been disinfected in accordance with any applicable Province of Ontario standards and/or requirements and the **City of Richmond Hill Standards and Specifications Manual**, and the water being provided to the lands, **building** or **structure** meets any applicable Province of Ontario standards and/or requirements and the quality standards set out in the **City of Richmond Hill Standards and Specifications Manual**;
  - v. the watermain and any required service connections have been hydrostatically tested in accordance with any applicable Province of Ontario standards and/or requirements and the **City of Richmond Hill Standards and Specifications Manual**;
  - vi. a water flow test has met any applicable Province of Ontario standards and/or requirements and the **City of Richmond Hill Standards and Specifications Manual**; and
  - vii. two separate vehicular accesses into any **plan of subdivision** have been provided and kept open for the purposes of ingress and egress, to the satisfaction of the **Commissioner**.
- d) For the purposes of this by-law, municipal services are deemed to be available to the lands, **building** or **structure** that is not within a **plan of subdivision** referred to in subsection (c), or that is within a **plan of subdivision** referred to in subsection (c) but that is to be located on a parcel of land that is not the whole of a **lot** within that **plan of subdivision**, but which is created pursuant to the enactment of a by-law under subsection 50(5) of the *Planning Act* or pursuant to a consent under section 53 of the *Planning Act*, when the roads, water, storm sewer and sanitary sewer and stormwater management facilities required to service the lands, **building** or **structure** satisfy the following requirements:
- i. where the lands do not front on an assumed public highway or highway established by the **Town** or **Region**, an access route for fire

- department use, in accordance with the provisions of the *Building Code*, O.Reg. 350/06, as amended, or any successor legislation or regulation, has been provided;
- ii. where any of a watermain, sanitary sewer and storm drainage system are available within a public highway adjacent to the land on which the **building** or **structure** is to be located, those services are constructed and operational;
  - iii. where a new watermain extension is required to provide water service, the watermain and any required service connections have been disinfected in accordance with any applicable Province of Ontario standards and/or requirements and the **City of Richmond Hill Standards and Specifications Manual**, and the water being provided to the lands, **building** or **structure** meets any applicable Province of Ontario standards and/or requirements and the quality standards set out in the **City of Richmond Hill Standards and Specifications Manual**;
  - iv. where a new watermain extension is required to provide water service, the watermain and any required municipal service have been hydrostatically tested in accordance with any applicable Province of Ontario standards and/or requirements and the **City of Richmond Hill Standards and Specifications Manual**; and
  - v. where a new watermain extension is required to provide water service, a water flow test has been conducted in accordance with any applicable Province of Ontario standards and/or requirements and the **City of Richmond Hill Standards and Specifications Manual**.
- e) Notwithstanding the requirements of subsection (c) or subsection (d), for the purposes of this section, water and sanitary sewer capacity and municipal services otherwise required by this by-law may be deemed by the **Commissioner**, in his or her absolute discretion, to be available to service a **building** containing three (3) or more **dwelling units** and having four (4) or more stories, up to nine (9) months prior to the time that such municipal services are actually completed and operational.
  - f) Notwithstanding the requirements of subsection (c) or subsection (d), for the purposes of this section, municipal services otherwise required by this by-law may be deemed by the **Commissioner**, in his or her absolute discretion, to be available to service a **non-residential building** up to two (2) months prior to the time that such municipal services are actually completed and operational.
  - g) Nothing in this section shall prevent the erection of model home and sales offices, subject to such terms and conditions as established by the **Town** and provided that an access route for fire department use in accordance with the *Building Code*, O. Reg. 350/06, as amended, or any successor legislation or regulation, has been provided.

### 5.23 Further Division of Lots or Blocks on a Registered Plan for Street Townhouses and Dwelling Units

- a) Where **dwelling units** in a **street townhouse** or multiple dwellings are constructed on separate **lots**, no **side yard** shall be required where a **dwelling unit** has a common wall with an adjacent **dwelling unit**.
- b) Where **dwelling units** in a **street townhouse dwelling** are first constructed on a **lot** or **block on a registered plan** in conformity with this By-law, the provisions of Table 'A2' for minimum **lot frontage** and minimum **lot area**

shall not be deemed to be contravened by reason of a division of the **dwelling units** in the **street townhouse dwellings** onto separate **lots** in accordance with the *Planning Act*, R.S.O. 1990, provided that all other requirements of this By-law are met, including Section 5.3.1.

## 5.24 Temporary Construction and Sales Uses

- a) Nothing in this By-law shall prevent, in any **zone** other than the **O zone**, uses incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other **building** or **structure** incidental to the construction only for so long as the same are necessary for work in progress which has neither been finished nor abandoned.
- b) Nothing in this By-law shall prevent, in any **zone** other than the **O zone**, the use of a **building** or **structure** for the sale or lease of **dwelling units**, units for **residential** use, units for non-residential use, or a combination thereof, subject to the following:
  - i. The **dwelling units**, units for **residential use**, units for non-residential use, or a combination thereof, to be sold or leased are within the limits of the City of Richmond Hill; and
  - ii. Any **building** or **structure** used for the purpose of the sale or lease of **dwelling units**, units for **residential use**, units for non-residential use, or a combination thereof, is to be removed within sixty (60) days after completion of the last **dwelling unit**, units for **residential use**, units for non-residential use, or a combination thereof as the case may be.

## 5.25 Non-Complying Lots

### 5.25.1 Vacant Non-Complying

A **building** or **structure** may be **erected** and used on a vacant **non-complying lot** that is a **lot** of record that legally existed prior to the passing of this By-law, provided that it complies to all other provisions of this By-law.

### 5.25.2 Non-Compliance as a Result of Expropriation

Notwithstanding any other provision of this By-law, where, as a result of the acquisition of part of a **lot** by the **Corporation** or other body having a power of expropriation and the **lot**, after the acquisition, is a **non-complying lot**, such **non-complying lot** may be used for any purpose permitted by this By-law within the **zone** in which it is located provided that the use is permitted by this By-law.

## 5.26 Non-Complying Buildings, Structures and Lot Conditions

### 5.26.1 Enlargement, Repair or Renovation

- a) A **non-complying building or structure** shall be deemed to comply with the development standards of this by-law as of the date of the passage of this By-law.
- b) No **non-complying building or structure** may be enlarged, repair or renovated unless subject to Section 5.30.

### 5.26.2 Non-Compliance as a Result of Expropriation

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of property by the **Corporation** or other body having a power of expropriation, such acquisition results in a contravention of this By-law relating to minimum **yards**, **lot coverage**, maximum **gross floor area** or minimum usable open space then the lands so acquired shall be deemed to continue to form part of the **lot** upon which the **building** or **buildings** are located in determining compliance with this By-law.

### 5.27 Non-Conforming Uses

- a) No lands shall be used and no **building** or **structure** shall be used except in conformity with the provisions of this By-law unless such use existed before the date of passing of this By-law and provided that it has continued and continues to be used for such purpose, and that such use, when established, was not contrary to any existing By-law in force at that time.
- b) Any **non-conforming use** of land, **building** or **structure** which is discontinued or unused for an interval of more than sixty (60) days shall not be resumed nor shall any **non-conforming use** be changed to any other **non-conforming use**.
- c) Any **building** or **structure** containing a **non-conforming use** which is damaged or destroyed to the extent of more than fifty percent (50%) of its replacement cost as at the date of damage or destruction shall not be restored or reconstructed except in conformity with the requirements of this By-law for the **zone** in which it is located.

### 5.28 Common Element Condominiums

Where any form of **dwelling units** or **premises** is **erected** in conformity with a **Site Plan Agreement**,

- a) part of the lands affected by the **Site Plan Agreement** are **parcels of tied land** with respect to that **common element condominium**; and
- b) the balance of the lands affected by the **Site Plan Agreement** are **parcels of tied land** with respect to that **common element condominium**.

No provision of this By-law shall be deemed to be contravened by reason of the conveyance of a **parcel of tied land** upon which a **dwelling unit** or **premises** is **erected**, provided that all of the standards of this By-law are met for the lands as a whole, as set out in the **Site Plan Agreement** and provided the **common element condominium** and the **parcels of tied lands** are contiguous.

### 5.29 Application for Approval for a Condominium Description

The following provision shall apply to **buildings**, **dwelling units** or **premises** designated in an application for approval of a condominium description pursuant to the *Condominium Act*, 1998, as amended or a successor thereto:

Where any form of **buildings**, **dwelling units** or **premises** is erected in conformity with a **site plan agreement** and where the **buildings**, **dwelling units** or **premises** is proposed for approval pursuant to the *Condominium Act*, no provisions of this By-law shall be deemed to be contravened by reason of either a consent for mortgage purposes or the registration of a condominium description provided that all of the standards of this By-law are met for the lands as a whole as set out in the **site plan agreement**.

### 5.30 Interim Development

Notwithstanding any other provision of this By-law to the contrary, expansions of existing **building(s)** or **structure(s)** or new stand-alone **building(s)** or **structures(s)** shall be permitted provided:

- a) the expansion or new **building(s)** or **structure(s)** is for non-residential uses prescribed in Table A1 only;
- b) the expansion or new **building(s)** or **structure(s)** is no greater than 15% of the total **gross floor area** of the existing **building(s)** or **structure(s)** as of the date of the passage of this By-law;
- c) that the expansion or new **building(s)** or **structure(s)** have a maximum **building height** of 2 **storeys** and shall not include below **grade structures**; and,
- d) the expansion or new **building(s)** or **structure(s)** shall comply with all other provisions of this By-law, save and except for minimum **building height**, minimum density and maximum **parking spaces**.
- e) Section 5.30 shall not apply to any expansions or new **building(s)** or **structure(s)** greater than 15% as prescribed in (b) or greater than 2 **storeys** as prescribed in (c). Such expansion or new **building** or **structure** shall be subject to the provisions of this by-law.

### 5.31 Holding Provision

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) provision pursuant to Section 36 of the Planning Act and the City of Richmond Hill Official Plan, as amended. Lands as shown on Schedule A zoned with the Holding (H) provision, shall be subject to the following:

- a) Legally existing uses, **buildings** or **structures** shall continue to be permitted.
- b) Non-residential uses permitted in Table A1 shall be permitted to locate within legally existing **buildings** or **structures**;
- c) Additions to existing **buildings** referred to in (a) in this section, pursuant to Section 5.30 Interim Development shall be permitted.
- d) A sales trailer pursuant to Section 5.24 shall be permitted.
- e) No lands, **buildings** or **structures**, save and except for (a), (b), (c) and (d) in this section, shall be permitted on a **lot** until the Holding (H) provision has been removed, in whole or in part on that **lot**, pursuant to an application to amend this zoning by-law, and subject to the following requirements:
  - i. the submission of a Concept Plan proposing phased development to the satisfaction of the **City**;
  - ii. the entering into one or more development agreements with the **City** to implement the Concept Plan in (i) in this section;
  - iii. the entering into one or more Site Plan Agreements with the **City**;

- iv. a Transportation Planning Study and a Transportation Demand Management Strategy which demonstrates to the satisfaction of **Council** or other approval authority that the proposed use of the lands, **buildings** or **structures** complies with the requirements prescribed in Section 12.5.4.2(1) of the Official Plan; and,
- v. a Functional Servicing Report subject to the satisfaction of the **City**.

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## Section 6 Definitions

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### 6.1 Accessory

Means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or **building**, and located on the same **lot**.

### 6.2 Accessory Structure, Detached

Means a **building** or **structure** that is not used for human habitation, the use of which is customarily incidental, subordinate and exclusively devoted to a principal use or **building** located on the same **lot** and shall not include a detached garage and outdoor swimming pool.

### 6.3 Active At Grade Frontage

Means a **street line** that abuts:

- a) Yonge Street;
- b) Canyon Hill Avenue;
- c) Bernard Avenue;
- d) any **street(s)** located south of Bernard Avenue which connects Yonge Street to Bernard Avenue; or
- e) any **street** located south of Canyon Hill Avenue which connects Yonge Street to Canyon Hill Avenue.

### 6.4 Alter

Means any alteration to the structural component of a **building** which could result in a change of use, or any increase in the volume of a **building** or **structure**.

### 6.5 Amenity Space

Means outdoor space on a **lot** that is communal and available for use by the occupants of a **building** on the **lot** for recreational or social activities.

### 6.6 Angular Plane

Means an imaginary flat surface projecting over a **lot** at an inclined angle measure of 45 degrees from:

- a) **grade** in accordance with Schedule D; or,
- b) 10 metres above **grade** in accordance with Schedule D.

### 6.7 Assisted Living Residence

Means a **building** or **structure** that provides living accommodations, hospitality services and personal assistance to persons who can live independently but require assistance with daily activities. Units within Assisted Living Residences may contain kitchenettes with cooktop stoves, as well as common facilities for the preparation and consumption of food. Common lounges, recreation facilities and medical care facilities may also be provided. It shall be considered an **apartment dwelling**.

#### 6.8 Attached

Means a **building**, otherwise complete in itself, which depends for structural support or complete enclosure upon a division wall or walls which are above **grade**, shared in common with an adjacent **building** or **buildings**.

#### 6.9 Automobile Service Station

Means a **building** or **structure** or parts thereof, used for the sale of petroleum products and automobile accessories and for the maintenance essential to the actual operation of **motor vehicles** but excluding a **motor vehicle** sales establishment, an auto body repair shop or public garage. The following associated uses shall also be permitted:

- a) a **GAS BAR CONVENIENCE RETAIL STORE**;
- b) a **GAS BAR**;
- c) a **MOTOR VEHICLE/LUBRICATION ESTABLISHMENT**; and
- d) a **MOTOR VEHICLE WASHING ESTABLISHMENT**.

#### 6.10 Barrier Free Access Ramp

Means an unenclosed and inclined ramp providing access to the main floor and/or entry level of a **building** that provides a continuous unobstructed access route intended for use by people with physical disabilities.

#### 6.11 Basement

Means a **storey** or **storeys** of a **building** located below the **first storey**.

#### 6.12 Block on a Registered Plan

Means a parcel of land that is indicated by the word and letter 'A', 'B', 'C', or as the case may be.

#### 6.13 Building

Means a **structure** occupying an area greater than 10 square metres (107.64 square feet) consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all works, fixtures and service systems appurtenant thereto.

#### 6.14 City

Means The Corporation of the City of Richmond Hill.

#### 6.15 Clinic

Means a **medical office** which contains three or more medical practitioners.

#### 6.16 Commercial

Means the use of land, **buildings** or **structures** for the purpose of buying or selling commodities and supplying of services, including personal service uses provided



to the public or where entertainment is offered for gain or profit. **Commercial** use shall include but are not limited to the following defined terms:

- a) Clinic
- b) Financial Institution
- c) Hotel
- d) Major Office
- e) Major Retail
- f) Motel
- g) Office
- h) Office, Medical
- i) Retail
- j) Veterinary Clinic

Commercial uses shall exclude **automobile service station, gas bar convenience retail store, gas bar, Motor Vehicle/Lubrication Establishment, Motor Vehicle Washing Establishment**, auto body repair shop, repair shops for internal combustion engines, motorized **vehicles** or similar uses, or public garage.

#### 6.17 Commercial Machinery or Equipment

Means machinery or equipment used for business, employment or **commercial** purposes, including, without limiting the generality of the foregoing, bulldozers, road building machines, backhoes, cranes, ploughs, graders, forklifts and earthmoving equipment, farm tractors, and other similar machinery or equipment.

#### 6.18 Commercial Motor Vehicle

Means any **motor vehicle** having permanently attached thereto a truck or delivery body, and/or including, without limiting the generality of the foregoing, tow trucks, ambulances, hearses, fire apparatus, motor buses used primarily for business, employment or commercial purposes, and similar converted commercial motor vehicles, and/or including all **motor vehicles** with **commercial motor vehicle** licenses exceeding 508 kilograms in capacity.

#### 6.19 Commissioner

Means the Commissioner of Planning and Regulatory Services for the **Town** or such successor office, as the case may be.

#### 6.20 Common Element Condominium

Means a common element condominium corporation as described in the *Condominium Act, 1998*, as amended or a successor thereto.

#### 6.21 Community Use

Means any tract of land, or **structure**, or any part of any land, **building** or **structure**, used for community activities, including a use by a **public authority, primary school, secondary school, post-secondary school, private school, hospital, place of worship, arts and cultural facilities, day nurseries, long term care facilities** and **social services**.

#### 6.22 Condominium

Means a group of **dwelling units** or **premises**, each under individual ownership in a multiple unit **structure** with common elements in which:

- a) the **dwelling units** or **premises** comprise not only the space enclosed by the boundaries of the **dwelling unit** or **premises**, but all material parts of the land within the space;
- b) the common element means all the property except the **dwelling unit** or **premises**; and,
- c) the common elements are owned by all of the owners as tenants in common.

### 6.23 Corporation

When capitalized, means the **Corporation** of the City of Richmond Hill.

### 6.24 Council

Means the Council for the **City**.

### 6.25 Daylighting Triangle

Means a triangular area of land on or abutting a **corner lot**, formed by measuring from the point of intersection of **street lines** the distance required by this By-law for a **daylighting triangle** along each **street line** and joining such points with a straight line. The hypotenuse of a daylighting triangle shall be that property line directly opposite the angle formed by the point of intersection of the street lines.

### 6.26 Day Nursery

Means a day nursery facility licensed under the *Child Care and Early Years Act* or its successor.

### 6.27 Deck

Means a **structure** without a roof having a foundation to hold it erect and **attached** to or abutting one or more walls of a **building** or constructed separate from a **building** with or without direct access to the ground, the floor of which is above finished **grade**, and which is designed and intended for use as a sun deck but shall not include a landing or a stair.

### 6.28 Dwelling, Apartment

Means a **building** containing five (5) or more **dwelling units** all of which have a common external access to the **building** by means of a common corridor system. An **apartment dwelling** may take the form of a **high rise, mid rise** or **low rise building**.

### 6.29 Dwelling, Back to Back

Means a **building** or part thereof containing three (3) or more **dwelling units**, but shall exclude an **apartment dwelling** or a **townhouse dwelling**

### 6.30 Dwelling, Block Townhouse

Means a **townhouse dwelling** that is not a **Street townhouse dwelling** and may include a **stacked townhouse dwelling**, **rear lane townhouse**, **back to back dwelling** and **quadruplex dwelling**.

### 6.31 Dwelling, Quadruplex

Means a **building** divided vertically and/or horizontally into four **dwelling units**, each one of which has two walls or parts thereof in common with adjoining **units** and an independent entrance to either the ground or common corridor.

### 6.32 Dwelling, Rear Lane Townhouse

Means a **Townhouse Dwelling** (**Street Townhouse Dwelling** or **Block Townhouse Dwelling**) that is not a **stacked townhouse dwelling** or **back to back dwelling** and where vehicular access to an **attached garage** is provided via a **driveway** crossing the **Rear Lot Line** that is accessed from either a private or public **Lane**.

### 6.33 Dwelling, Senior Citizen

Means an **apartment dwelling** that is occupied by senior citizens and which may be, but is not limited to being sponsored and/or administered by any public agency or any service **club, place of worship**, or other non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and may include **accessory** uses and lounge facilities, usually associated with senior citizen developments. A **Senior Citizen Dwelling** shall include **Assisted Living Residence** and **Independent Seniors Living Residence**.

### 6.34 Dwelling, Stacked Townhouse

Means a **building** containing at least three (3) **dwelling units**, each **dwelling unit** being separated from the other vertically and horizontally and having an independent external access

### 6.35 Dwelling, Street Townhouse

Means a **townhouse dwelling** composed of **dwelling units** each of which has frontage on a **street**.

### 6.36 Dwelling, Townhouse

Means a **building** divided vertically into three (3) or more **dwelling units**, each sharing a wall above the **established grade** and each of which has independent entrances at **grade** to a front and **rear yard** immediately abutting the front and rear walls.

### 6.37 Dwelling Unit

Means a unit that:

- a) consists of one self-contained set of rooms located in a **building** or a **structure**;
- b) is used or has the capability of being used as a domicile by one or more persons as a single housekeeping unit;
- c) contains cooking, eating, living, sleeping and sanitary facilities designated for the exclusive use of its occupants; and
- d) has a means of egress to the outside of the **building**, which may be an means of egress with other shared **dwelling units**.

### 6.38 Entry Element

Means an open sided platform, with or without foundation, and with an upper **structure** covered by a roof, a balcony or enclosed second floor habitable space.

### 6.39 Erect

Means “build”, “construct”, “reconstruct”, “alter”, and “relocate” and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally **altering** any existing **building** or **structure** by an addition, deletion, enlargement or extension.

#### 6.40 Expropriating Authority

Has the same meaning as in the *Expropriations Act*, R.S.O. 1990, c. E. 26

#### 6.41 Fence

Means a structure constructed of posts, boards, tailings, rails, wire, masonry or similar methods or any combination thereof used to define a property boundary or to enclose any outdoor area. Fencing shall have a corresponding meaning.

#### 6.42 Financial Institution

Means a bank, credit union, trust company, savings **office** or retail banking operation which is open to the general public, but not including an investment **office**.

#### 6.43 First Storey

Means the **storey** with its floor closest to **grade** and having its ceiling more than 1.8 metres above **grade**.

#### 6.44 Floor Area

Means the total horizontal area of all floors in a **building**.

#### 6.45 Floor Area, Gross (GFA)

Means the aggregate of the **floor areas** of a **building** above **established grade**, measured between the exterior faces of the exterior walls of the **building** at each floor level but excluding **mechanical penthouses**, loading areas, [an above or below grade parking structure](#), elevator shaft, [stairwell](#), [mechanical or electrical rooms](#) and any space with a floor to ceiling height of less than 1.8 metres.

#### 6.46 Floor Space Index (FSI)

Means the maximum **gross floor area** of all **buildings** on a **lot** expressed as a ratio or multiple of the **lot area**. For the purposes of this definition, the maximum **floor space index** in each **zone** shall apply only to that portion of such **lot** which is located within said **zone** prescribed in Schedule B.

#### 6.47 Garage

Means an enclosed **structure** designed and used for the storage of one or more **motor vehicles**.

#### 6.48 Garage, Detached

Means a building or structure which is not attached and is designed or used for the storage of one or more motor vehicles, and excludes a carport, other open shelter or any detached accessory structure.

#### 6.49 Garage, Attached

Means an enclosed **structure** which is **attached** and is designed or used for the storage of one or more **motor vehicles**, and excludes a carport, other open shelter or any **detached accessory structure**.

#### 6.50 Gas Bar Convenience Retail Store

Means a **retail store** established or existing only in conjunction with a **gas bar**, having a variety of convenience goods to serve the traveling public such as milk and dairy products, pre-packaged groceries, patent medicines, carbonated beverages, sundries, tobacco, stationary, magazines and newspapers, but not include fresh meats and produce. An automatic banking machine may also be included.

#### 6.51 Gas Bar

Means a **building** or **structure** including lands appurtenant thereto, used for the sale of petroleum products and automobile accessories, but shall not include the performance of minor running repairs essential to the actual operation of **motor vehicles**, a **motor vehicle** sales establishment, an auto body repair shop, or **automobile service station**.

#### 6.52 Grade

Means the level of the ground adjacent to the outside wall of a **building** or **structure**.

#### 6.53 Grade, Established

Means with reference to a **building** or **structure**, the average elevation of the finished **structure** off the ground where it meets the exterior of the principal entrance of such **building** and, when used with reference to a **structure** other than a **building**, shall mean the average elevation of the finished **grade** of the ground immediately surrounding such **structure**, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a **street** or road means the elevation of the **street** or road established by the **Corporation** or other designated authority.

#### 6.54 Height, Building

Means the number of **storeys** measured from the **established grade** of the principal entrance of each **building**. For the purposes of this definition, the minimum and maximum **building heights** in each **zone** shall apply only to that portion of such **lot** which is located within said **zone** prescribed in Schedule C.

Flagpoles and roof constructions which are less than 5.5 metres in height and do not occupy more than 30% of the area of the roof upon which they are located shall not be included in the calculation of maximum **height**.

#### 6.55 High Rise

Means **buildings** or **structures** with a **height** of 9 **storeys** or greater.

#### 6.56 Home Occupation

Means an economic enterprise operated within a **dwelling unit**, incidental and secondary to the **residential use**.

#### 6.57 Hotel

Means a **building** or part of a **building** or 2 or more connected **buildings** used mainly for the purpose of catering to the needs of the travelling public by the furnishing of sleeping accommodations which do not include separate kitchen or housekeeping facilities but may include a **restaurant**, dining room, lounge, meeting rooms, **retail stores**, and other ancillary uses.

#### 6.58 Independent Seniors Living Residence

Means a **building** or **structure** that provides living accommodation primarily to retired persons or couples where each living unit has a separate entrance from a common hall and contains sanitary facilities, but does not contain a kitchen for the

preparation of meals, and where common kitchen and dining facilities are separately located within each of the **buildings**. Common lounges and recreation facilities and medical care and/or assisted living services/facilities may also be provided. It shall be considered an **apartment dwelling**.

#### 6.59 Landscaping

Means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and shall not include **amenity space, parking areas, driveways** or ramps.

#### 6.60 Lane

Means a public or private means of vehicular access to a **lot** or an abutting **property**. This may also include a parcel of land which is a **common element condominium** for means of vehicular access.

#### 6.61 Live-Work Unit

Means a single unit (e.g. studio, loft, or apartment) consisting of both a **commercial, retail** and/or **office** component and a residential component that is occupied by the same resident. A **live-work unit** may be used as both a living accommodation, which has a kitchen and sanitary facilities, and a business operated by one or more people who live in the unit.

#### 6.62 Loading Space

Means an unobstructed area of land which is provided and maintained upon the same **lot** or **lots** upon which the principal use is located and which:

- a) is provided for the temporary parking of one or more **commercial motor vehicles** while merchandise or materials are being loaded or unloaded from such **vehicles**;
- b) is suitable for the temporary parking of one **commercial motor vehicle**; and
- c) shall not be used for the purpose of sale or display.

#### 6.63 Long Term Care Facility

Means a long term care facility that is licensed under the *Long Term Care Homes Act* or its successor.

#### 6.64 Lot

Means a parcel or tract of land:

- a) which is a whole **lot** as shown on a Registered Plan of Subdivision, but a registered Plan of Subdivision for the purpose of this definition does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to Section 50 of the *Planning Act*, R.S.O. 1990, as amended, or a predecessor thereof; or
- b) which fronts on a **street** and is a separate parcel of land without any adjoining lands being owned by the same owner or owners as of the date of passing of this By-law; or
- c) the description of which is the same as in a deed which has been given consent pursuant to Section 50 of the *Planning Act*, R.S.O. 1990 as amended, or a predecessor thereof; or
- d) a parcel of tied land.

For the purpose of this definition no parcel or tract of land ceases to be a **lot** by reason only of the fact that part or parts of it has or have been conveyed to or acquired by the **Corporation**, Her Majesty in the Right of Canada, or the Regional Municipality of York.

For the purposes of this By-law, a **lot** separated from a **street** by a **reserve**, as defined in this By-law, shall be deemed to abut such **street**.

#### 6.65 Lot Area

Means the total horizontal area within the **lot lines** of a **lot**.

#### 6.66 Lot, Corner

Means a **lot** abutting two or more **streets** at their intersection or upon two parts of the same **street** provided that the interior angle of the intersection of such streets or parts of one street is not more than 135 degrees measured at the centre line of the street.

#### 6.67 Lot Coverage

Means the percentage of the **lot** covered by all **buildings**. **Lot coverage** in each **zone** shall be deemed to apply only to that portion of such **lot** which is located within said **zone**. The calculation of **lot coverage** shall not include that portion of such **lot** which is occupied by a **building** or portion thereof completely below grade, a covered **entry element**, a porch, with or without a basement and stairs with foundations, and barrier free access ramps. Within a residential **zone**, **lot coverage** for a principal building and **lot coverage** for detached **accessory** structures shall be separately calculated, and the habitable space on the second floor directly above an **entry element** or porch, **detached garages**, and **barrier free access ramps** shall be excluded from the calculation of **lot coverage**.

#### 6.68 Lot Frontage

Means the horizontal distance between the **side lot lines** measured at right angles; where the **front lot lines** are not parallel, the **lot frontage** shall be measured by a line six metres back from and parallel to the "chord" of the **front lot line**; for the purposes of this definition, the "chord" of the **front lot line** is a straight line joining the two points where the **side lot lines** intersect the **front lot line**. In the case of a **corner lot** with a **daylighting triangle**, the **flankage lot lines** shall be deemed to extend to their hypothetical point of intersection with the extension of a **front lot line** for the purposes of calculating **lot frontage**.

#### 6.69 Lot, Interior

Means a **lot** situated between adjacent **lots** and having access to one **street**.

#### 6.70 Lot, Through

Means a **lot** bounded on two opposite sides by **streets**, provided however that if any **lot** qualifies as being both a **corner lot** and a **through lot** as herein before defined, such **lot** shall be deemed to be a **corner lot** for the purpose of this By-law.

#### 6.71 Lot Line

Means a line delineating any boundary of a **lot**.

#### 6.72 Lot Line, Flankage

Means a **lot line** of a **corner lot** which abuts a **street** and is not a **front lot line**.

#### 6.73 Lot Line, Front

Means the line which divides the **lot** from the **street**; in the case of a **corner lot** or a **through lot**, the shortest of the lines which divide the **lot** from the **streets** shall be deemed to be the **front lot line**; on a **corner lot** or a **through lot** where such **lot lines** are of equal length, the **front lot line** shall be deemed to be that line which abuts a regional or provincial road or highway.

#### 6.74 Lot Line, Side

Means a **lot line**, other than a **rear lot line** that does not abut a **street**.

#### 6.75 Lot Line, Rear

Means the **lot line** opposite and most distant from the **front lot line** or, in the case of a triangular or otherwise irregularly shaped **lot**, a line of minimum three metres in length entirely within the **lot**, parallel to and at a maximum distance from the **front lot line**.

#### 6.76 Low Rise

Means **buildings** or **structures** with a **height** of 4 **storeys** or less and shall exclude a **street townhouse dwelling**, **block townhouse dwelling**, **stacked townhouse dwelling**, **rear lane townhouse dwelling**, **back to back dwelling** or a **quadruplex dwelling**.

#### 6.77 Main Building

Means a **building** in which is carried on the principal purpose for which the **lot** is used.

#### 6.78 Main Wall

Means the exterior front, side or rear wall of a **building** and all structural members essential to the support of a fully enclosed space or roof.

#### 6.79 Mechanical Penthouse

Means the rooftop floor area above the livable area of a **building** that is used exclusively for the accommodation of stairwells and/or mechanical equipment necessary to physically operate the **building** such as heating, ventilation, air conditioning, electrical, telephone, plumbing, fire protection and elevator equipment and includes walls and **structures** intended to screen the mechanical penthouse and equipment.

#### 6.80 Mid Rise

Means **buildings** or **structures** with **heights** ranging between 5 **storeys** and 8 **storeys**.

#### 6.81 Motel

Means a separate **building** or two or more connected or detached **buildings** designed and used for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food and/or other refreshments, and without limiting the generality of the foregoing shall include a motor court, auto court and tourist home.

#### 6.82 Motor Vehicle

Means an automobile, motorcycle and motor assisted bicycle unless otherwise indicated in the *Highway Traffic Act*, R.S.O. 1990, as amended, and any other **vehicle** propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motorized **vehicles** running only upon rails, or a motorized snow **vehicle**, traction engine, farm tractor, or road



**building** machine within the meaning of the *Highway Traffic Act*, R.S.O. 1990, as amended.

**6.83 Motor Vehicle/Lubrication Establishment**

Means a **building** or part thereof used to provide ongoing regular maintenance essential to the actual operation of **motor vehicles** but shall not include a **motor vehicle** sales establishment, an auto body repair shop, public garage or **automobile service station**.

**6.84 Motor Vehicle Washing Establishment**

Means a **building** or part thereof used for the automatic and/or coin operated washing of **motor vehicles**.

**6.85 Non-Complying**

Means that which does not comply with the regulation(s) of this By-law as of the date of the final passing thereof.

**6.86 Non-Complying Building or Structure**

Means a **building** or **structure** that legally existed on the date of the passage of this By-law and that no longer complies with one or more standards of this By-law.

**6.87 Non-Complying Lot**

Means a **lot** that legally existed on the date of the passage of this By-law that has less than the minimum required **lot frontage** or **lot area** required by this By-law.

**6.88 Non-Conforming Use**

Means a use that legally existed on the date of the passage of this By-law and is no longer a permitted use in the **zone** in which the said use is situated.

**6.89 Non-Residential Building**

Means a **building** that does not contain any **dwelling units**.

**6.90 Obnoxious Use**

Means an offensive use of trade within the meaning of the *Public Health Act*, R.S.O. 1990, as amended or its successor, or a use which is a nuisance by reason of the emission or creation of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot or waste or the depositing or leaving of unsightly objects or chattels on land.

**6.91 Office**

Means a **building** or part of a **building** used for conducting the affairs of business, professions, services, industries, governments, or like activities, in which the chief product of labour is the processing of information rather than the production and distribution of goods.

**6.92 Office, Major**

Means an **office** building that has a gross floor area of 10,000 square metres or greater used primarily for the practice of a profession or the carrying on of a business such as the management or direction of an agency, organization, public administration, or administration of an industry including research and development.

**6.93 Office, Medical**

Means a **building** or part of a **building** used for the medical, dental, surgical and/or therapeutical treatment of human beings, but does not include a public or private hospital, or a professional office of a medical practitioner located in his or her residence.

#### 6.94 Outdoor Patio

Means an outdoor area used in conjunction with any restaurant, tavern, banquet hall or any other **premises** where food or refreshments are consumed by the public and where seating accommodation is provided and where meals or refreshments are served to for consumption on the **premises** and includes all such facilities whether or not licensed under the *Liquor License Act*.

#### 6.95 Outdoor Storage

Means any **accessory** storage outside of a principal or main or **structure** on a **lot**.

#### 6.96 Parcel of Tied Land

Means a parcel of land to which the common interest of an owner in a **common element condominium** attaches as provided for in Subsection 139(2)(a) of the *Condominium Act*, R.S.O. 1998, or a successor thereto and "parcels of tied land" has the corresponding plural meaning.

#### 6.97 Parking Area

Means an open area of land other than a **street, driveway** or **lane** used for the communal parking of **vehicles** with or without a fee being charged or the storage of delivery **vehicles**.

#### 6.98 Parking Structure

Means a **building** or part thereof used for the storage or parking of **motor vehicles**, which can be above or below **grade**.

#### 6.99 Parking Space

Means a space for the parking of a **motor vehicle** that is free and clear of any encroachments.

#### 6.101 Place of Worship

Means lands, **buildings** or lands and **buildings** used by bona fide religious groups for the practice of religious rites.

#### 6.102 Plan of Subdivision

Means a plan of subdivision registered in accordance with Section 51 of the *Planning Act*.

#### 6.103 Porch

Means a **structure** abutting a dwelling having a roof but with walls that are open and unenclosed to the extent that 50% of the vertical plane of the wall is open to the movement of air and which is used as an outdoor living area.

#### 6.104 Premises

Means the area of a **building** or part thereof occupied or used by a business enterprise. In a multiple tenancy **building**, occupied by more than one business, each business area shall be considered a separate **premises**.

#### 6.105 Private Home Day Care

Means a private home daycare facility licensed under the *Child Care and Early Years Act* or its successor.

#### 6.106 Private Utility

Any telephone or communications utility company operating within the Town may for the purposes of the public service, use any land or **erect** or use any **building** or **structure** in the **zone(s)** permitted subject to the use of land or **building** or **structure** being in compliance with the regulations prescribed for such **zone** or use and subject to there being no **outdoor storage** of goods, materials or equipment in any **yard** abutting a Residential **zone**.

#### 6.107 Public Authority

Means any Federal or Provincial government authority, agency, body or department, the Regional Municipality of York, or the Corporation of the City of Richmond Hill, or any agency, body or department of either of these municipalities.

#### 6.108 Region

Means The Regional Municipality of York.

#### 6.109 Reserve

Means a strip of land 0.5 metres in width or less abutting a **street** and owned by the authority having jurisdiction over such a **street**. For the purposes of this By-law, a **lot** separated from a street by a **reserve** shall be deemed to abut such a **street**.

#### 6.110 Residential Use

Means the use of land, **buildings** or **structures** for human habitation.

#### 6.111 Retail

Means a use conducted in a building or structure or part thereof in which goods, merchandise, substances or items are displayed, rented or sold directly to the general public.

#### 6.112 Retail, Major

Means a large format **retail** facility (or facilities), such as **retail** big box stores, retail warehouses and shopping centres which has a gross floor area of 10,000 square metres or greater.

#### 6.113 Satellite Dish/Receiver

Means a **structure** that is 0.84 square metres (1 square feet) or greater, designed and used for the reception of television signals relayed back to Earth from a communication satellite.

#### 6.114 School

Means a **school** under the jurisdiction of the York Region Board of Education, a **school** under the jurisdiction of the York Region Roman Catholic Separate School Board, or other similar Provincially approved educational institution or parochial **school** operated on a nonprofit basis.

**6.115 School, Portable**

Means an **accessory building** of a temporary or removable nature which is a **teaching classroom** used in conjunction with a primary, secondary or **private school** located on the same **lot** whether **attached** to or detached from the **main building**.

**6.116 School, Post Secondary**

Means a **premises** used for educational purposes by a degree granting college or university under Province of Ontario legislation.

**6.117 School, Primary**

Means a **school** established by the Ministry of Education providing education for children up to the level of grade 8.

**6.118 School, Private**

Means a **school** meeting the standards set out for **schools** by the Ministry of Education which secures the major part of its funding from sources other than government agencies.

**6.119 School, Secondary**

Means a **school** established by the Ministry of Education providing education for persons between the level of grade 9 and grade 12.

**6.120 School Bus**

Means a motor vehicle for the purposes of the transportation of **school** children.

**6.121 Secondary Suite**

Means a self contained **dwelling unit accessory** to the main **dwelling unit**.

**6.122 Semi-Trailer**

Means a mechanical device that is towed by a motor vehicle and is so designed that a substantial part of its weight rests on or is carried by the motor **vehicle** or a **trailer** converter dolly through a fifth wheel assembly.

**6.123 Setback**

Means the horizontal distance from the **lot line** measured at right angles to such **lot line** to the nearest part of any **building, structure, parking space, parking lot, parking area** or **loading space** for which a **setback** is required by this By-law.

**6.124 Site Plan Agreement**

Means an agreement entered into pursuant to Section 41 of the *Planning Act* or a successor thereto.

**6.125 Social Services**

Means a non-government, not-for-profit, non-**commercial** organization which carries on social, cultural, welfare, athletic or recreational programs for the benefit of the community.

**6.126 Storey**

Means that portion of a **building** between the surface of a floor and the floor, ceiling or roof immediately above, provided that any portion of a **building** partly below **grade** level shall not be deemed a **storey** unless its ceiling is at least 1.8 metres above **established grade**, and provided that the floor to ceiling height of a storey shall not exceed 4.5 metres. Any **storey** with a floor to ceiling height beyond 4.5 metres shall be deemed an additional **storey**.

**6.127 Street**

Means a public highway as defined by the *Municipal Act, 2001* S.O. 2001, c.25, as amended and shall exclude an unopened road allowance of any **street** which is shown on a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under Section 50 of the *Planning Act*, R.S.O. 1990, or a predecessor thereof.

**6.128 Street Line**

Means the boundary between a **street** and a **lot**.

**6.129 Street Wall**

Means the wall of a **high rise or mid rise building** with a minimum of 3 storeys to a maximum of 6 storeys and that abuts a **front yard, flankage yard**, or a **yard** abutting a **lane** or a public park.

**6.130 Structure**

Means anything that is **erected**, built or constructed of parts joined together and **attached** or fixed permanently to the ground. For the purpose of this By-law, a **fence**, a retaining wall, a light standard and a sign shall be deemed not to be **structures**.

**6.131 Suite**

Means a single room or series of rooms of complementary use, operated under a single tenancy and includes **dwelling units**, individual guest rooms in **motels, hotels, boarding houses**, rooming houses and dormitories as well as individual or complementary rooms for businesses and personal services occupancies.

**6.132 Swimming Pool**

Means any body of water located outdoors on privately owned property contained by artificial means in which the depth of the water at any point can exceed 0.6 metres and shall include any **accessory deck** or support **structure**.

**6.133 Tower**

Means all storeys above the storeys that constitute the height of a **street wall** in a **high rise building**.

**6.134 Trailer**

Means a mechanical device that is towed by a **motor vehicle**, a mobile home or any mechanical device on wheels that is designed not to transport persons.

**6.135 Vehicle**

Means a mechanical device that is self propelled and is designed to be supported by the contact of wheels that is designed not to transport persons.

**6.136 Veterinary Clinic**

Means the **premises** of a veterinary surgeon, where animals, birds, or other livestock are treated but are not boarded overnight.

**6.137 Yard**

Means an open, uncovered space on a **lot** appurtenant to a **building** and unoccupied by **buildings** or **structures** except as specifically permitted in this By-law.

**6.138 Yard, Flankage**

Means the **side yard** of a **corner lot** which **side yard** extends from the **front yard** to the **rear yard** between the **flankage lot line** and the closest point of the **main wall** of any **building** or **structure**.

**6.139 Yard, Front**

Means a **yard** extending across the full width of the **lot** between the **front lot line** and the closest point of the **main wall** of any **building** or **structure** on the **lot**.

**6.140 Yard, Side**

Means a **yard** other than a **flankage yard** which extends from the **front yard** to the **rear yard** between the **side lot line** and the closest point of the **main wall** of the **building lot** or **structure**.

**6.141 Yard, Minimum Required**

Means the minimum distance required from a **lot line**. No part of a required minimum **yard** for a **building** or **structure** shall be included as part of a required minimum **yard** for another **building** or **structure**. In calculating **minimum required yards**, the minimum horizontal distance from the respective **lot line** shall be used.

**6.142 Yard, Rear**

Means the open space extending across the full width of the **lot** between the **rear lot line** and the closest point of the **main wall** of any **building** or **structure** on the **lot**.

**6.143 Zone**

Means a designated area of land use shown on the zoning maps of this By-law.

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**Section 7 Exceptions**

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The following subsections of this "Section 7 Exceptions" are exceptions to the provisions of this By-law. In accordance with Section 2.4 of this By-law, where a **zone** symbol on the **attached** schedule(s) is followed by one or more bracketed numbers, e.g. R2(1) or R2(1)(8), the bracketed numbers refer to subsections in Section 7 -Exceptions of this By-law.

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**Section 8 Enactment**

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Passed this 27th day of November, 2017.

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Dave Barrow

Mayor

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Stephen M.A. Huycke

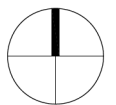
Town Clerk

# ITEM 5






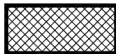



## SCHEDULE "C" - HEIGHT IN STOREYS TO BY-LAW 111-17



This is Schedule "C" to by-law 111-17  
passed by the Council of the Corporation  
of the City of Richmond Hill on the \_\_\_ day  
of \_\_\_\_\_

### LEGEND

	3 storeys		Up to 25 storeys
	Up to 10 storeys		Up to 30 storeys
	Up to 18 storeys		

## Brian DeFreitas

---

**From:** Jeffrey @ LAND LAW <jeffrey@landplanlaw.com>  
**Sent:** Friday, March 13, 2020 4:41 PM  
**To:** Clerks Richmondhill; bernardKDA; council\_members.trh@richmondhill.ca; regional.chair@york.ca  
**Cc:** Mike Manett; Nixon Chan; Chris Pereira; Barnet Kussner; Jeffrey Streisfield; John Alati; Ira Kagan; Aaron Platt; Bola Ogunmefun; Sarah Jane Turney; Mark Flowers; Kristie Jennings; Jason Cherniak; Anthony Sun; Mary-Anne Dempster; Saad ...  
**Subject:** Yonge Bernard KDA - further comments on behalf of North Elgin Centre Inc. (March 13, 2020)  
**Attachments:** NEC\_March 13, 2020 Submissions\_Yonge Bernard KDA Update\_LEA Stakeholder Comments\_2020-03-13 (3).pdf

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Att: City of Richmond Hill Council and Staff

I represent North Elgin Centre Inc. and am providing comments to the City today as requested on the City's website. <https://www.richmondhill.ca/en/find-or-learn-about/yonge-street-and-bernard-key-development-area.aspx>

These comments are further to ones already provided to Staff and the public by North Elgin's consultants.

To give context to these comments, North Elgin refers to its concept plan on file with the City along with its Development Concept vision presented to the Public Open House held in December 2019 (excerpt in link below).

As of today, North Elgin has not received any explanation for the proposed height and density shown in the latest draft Secondary Plan and Zoning Bylaw, nor the rationale for a public road or the proposed revised parking rates.

While we appreciate Staff's efforts to-date, there are significant problems with the latest draft documents posted on the City's website as well as the HDR traffic and parking report.

From North Elgin's perspective, ***the key issues are:***

1. Maximum Height of 30 storeys - There is no explanation for this height limit, especially for corner properties such as North Elgin's which can achieve, without any impact, 36 storeys or more, at the southwest corner of the property. This has been demonstrated through angular plane and other studies on file with the City.

**Recommendation** - the height limit in storeys for towers at or close to the intersection should be increased to 36 - 38 storeys.

2. Density - There is no explanation for the assignment of density to all sites on the latest draft planning instruments, nor why NEC's lands would be limited to 4.5 FSI. NECs concept plan on file with the City clearly demonstrate that the site can easily accommodate 5.5 FSI especially if LEA's parking strategy is implemented which North Elgin is committed to do in order to resolve its appeals.

**Recommendation** - the density assigned to NEC lands should be not less than 5.5 FSI.

3. Roads - Link D and signalized intersection - For the reasons set out in the attached letter and report from LEA, there is no justification for Link D to become a public road. Moreover, it is important for the residents to know that North Elgin does not support a public road which would encourage and allow by pass traffic to infiltrate the residential neighbourhood to the east of the north east quadrant of the Yonge Bernard KDA. What North Elgin's plan allows for is (a) continued

shared vehicular access with Richmond Hill Retirement Residence (at 70 Bernard) and (b) pedestrian and cycling access through the site to a proposed park (which would be stratified).

North Elgin is aware that Staff have engaged external consultants for yet another study called a strata study which is not currently available. This study is not necessary. Either you agree to make the most efficient use of lands in a KDA through strata title - which already exists in Richmond Hill (for example, Great Lands woonerf road at Yonge and 16) or stratified parks (which exists in Markham and other municipalities) or you do not. Strata parks are already permitted in the Part 1 Plan.

**Recommendation** - Link D should be removed as a public road from the plan and changed to a private road (similar to the segment recommended for the lands in the south east quadrant of the KDA) with provision for public pedestrian and cycling access.

4. Potential signalized intersection north of Bernard at Link D and Yonge - the BRT is under construction and there is no authorization for a break to now be made to the centre line median of the BRT. For the reasons set out in the LEA report attached, a signal at this location is not warranted.

**Recommendation** - the schedules to the Plan and Zoning Bylaw should be revised to delete the reference to "potential signal".

5. Greenway and OS designation on NEC lands - a well defined drainage channel exists along the north side of the NEC lands. This channel serves as the north boundary of the north east quadrant of the KDA. It is fenced on both sides and public access is not permitted. The entire NEC site (1.84 ha) is developable and should be designated KDA with no greenway or OS. No explanation has been given by Staff or TRCA for any greenway or OS zoning on the NEC lands. There is no flood issue.

**Recommendation** - the schedules to the Plan and Zoning Bylaw should be revised to remove any greenway or OS designation.

6. Minimum Non Residential Density - Staff (presumably with support of Regional Staff) now require 15% of the total FSI (or GFA) assigned to a property to be non residential GFA. The rationale appears to be that its part of the Region's vision for a "complete community". The complete community policies also include provision for purpose built rental housing. **Those who seek to provide purpose built rental housing and to create zero car households in a mixed use transit supportive development (like North Elgin) should not be burdened with the above requirement.**

**Recommendation** - the 15% requirement should be removed or lowered to a realistic amount.

7. Parking Rates and TDM - the latest parking rates proposed for the KDA (by HDR) are deficient for the reasons set out in the LEA report attached. Many TDM items are missing from the bylaw - for example mandatory car share, compact car spaces etc. It is not clear why staff have not adopted the parking strategy set out in the LEA report which has been on file with the City for quite some time.

**Recommendation** - the parking rates to be included in the zoning bylaw shall be revised to implement the recommendations in the LEA report.

8. Restaurant Use including Drive-Thru - -the latest draft of the bylaw does not clearly specify these uses as being permitted uses. Such uses in a mixed use development are now common place and are an essential service with provision for delivery personnel parking spaces or customer curb side pick up spaces along with various forms of pick up windows. Technology is changing the way food is ordered, pick-up and or delivered. NECs concept plan can facilitate such uses.

**Recommendation** - the bylaw should be revised to specifically include restaurant and drive thru facilities.

9. Holding Provision - the Plan and bylaw now call for a holding provision to be placed on all sites within the KDA. The rationale for use of a holding provision has not been demonstrated, nor have the specific criteria upon which a hold would be lifted justified. In principle, North Elgin is not opposed to a holding provision being applied to its KDA zoning. However as currently drafted, removal of the H provision is based on highly discretionary criteria including construction by the Region of certain roads external to the KDA. As set out in the LEA report, the HDR report does not justify the transportation related triggers proposed in the bylaw.

**Recommendation** - the holding provision should be deleted as the criteria are not appropriate.

A meeting has been requested with Staff to clarify these and other matters. Moreover, information has been sought from the Region of York regarding the status of Richmond Hill's housing starts and completions from 2017 to the present.

We believe the information to be disclosed from the Region will show that both York Region and Richmond Hill are aware that Richmond Hill has not met its annual housing targets contemplated in the latest DC bylaw and that affordable and attainable housing has not been built.

North Elgin's development vision seeks to address this concern.

North Elgin is determined to resolve its appeals with all concerned based on these comments and others provided earlier through the KDA process.

Would the clerks department please confirm receipt of this communication and make same available to the public.

Thank you.

**Jeffrey E Streisfield**, BA LLB MES  
Land Lawyer & Land Development Manager

**LAND LAW**<sup>TM</sup>

[www.landplanlaw.com](http://www.landplanlaw.com)

416.460.2518

Planning & Development Approvals  
Municipal & Environmental Law  
Boundary & Property Disputes  
Trials, Hearings, OMB (LPAT) and Court Appeals

*Creating and Protecting Land Value in Ontario | Advocating for Housing Options Choice and Affordability TM*

This e-mail may be privileged and/or confidential, and the sender does not waive any related rights and obligations.

----- Forwarded Message -----

**From:** Jeffrey @ LAND LAW <jeffrey@landplanlaw.com>

**To:** Patrick Lee <patrick.lee@richmondhill.ca>

**Cc:** Sybelle von Kursell <sybelle.vonkursell@richmondhill.ca>; Kelvin Kwan <kelvin.kwan@richmondhill.ca>; BernardKDA <bernardkda@richmondhill.ca>

**Sent:** Monday, December 9, 2019, 05:35:36 p.m. EST

**Subject:** Re: Yonge Bernard Open House tomorrow (Dec 10, 2019)

Good afternoon Patrick,

I sent an email to the City enclosing NECs submission/input to the open house.  
I am attaching a link in case you did not receive it.

[ShareFile](#)

**ShareFile**

Kindly confirm receipt.

In reply to your email below, see my comments in CAPS.

## Brian DeFreitas

---

**From:** Saad ... <Saad19@hotmail.com>  
**Sent:** Friday, March 13, 2020 3:48 PM  
**To:** bernardKDA; Clerks Richmondhill; Patrick Lee  
**Cc:** Saad ...; info@betterybkdasp.com  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan And Zoning By-Law

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Hi,

I say **No** to the proposed/revised Yonge Bernard KDA Secondary Plan (YBKDASP) and Zoning By-Law proposed on February 14, 2020 to replace the adopted documents/(as OPA 8) and approved by Council (as Part 12 to 2010 Richmond Hill Official Plan/RHOP/ in force) YBKDASP and associated Zoning By-Law (ZBL) 111-17 after a standard consultation process (2016-2017) though did not in fact address the residents concerns at the time after several public meetings many deputants' verbal addresses. These documents were appealed early January 2018 to the Ontario Municipal Board (OMB) then/now after enactment of Bill 139 the Local Planning Appeal Tribunal (LPAT) .

I'm not a municipal lawyer, Planning or Transportation professional, but I have had some exposure to some relevant information due to involvement in the above appeal process.

1-The documents in the subject matter are Planning documents written in legal format in order to become statutory documents. For most residents it can be difficult to understand the legal language. Editing such documents requires **full transparency and disclosure (the intent with the compelling need or reason and evidence to support it for each change and explain the complete impact and consequences of the change) by the writers/editors of these documents.**

**Alternatively, for the residents / the public in order to provide meaningful/educated input and properly evaluate and comment on these documents they would have to retain separately various professionals or have Federally assigned non-biased professionals preferably after becoming well informed in the case process since inception early 2018.**

2- The City informed the public/residents that its to the LPAT to approve these changes. The City did not inform the public that the role of the **LPAT is not the Guardian / Advocate for the residents.** Additionally, the city did not educate the public of the LPAT process and rules in that the LPAT **will approve cases if No Counter Evidence** is put against the case. And that **the LPAT will give more weight and credibility to testimonies from professionals.**

3-It is highly unlikely for residents within the short amount of time to retain such specialties for their assessments to guide input on March 13, 2020. Similarly, should the residents concerns are not addressed and need to participate in upcoming hearing on June 2020. Financial burdens, conflict of interests of/ for professionals operating in Ontario, compression of time, and coordinated availability of professionals and therefore they all lead to lack of natural justice should residents chose the LPAT path. The few weeks allowed for this consultation does not reasonably allow for all these tasks.

4- The Red lined version of the Yonge and Bernard Key Development Area Secondary Plan Zoning By-Law indicate a serious issue on **page 9 item 1.8 titled Effective Date** . The original text in the adopted version that should have been shown as scribed out was actually removed and not shown as expected in track changes and reads " **This By-Law shall come into force upon November 27, 2017.** " and the new inserted text in the proposed document reads " **This By-Law shall come into force upon approval by the Local Planning Appeal Tribunal** " with a comment " **To recognize that LPAT is the approval authority** "

It is not known if **the intent is to change the real date of approval of November 27th, 2017** of the original document(s) so it would be processed under different , rules and sections of the Planning Act among other provisions than when the Adopted SP and ZBL date and appeal specifics or that evidence ( SP and ZBL are being used as written evidence deposited at the LPAT) to change/swapped with new document.

5-The SP proposed on page 1 removed critical information under **Basis section 12.0 and Introduction S. 12.1**. These sections are actually standard information similar to previously Parts 8, 9 of 2010 RHOP. These sections contain critical information regarding the relevance and linkage of the document to in force Official Plans. The current projected population to be as per 2031 projected in accordance with **2017** Growth Plan. Also for **section 12.2.4 in the comments it indicates these changes are due to Bill 108**. To my knowledge, the cutoff dates for implementing Bill 108 over **Bill 139** are known and do not apply to this case. Comments for revision in **section 12.2.3 refer to 2010 RHOP appeal case with one of the developers**. The results of that case is still unknown, therefore its **application is speculative and NOT a fact**. This contradicts the current in force 2010 RHOP.

It is not known what the intent of the addition Item #5 to section 12.2.3 and its relation to revision in item #1 in the same section. The comment regarding the Southwest quadrant where the 1.5 density was not achieved appears ambiguous. Is the City intends to revise the settlement (mid 2017) with one of the site specific appellants for that specific lot to increase the density too or is it going to still increase density by assuming supplemental to be added to another area owned by the developer under the pretext that the 1.5 was not met in the lower density (settled area).

6- The document identified as Peer Review and Transportation Assessment Update, issued as revised draft, dated February 13, 2020 with reference to HDR as the consultant/author should not be considered as final/complete for a counter professional to review since its still a draft.

It is not known the actual construction percentage and actual available budgets and percentages to total improvement cost for items in sections 2.2.1 and 2.2.2 and how the impact of completion of each is expected regarding Traffic off the KDA.

5- On March 3rd, 2020 I attended an information session with City staff. I expected that staff would go over each change and elaborate as per above in item #1. The staff re-presented a previous power point slide show to support the Council aspiration. I indicated to Mr. Lee that the changes and revisions are huge and substantial constituting a New Secondary Plan and ZBL, and Mr. Lee confirmed and replied " Yes these documents are New documents". The Planning Act requires a more rigorous public consultation process and not the minimum within extremely tight schedules and without any public meetings and deputations all based on proper process with full factual reports reports and Planning Evidence.

7- Apart from whether these documents are legal and the authors are taking advantage from the fact that residents/the public/audience lacks specific professionals for a real Peer review and comments, it appears that

these documents included edits, intentional removal, addition of text and schedules and adding to the KDA area in an attempt to remove parts from the Adopted documents that I have used as evidence or totally replace the documents to make my evidence disappear. This is from due to my participation as the only opposition(person) that got involved in two cases heard on August 12 and 13, 2019. The cases were push as separate site specific cases which the City sponsored (approved) the two development despite drastic flaws ( improper claims ) and non compliance with 2010 RHOP and the adopted YBKDASP and ZBL 111-17. At the time of the hearings one might argues that the City was at fault in their decisions to sponcer these claims simply out of incompetence, laps of judgement or improper planning. Today when all the evidence parts that I have used in New documents is meant to disappear, it confirms full determination to proceed and approve one hazardous development and one non complying development by gaining a decision in their favour against my opposition or just make the wrong doing disappear from records for good. This is improper use of authority for gain or escape accountability of making intentional faulty decisions.

8- Additionally, in addition to the developer of the RHOP appeal case in item # 5, **the City is coordinating with other developers to exert more scope, more pressure, more time constraints and essentially use these side cases as backdoor cases to enact the By-law and remove the Interim Control By-law (100-16) currently in-force if their cases are not challenged by the residents too. It also appears that the City is preparing another fall safe plan by preparing for adoption a new OMNIBUS By-Law as per City File D 24-19003. The financials for this proposed By Law does not make sense and when I asked to have the YBKDA excluded similar to other exclusions, I was not provided with a convincing reply that makes me comfortable, especially when the content of the intended By-Law could have easily been included within the proposed documents.**

**9- The above is not a full or complete list of issues in the New Documents as proper Professionals will examine the documents and provide findings accordingly.**

Regards,

Saad Askandar  
71 Yorkland Street  
Richmond Hill, Ontario  
L4C 9Z4  
tel:(905) 780-0646  
e-mail: saad19@hotmail.com

## Brian DeFreitas

---

**From:** haja.balistreri <haja.balistreri@sympatico.ca>  
**Sent:** Friday, March 13, 2020 3:17 PM  
**To:** bernardKDA  
**Cc:** saad19@hotmail.com  
**Subject:** "NO TO REVISED YONGE BERNARD KDA SECONDARY PLAN AND ZONING BY-LAW"

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

I do not agree with these changes!!!

"NO TO REVISED YONGE BERNARD KDA SECONDARY PLAN AND ZONING BY-LAW"

A large group of residents met with Tom Muench years ago at Elgin Barrow Arena to find out what the plans were for the KDA. Even then the residents were opposed to this happening, but here we are and it has gone through and even increased in size.

Tom Muench kept stressing "QUALITY OF LIFE" being important for residents at the above meeting. It seems that our "QUALITY OF LIFE" does not matter anymore!!!

Residents moved to Richmond Hill for it's small town environment to raise their families and experience a "QUALITY OF LIFE". Unfortunately that will not be the case if all this building of high rises continues!!!! This is not downtown Toronto!!! The high rises need to stay down where the subway plans to end and not beyond that. Residents will be moving out of the Richmond Hill area and not moving in!

Yonge Street has been chaos for a number of years now with the installation of the new bus system. How much longer do Richmond Hill residents have to suffer??

Council is just pushing everything through and not learning the struggles of other areas one example being along Eglinton with all the building going on along there. Residents along there are frustrated, Businesses are suffering, Traffic is ridiculous..... Hopefully the city will take responsibility when we have rodent/rat infestations because of all the digging planned, because remember the city will be the cause/reason why.

PLEASE LISTEN TO THE RESIDENTS OF RICHMOND HILL!! OUR QUALITY OF LIFE IS IMPORTANT TO US!!!

Again, I do not agree with these changes!!!

"NO TO REVISED YONGE BERNARD KDA SECONDARY PLAN AND ZONING BY-LAW"

Helen Balistreri  
212 Bernard Avenue  
(416) 938 - 7502  
haja.balistreri@sympatico.ca

Sent from my Bell Samsung device over Canada's largest network.



## Brian DeFreitas

---

**From:** jlin1957@yahoo.ca  
**Sent:** Friday, March 13, 2020 2:40 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

This is Ivy Choi.  
107 Yorkland St., Richmond Hill, Ont. L4S 1C4  
416-716-3921  
jlin1957@yahoo.ca  
I said " No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law"  
Thank you for your attention.  
Ivy

## Brian DeFreitas

---

**From:** Nixon Chan <NChan@lea.ca>  
**Sent:** Friday, March 13, 2020 2:26 PM  
**To:** bernardKDA; Hubert Ng; Jason Dahl  
**Cc:** Mackenzie Riffin; Jeffrey @ LAND LAW  
**Subject:** RE: Yonge/Bernard KDA – Upcoming Public Information Session  
**Attachments:** Yonge Bernard KDA Update\_LEA Stakeholder Comments\_2020-03-13.pdf

**Importance:** High

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Hi Hubert/Jason:

Please find the attached review comments of the “Yonge/Bernard KDA Peer Review and Transportation Assessment Update – Revised Draft”, dated Feb 13, 2020. This document was prepared on behalf of North Elgin Centre Inc. (NEC). We look forward to discuss with the City on the study and the comments provided. Please let me know if you have any questions/concerns. Thank you for the opportunity to review and provide comments.

Regards,

Nixon

**Nixon Chan, M.A.Sc., P.Eng., PTOE, PMP**  
Manager, Transportation Engineering  
Transportation Group  
T: 289 846 5305 | C: 647 223 3366 | E: [nchan@lea.ca](mailto:nchan@lea.ca)  
**LEA Consulting Ltd.**

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**From:** Andrew Crawford [mailto:[andrew.crawford@richmondhill.ca](mailto:andrew.crawford@richmondhill.ca)] **On Behalf Of** bernardKDA  
**Sent:** February 14, 2020 2:14 PM  
**Cc:** bernardKDA <[bernardKDA@richmondhill.ca](mailto:bernardKDA@richmondhill.ca)>  
**Subject:** Yonge/Bernard KDA – Upcoming Public Information Session

Hello,

Thank you for your continued interest in the Yonge/Bernard KDA Secondary Plan. This email is to inform you that the revised drafts of the Secondary Plan and Zoning By-law, as well as a supporting Transportation Study, are now posted online. Please visit [our project webpage](#) to view the documents.

We are accepting comments until March 13, 2020 on the revised Secondary Plan and Zoning By-law, and we ask that all comments be submitted by email to [bernardKDA@richmondhill.ca](mailto:bernardKDA@richmondhill.ca).

In addition, we will be hosting a Public Information Session on March 3, 2020, where staff will present the proposed changes to the Secondary Plan and Zoning By-law, and a panel of City staff will be available to respond to questions.

**Date:** Tuesday, March 3, 2020

**Time:** 7 – 9 p.m.

**Location:** [Elgin West Community Centre](#), Palisade Room

We look forward to seeing you!

Regards,  
The Yonge/Bernard KDA project team



March 13<sup>th</sup>, 2020

**Reference Number:** [19146]

**City of Richmond Hill**  
225 East Beaver Creek Road  
Richmond Hill, ON  
L4B 3P4

**RE: LEA Stakeholder Comments in Response to the *Yonge/Bernard Key Development Area Peer Review and Transportation Assessment Update – Revised Draft* Prepared by HDR in Support of the City of Richmond Hill’s Yonge-Bernard KDA Secondary Plan Update and Draft Zoning By-law 111-17**

## 1 INTRODUCTION

In 2018, LEA Consulting Ltd. (“LEA”) was retained by North Elgin Centre Inc. (NEC) to provide transportation consulting services for the property addressed as 11005 Yonge Street and located at the northeast corner of Yonge Street and Bernard/Canyon Hill Avenue in the City of Richmond Hill (herein referred to as the “subject site”). The subject site is located within the Yonge-Bernard KDA Secondary Plan (herein referred to as the “Plan”), which was adopted by the City in November 2017. The Plan and comprehensive Zoning By-law 111-17 (the “Zoning By-law”) for the KDA lands were subsequently appealed to the LPAT and are currently under appeal, including by NEC (LPAT File PL180073). The Plan proposed several recommendations for the transportation network within the KDA, including new streets and parking rate requirements. In 2017, a traffic impact study titled, “Yonge Street and Bernard Avenue Key Development Area Richmond Hill Secondary Plan Transportation Considerations”, was subsequently conducted by BA Group as a response to Town council for the road recommendations proposed in the Yonge-Bernard KDA Secondary Plan and will be referenced in this report as the “BA Report”.

Since adoption of the Plan in 2017 and the subsequent appeals of the Plan to the LPAT, in late 2019 and early 2020, City Staff have conducted a further review of the Yonge and Bernard Key Development Area Secondary Plan and Zoning By-law and are proposing several modifications to the Plan and By-law in response to Council directives and issues raised by appellants through the appeals process, and to clarify provisions of the original By-law 111-17. In order to inform City Staff’s proposed modifications to the Plan and Bylaw, the City retained HDR to conduct a Peer Review and Assessment Update of the BA Report. The HDR Report (2020) and updated draft Plan and By-law 111-17 were issued for public consultation in February 2020 and are available on line on the City’s website.

LEA has previously conducted a review of the background planning context for the Bernard KDA, followed by a traffic operational review of the proposed road network as initially recommended by the BA Report. Following the issuance of the HDR Report and the updated draft Plan and draft By-law 111-17, LEA has reviewed these documents as they relate to the northeast quadrant of the KDA. LEA’s comments and concerns regarding the HDR Report on behalf of NEC are provided below in response to the City’s requests for comments on the HDR Report, the Plan and the Zoning By-law to be delivered by March 13<sup>th</sup>, 2020.



## 2 REVIEW OF THE YONGE/BERNARD KEY DEVELOPMENT AREA PEER REVIEW AND TRANSPORTATION ASSESSMENT UPDATE – REVISED DRAFT

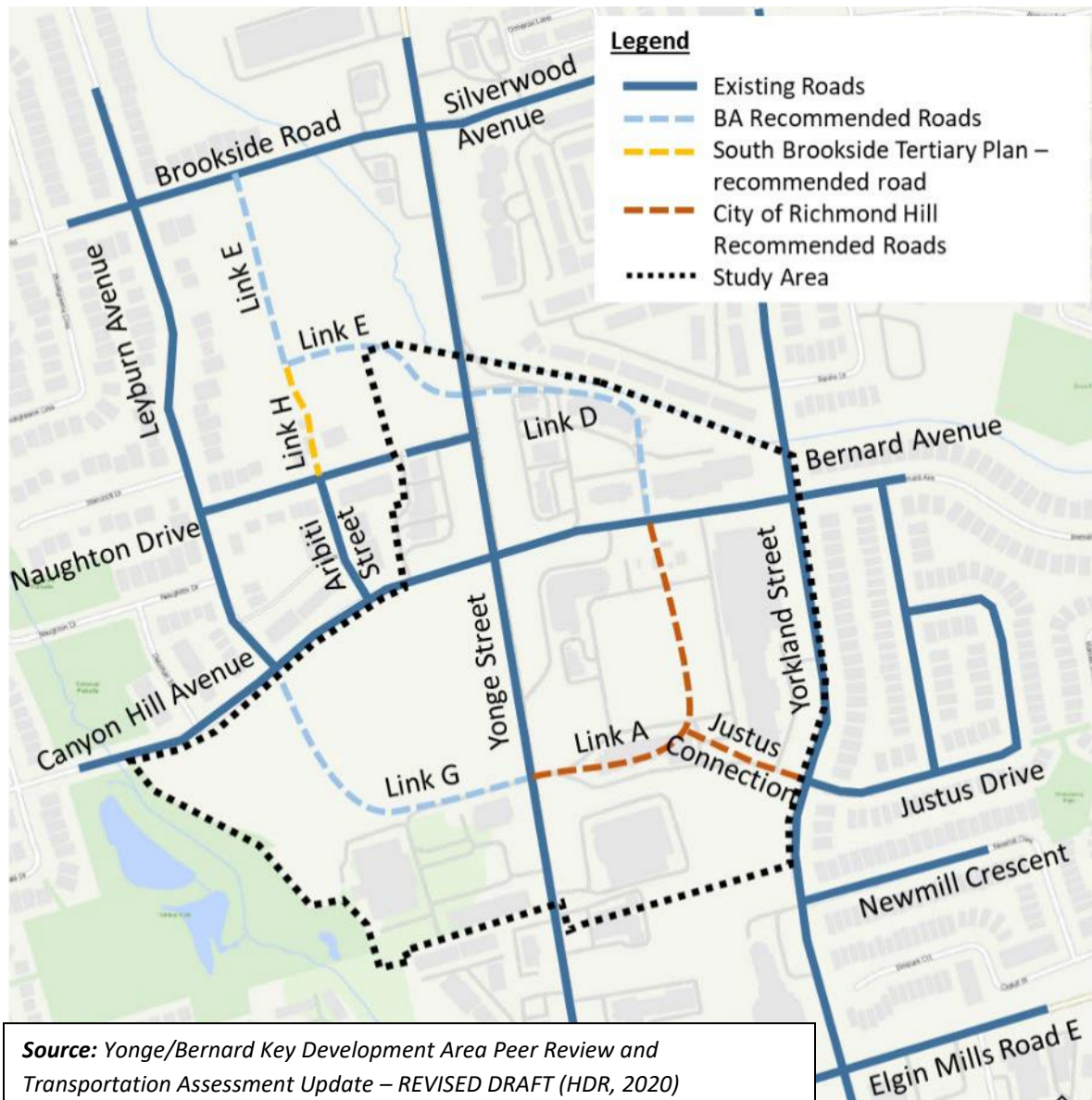
Following a review of the HDR Report conducted for the City and intended to inform policy development towards an updated Plan and By-law, LEA has the following comments regarding the proposed road Link “D”, recommended parking rate requirements, development assumptions, the assumed timing of development, and the recommended approach to travel demand management (TDM).

### 2.1 PROPOSED ROAD LINK “D”

A key recommendation identified in the Plan was a public street to connect Yonge Street to Bernard Avenue along the north and east sides of the NEC-owned lands. The proposed road link, referred to as Link D in the BA and HDR Reports, continues to be recommended. The Plan also included a new signalized intersection at Yonge Street and Link D, which continues to be recommended by the HDR Report. The proposed changes to the study area road network are shown in **Figure 2-1**.



Figure 2-1: Recommended Road Network for Bernard KDA



LEA has several concerns with a Public Roadway for Link D, as follows:

1. *Traffic Benefits of the Proposed Roadway*

LEA has reviewed the HDR Report and notes that, similar to the BA Report, the assessment of future traffic operations was only conducted for the proposed road network, not for the existing network. A comparison of the future total traffic operations on the existing versus the proposed network was therefore not provided, and the improvements associated with implementing Link D on its own cannot



be accurately assessed. To fully understand the impacts of the proposed road network and Link D specifically, a baseline analysis would be required for the future traffic volumes.

Further, Richmond Hill Official Plan (RHOP) policy 3.5.6.5 provides that the primary function of local streets is to provide direct access and facilitate the movement of low volumes of traffic to collector and some arterial streets and that local streets **shall be designed to minimize through traffic**. HDR do not address this policy, nor explain:

a) why a 20m ROW would be required or is appropriate, as opposed to an 18m ROW, or a 15.5m ROW (approved for the Baif Yonge Street lands per RHOP, Policy 6.15(h)), or

b) why a private road with an easement for public access (to pedestrian and cycling facilities) is not appropriate based on NEC's development concept plan, and parking strategy as recommended by LEA.

## 2. *Traffic Benefits of the Proposed Signalized Intersection*

A sensitivity analysis was subsequently conducted to assess whether a signalized intersection at Yonge Street and Link D is warranted. The results of this sensitivity analysis indicated that without signalization, several movements that are already experiencing capacity constraints would perform worse if the intersection was implemented unsignalized. Under future total conditions, the eastbound left, southbound through-right, and northbound left at the Yonge Street and Canyon Hill/Bernard Avenue intersection all operate worse with a volume-to-capacity (v/c) ratio over 1 if the proposed intersection is unsignalized. It is noted in the analysis, however, that the eastbound left and southbound through-right movements would operate with a v/c ratio of 1 or more **even if** the proposed intersection is signalized. Similarly, the southbound through-right and westbound left movements at Yonge Street and Brookside Road/Silverwood Avenue would operate with a v/c ratio greater than 1 if the intersection is unsignalized, but would operate with v/c ratios of 1.01 and 0.99, respectively, **even if** the intersection is signalized. While the proposed signal at Yonge Street and Link D would help to mitigate congestion already anticipated for the study area, the cause of congestion cannot be attributed to the proposed signal alone and LEA therefore would not support the requirement for a signalized intersection based on this rationale.

The reassignment of the traffic volumes between Table 4-27 (2041 AM Total Future) and Table 4-29 (2041 AM Total Future Removing Proposed Signal at Yonge and Link D/E) were not provided. It is unknown how traffics were reassigned. The Synchro results for the unsignalized intersection of Yonge and Link D/E were not provided. Please provide details of the missing analyses and rationale of the traffic reassignment. Without this information the signal warrant would not be supported.

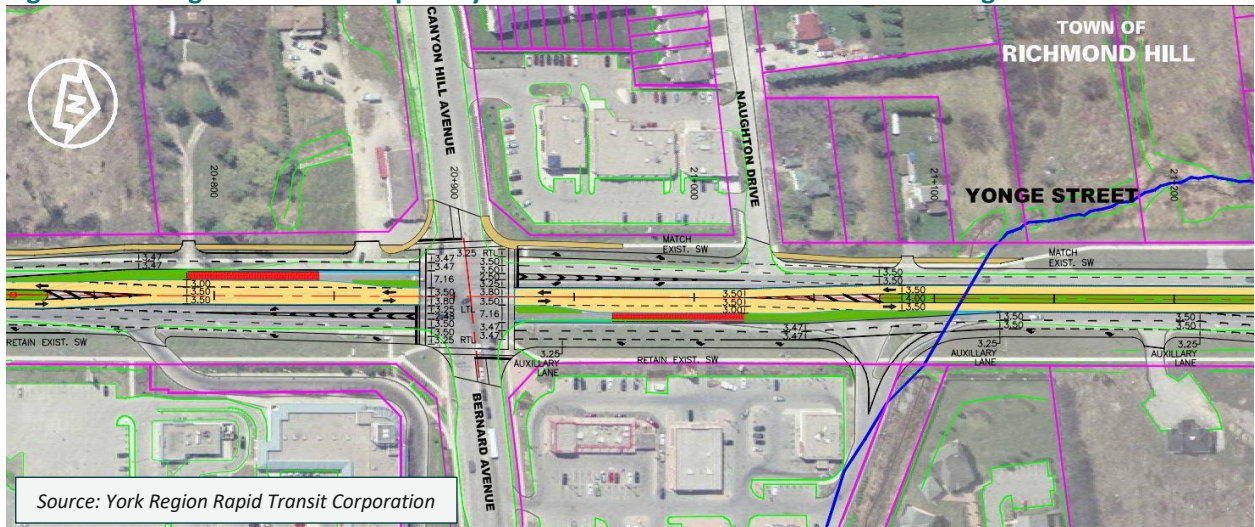
## 3. *Spacing Concerns for the Proposed Signalized Intersection*

The proposed signalized intersection does not meet the York Region minimum spacing requirements for Regional roads between Bernard Avenue. The proximity of another signal on Yonge Street will have impacts to the delay of northbound and southbound traffic, as well as the future Viva Yonge Street Rapidway which is currently under construction. It should also be noted that the design drawings for the Viva Yonge Street Rapidway alignment at this location indicate a centre landscaped median with no



breaks (from the Yonge Bernard BRT station north to the next BRT station) and includes a right-in/right-out access for the subject site at Yonge Street, as shown in **Figure 2-2**.

**Figure 2-2: Yonge Street Viva Rapidway Environmental Assessment Preferred Alignment**



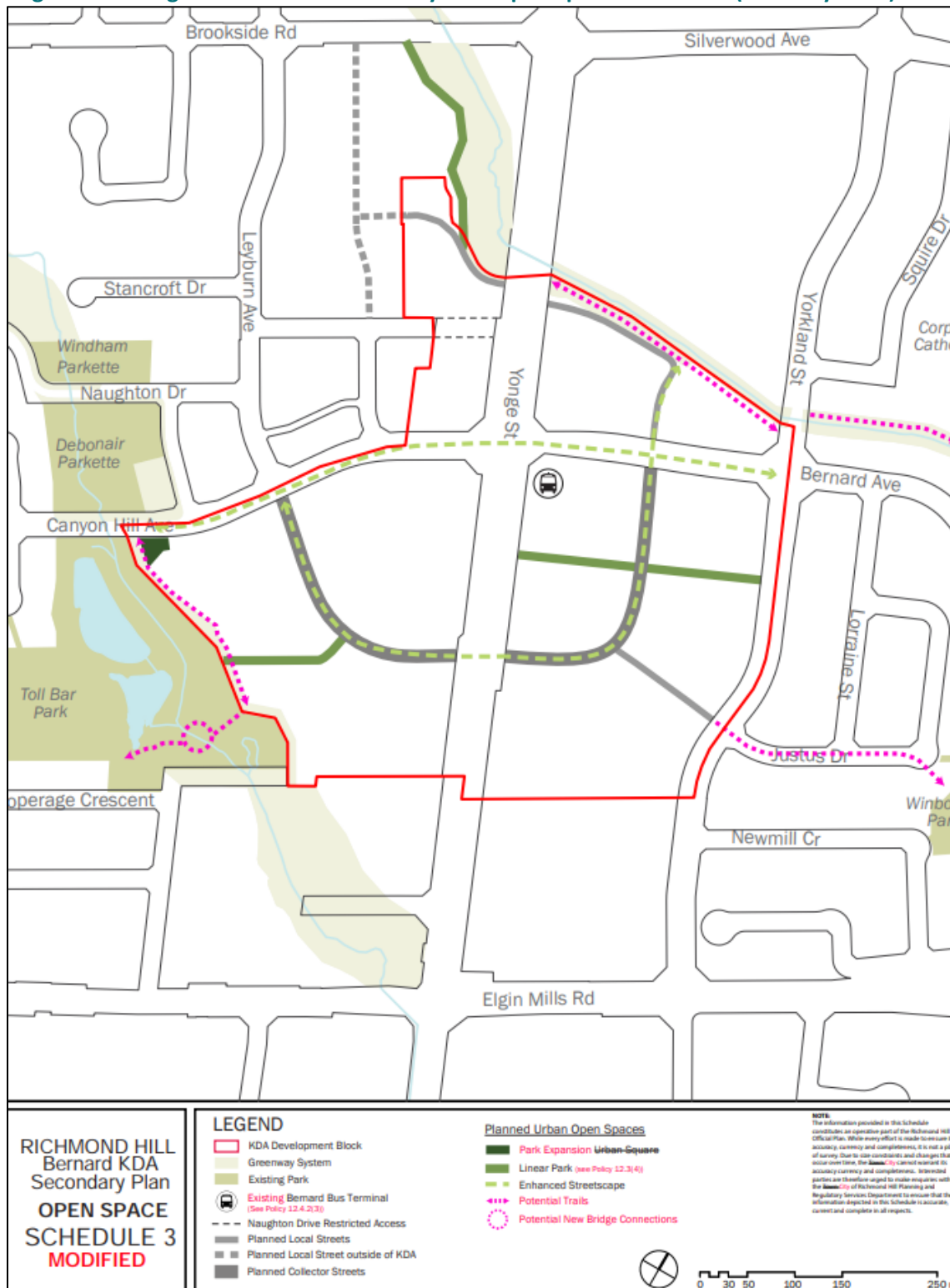
**4. Inconsistency between the modified Bernard KDA Secondary Plan Open Space Schedule 3 (February 2020) and the proposed Link D**

Link D is proposed to function as a local road in the HDR Report, regardless of future ownership. Further, the HDR Report identifies Link D as a component of the recommended future cycling network proposed to include bike lanes. It is noted that the modified Bernard KDA Secondary Plan Open Space Schedule 3 dated February 2020 identifies the proposed Link D as a planned local street, with a potential trail connection identified along the northeastern boundary of NEC lands as shown in **Figure 2-3**. In LEA's opinion, it would be unreasonable to recommend two separate active transportation facilities running adjacent to each other on the same property.





Figure 2-3: Yonge Bernard KDA Secondary Plan Open Space Schedule 3 (February 2020)





## 2.2 RECOMMENDED PARKING RATE REQUIREMENTS

The parking strategy providing in the HDR Report (2020) refers to a best practice review and comparison of rates required by other municipalities with comparable built form and transit service characteristics to the Yonge and Bernard KDA.

1. *The new recommended minimum residential parking rates have not been justified and should not be considered as an appropriate absolute minimum rate*

The new recommended residential parking rates equate to 0.1-0.2 spaces less per unit for residential development while visitor rates have remained the same when compared to the rates initially proposed in the Yonge-Bernard KDA Plan Zoning By-law 111-17. It should be noted that the rates identified in By-law 111-17 were based on the Draft Richmond Hill Parking Strategy that was prepared by HDR in 2010. This study is now 10 years old, and simply applying a uniform reduction to these parking rates does necessarily reflect differing car ownership trends amongst different unit types nor the opportunity to further reduce parking demand and support transit and active transportation options through TDM measures.

Further, any new minimum and maximum residential parking rates and parking strategy should support both the Region's and City's:

- (a) transit modal split targets as set out in ROP policy 7.2.26 & RHOP Policy 3.5.1.15;
- (b) climate change strategy to reduce CO2 emissions; and
- (c) housing affordability objectives applicable to KDAs (35% target),

by removing the requirement to construct a parking space for each new residential unit and by allowing for the unbundling of the cost of a parking space from the cost of a new residential unit (whether it be ownership or rental).

LEA has already recommended to City Transportation Staff a new minimum blended rate of 0.65 spaces per residential unit, together with mandatory car share, bicycle parking, EV charging stations and other measures to be incorporated into the Zoning By-law to influence change to more non-auto modes of travel, address housing affordability and give priority to public transit and active transportation options.

LEA's recommended parking strategy and rates (attached as Appendix A) are critical to supporting a change to non-auto modes of travel and support transit ridership and investment. More importantly, the landowner, NEC, is committed to achieving the above objectives through NEC's development concept plan on file with the City.

## 2.3 FSI AND DEVELOPMENT ASSUMPTIONS

The HDR Report identifies several assumptions made with regards to future FSI and development proposed for the Yonge and Bernard KDA and extended study area.



1. *Transit modal splits assumed for residential, office and retail development for the 2031 base scenario do not appear to account for the effect of TDM measures and reduced minimum parking rate requirements*

It is understood from the HDR Report that transit modal splits assumed for the 2031 base scenario were based off of the Transportation Tomorrow Survey (TTS) data for the 2016 census year. The HDR Report notes that it was unclear how the BA Report arrived at the assumed 17% transit modal split for the 2031 scenario. The AM period transit modal splits applied to the HDR Report are 18% for residential, 9% for office, and 5% for retail uses. The PM period was not assessed in the report. For the 2041 future total scenario, the assumed transit modal splits were 30% for residential to align with the both the Region's 2031 and City's future mode share targets, 12% for office, and 10% for retail.

It is unclear how the 30% transit modal split will be achieved for residential uses as the transit modal split calculations were not tied to any TDM measures. Additionally, the relatively lower transit modal splits for office uses are based on 2016 TTS travel trends, while the retail transit modal split is based on surveys conducted by the BA Group. The transit modal splits assumed for the HDR Report therefore do not appear to consider advancements in TDM strategies (and technologies) nor do they seek to support a shift in commuter culture and travel trends as the Yonge-Bernard KDA develops and intensifies.

2. *Maximum FSI that can be accommodated does not accurately reflect the transit service availability of the Yonge and Bernard KDA*

As indicated in the HDR Report, a key objective of the report was to assess the KDA transportation network based on a desire for higher density and development within the area, as directed by City Council in 2019. It is noted that, while transit trip generation and proposed transit service are assessed in the report, the maximum density determined for the KDA is based on critical movements for vehicle traffic operations only. Specifically, critical movements at the Yonge Street and Elgin Mills intersection and at the Yorkland Street and Elgin Mills intersection were noted as movements which will determine the KDA's future density. While it is understood that the HDR Report identifies several movements which will experience capacity constraints under future total conditions, it is also understood that transit service will not have reached capacity and that there is significant opportunity to improve transit service frequency within the KDA and extended study area considered in the HDR Report. Considering the existing and future capacity of transit service accessible to the Yonge and Bernard KDA and the NEC site, LEA is of the opinion that it is not appropriate to limit development potential based on vehicle traffic operations alone.

3. *It is unclear how active and anticipated development within the Yonge and Bernard KDA were considered in the assessment of future total transportation conditions*

The HDR Report included a list of active developments currently identified within the Yonge and Bernard KDA and extended study area. LEA notes, however, that this list only includes development proposals that are already active and does not include additional development potential. Lands including the NEC lands were not included in the list, despite their potential for future development. Additionally, the HDR Report uses York Region's EMME Model to determine future traffic volumes for the KDA and extended study area. It is therefore unclear whether the Region's EMME Model accounts for additional development potential not yet proposed. The HDR Report assumes that the Region's EMME Model accounts for background growth to 2031 and 2041, however it is unclear how background growth is incorporated into the model, nor how LEA's recommended parking strategy would affect the model.



## 2.4 TIMING OF DEVELOPMENT

1. *Unclear how the HDR Report supports the holding provision proposed in the Plan and Zoning By-law*

The HDR Report does not support or provide recommendations for the holding provision proposed in the Plan and Zoning By-law.

## 2.5 APPROACH TO TRANSPORTATION DEMAND MANAGEMENT (TDM)

The HDR Report outlines several TDM measures based on the BA Report recommendations. This section of the HDR Report is considered to be preliminary as a city-wide TDM strategy update is developed.

1. *Travel Demand Management (TDM) strategy should account for advancements in TDM measures and emerging technologies for future consideration*

The TDM measures considered in the HDR Report are generally consistent with those recommended as part of the BA Report and are included as a sub-section to the HDR Report's Parking Strategy. While LEA is generally in agreement with the direction of the proposed TDM measures, they are not included in the proposed Zoning By-law. Further, it is noted that additional emerging technologies could be considered as a way to further influence travel demand towards active and public transit modes. It is understood that the Parking and TDM Strategy Update is ongoing and intends to provide recommendations to be applied city-wide. LEA is of the opinion that the resulting TDM Strategy should maintain flexibility to accommodate emerging technologies, such as autonomous vehicles or mobile applications providing real-time multi-modal travel data, as more studies assessing their effectiveness become available.

# 3 CONCLUSIONS

Following our review of the HDR Report on behalf of NEC, LEA has identified several concerns with the assumptions and recommendations being made in the report. For the reasons detailed above, LEA does not support several assumptions and recommendations relating to the proposed road Link D, recommended parking rate requirements, maximum supportable FSI and development plans, and the approach to TDM.

## 3.1 PROPOSED ROAD LINK D

With regards to the Link D proposed to be located on NEC lands, LEA does not support:

1. The conclusion that the proposed roadway offers significant traffic benefits over maintaining the existing road network, or the road network shown in NEC's concept plan;
2. The conclusion that the proposed signal at Link D and Yonge Street offers significant traffic benefits over an unsignalized intersection at that location without a full understanding of the traffic analysis to support this recommendation;



3. The location of the proposed signalized intersection at Yonge Street and Link D as it conflicts with York Region minimum spacing requirements for Regional roads and the proposed Viva Yonge Street Rapidway alignment;
4. That the proposed Link D and signalized intersection are necessary for the NEC lands to achieve the density proposed by staff or by NEC based on NEC's concept plan, including implementation of LEA's recommended parking strategy; and
5. The recommended functionality of Link D as a local road that includes bike lanes as these recommendations are inconsistent with the Bernard KDA Secondary Plan Open Space Schedule 3 recommendations for NEC lands. This results in a redundancy.

### **3.2 RECOMMENDED PARKING RATE REQUIREMENTS**

With regards to the parking strategy provided in the HDR Report, LEA does not support:

1. That the new recommended minimum residential parking rates are justified and will adequately support the Region's and City's transit modal split targets, climate change strategy to reduce CO2 emissions, and housing affordability objectives applicable to KDAs. LEA's recommended parking strategy (see Appendix A) recommends residential parking rates in support of these objectives.

### **3.3 FSI AND DEVELOPMENT ASSUMPTIONS**

With regards to the assumptions made for transit modals splits, maximum supportable FSI, and anticipated development within the Yonge and Bernard KDA, LEA does not support the following:

1. That the assumed transit modals splits account for the effect of TDM measures and reduced minimum parking rate requirements recommended by LEA's recommended parking strategy (see Appendix A); and
2. That the maximum supportable FSI in the Yonge and Bernard KDA should be determined based on vehicle traffic operational constraints when additional capacity is available for other modes, especially if LEA's recommended parking strategy is implemented.

### **3.4 APPROACH TO TRANSPORTATION DEMAND MANAGEMENT (TDM)**

With regards to the preliminary TDM strategy, LEA is of the opinion that:

1. Consistent with LEA's parking strategy, certain TDM measures should be included in the by-law; and
2. As the TDM strategy is developed further, advancements in TDM measures and emerging technologies should be included in the Zoning By-law or as part of Site Plan Approval.



Should you have any questions regarding the above-noted comments, please do not hesitate to contact the undersigned at (905)-470-0015 ext. 284, or at [nchan@lea.ca](mailto:nchan@lea.ca).

Yours truly,

**LEA CONSULTING LTD.**

Nixon Chan, M.A.Sc., P.Eng., PTOE, PMP  
Manager, Transportation Engineering

:mr

Encl.: Appendix A: Draft LEA Recommended Parking Strategy Submitted to the City of Richmond Hill and Updated to Reflect the City's Comments, titled, *Bernard KDA Parking Standards Review Report – 11005 Yonge Street City of Richmond Hill (Final Draft – Updated March 2020)*

# APPENDIX A

**Bernard KDA Parking Standards Review Report - 11005  
Yonge Street City of Richmond Hill (Final Draft -  
Updated March 2020)**



North Elgin Centre Inc.

# BERNARD KDA PARKING STANDARDS REVIEW REPORT

**11005 Yonge Street  
City of Richmond Hill**

**FINAL DRAFT**

Updated March 2020

19146



## DISCLAIMER

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## 1 INTRODUCTION

LEA Consulting Ltd. (“LEA”) was retained by North Elgin Centre Inc. (NEC) to review the Secondary Plan and Zoning By-law 111-17 for the Yonge and Bernard Key Development Area (Bernard KDA) in the City of Richmond Hill, and to prepare a report supporting and outlining a sustainable parking strategy, including parking rates, for NEC’s concept plan on file with the City. It is understood that in the Fall of 2019, the City of Richmond Hill began undertaking a Parking and TDM Strategy study, which will provide parking policy direction for off-street parking standards and requirements throughout the City, including within the Bernard KDA. The policy review and subsequent recommendations outlined further in this report are intended to support key land use planning and transportation policies along and within intensification areas such as the Bernard KDA. In particular, this report seeks to support key policy goals such as improving affordability of new housing units, promoting travel by public transit and active transportation modes, and reducing greenhouse gas emissions by supporting the creation of zero-car housing units in Richmond Hill.

LEA has conducted a review of Provincial Policies, York Region’s Official Plan and Transportation Master Plan (TMP), Richmond Hill’s Official Plan, the Bernard KDA Secondary Plan and Zoning By-law 111-17, in addition to other City plans and KDA policies, with a focus on parking policies. While it is clear that the policies in the Bernard KDA Secondary Plan highlight the goals of connectivity, mobility, and pedestrian improvements within the Bernard KDA, LEA finds that Zoning By-law 111-17 associated with the KDA does not reflect the goals and objectives of these policies.

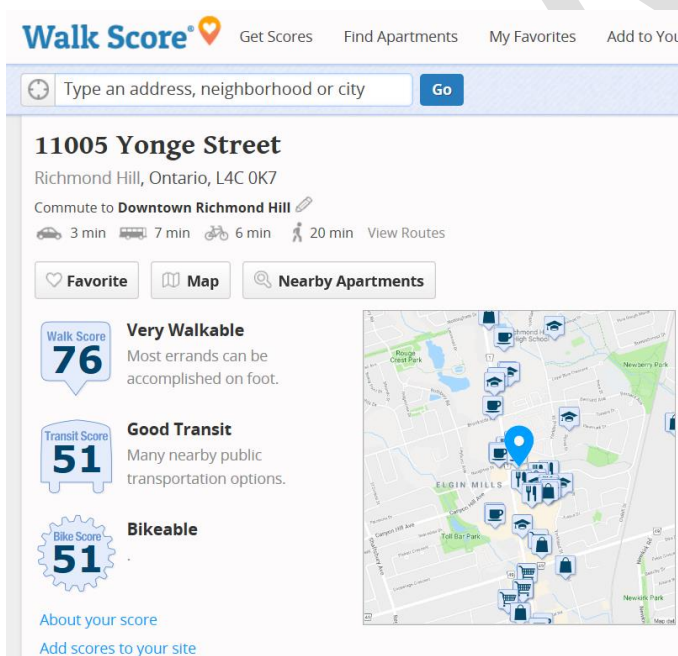
## 2 SITE CONTEXT

NEC is the owner of a property located at 11005 Yonge Street (the Subject Site), on the north-east corner of Yonge Street and Bernard Avenue and within the settlement area as defined by the Oak Ridges Moraine Conservation Plan (ORMCP). The subject site is also located within the Yonge-Bernard KDA (per Schedule A1, A2, and A4 of the City’s OP Part I, as well as within the Yonge-Bernard Secondary Plan (herein referred to as the “Plan”), which was adopted by the City in November 2017. The Plan and the comprehensive Zoning By-law 111-17 for the KDA lands are under appeal to the LPAT (LPAT File PL180073). The Plan proposes new streets within the KDA area with the primary objective of creating a “finer grain street network”, as well as several transportation policies to be considered in the development of the area.

The subject site is located along the existing express Viva bus routes and the future Viva Rapidway and is across the street from the Bernard Bus Terminal. The subject site is well-served by transit providing local and regional connections. It should also be noted that the provincial government has recently announced plans to extend the Yonge Subway line north to Richmond Hill Centre Station, which is directly connected to the site by Viva. The site is considered “very walkable” by WalkScore.com as can be seen in **Figure 1**, demonstrating that the site provides connections to amenities and facilities. WalkScore.com provides scores for how walkable, transitable and cyclable an address is depending on the connections available nearby.

The transit connections and walkability of the site demonstrates that it is a prime location to implement transit-oriented development.

**Figure 1: 11005 Yonge Street WalkScore**



(source: WalkScore.com)

The subject site is currently occupied by North Elgin Centre, a shopping plaza comprised of three one-story retail buildings, two drive-thru restaurants, and surface parking. A seniors’ residence is located east of the subject site. NEC intends to redevelop the property based on the concept plan below and has provided LEA with the latest development concept plans, shown in **Figure 2** and subsequent direction to consider more



### 3 POLICY CONTEXT

The following planning policies and documents were reviewed in context of the subject site and KDA:

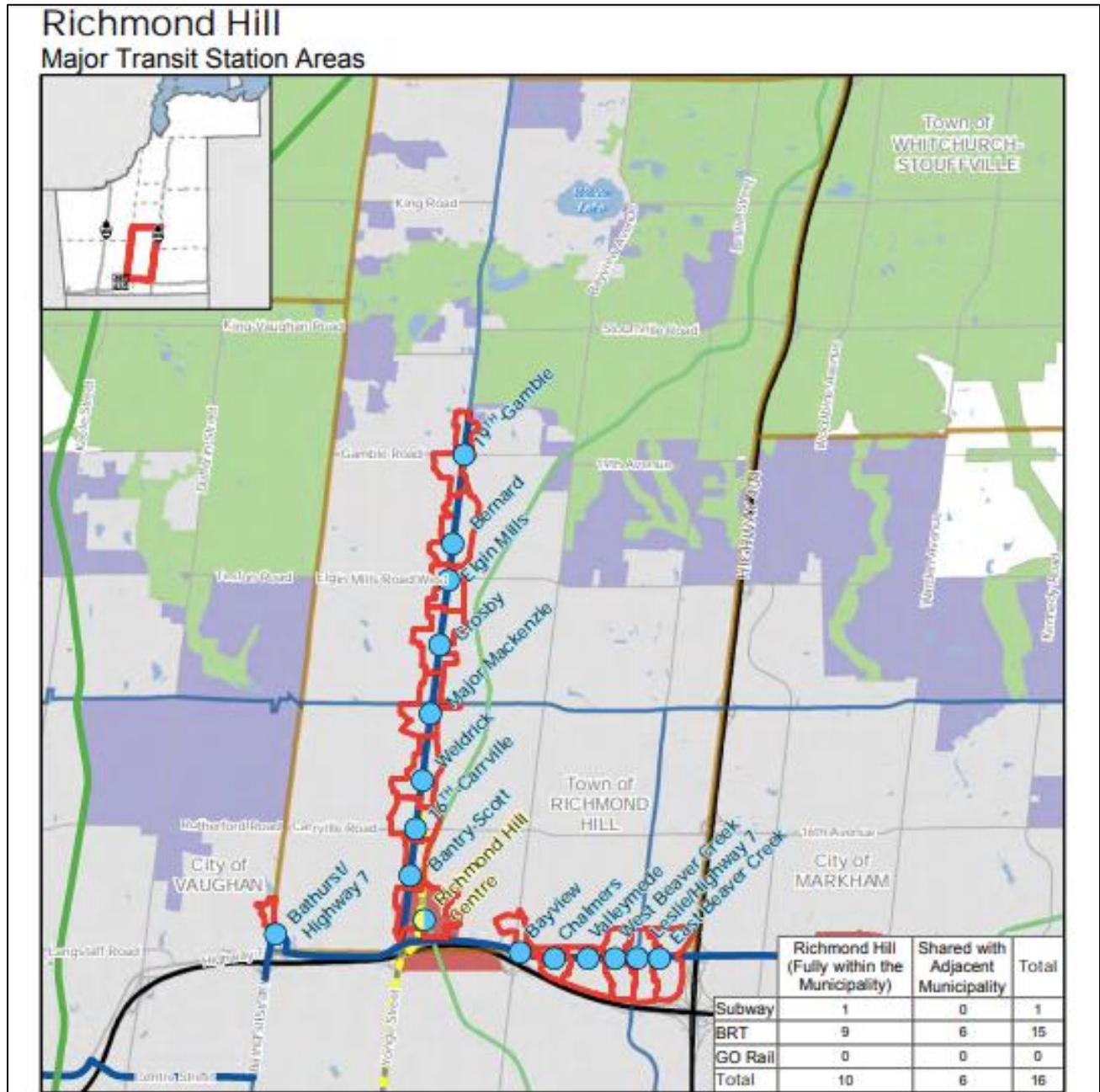
- ▶ Growth Plan for Greater Golden Horseshoe 2017
- ▶ Oak Ridges Moraine Conservation Plan, O Reg 140/02, s. 18.
- ▶ Provincial Policy Statement 2014 and draft Provincial Policy Statement 2019
- ▶ York Region Official Plan
- ▶ 2041 Regional Transportation Plan (Draft)
- ▶ 2016 York Region Transportation Master Plan
- ▶ Richmond Hill Parking Strategy – Final Draft Report June 2010
- ▶ Yonge and Bernard Key Development Area Secondary Plan and the associated BA Group Transportation Report
- ▶ Zoning By-law 111-17
- ▶ Richmond Hill Confirmatory By-law 64-19, extracted from the Special Council Meeting C#16-19 held April 16, 2019 and the May 2019 Council Resolution

The following sections detail each of those planning policies or documents.

#### 3.1 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2017

The Growth Plan for Greater Golden Horseshoe, 2017, is a regional growth management plan for the Greater Golden Horseshoe area, in which Bernard KDA is located. This plan identifies urban intensification areas and strives to achieve complete communities that are compact and transit-oriented. It prioritizes a regional vision for transit investments, especially for *major transit station areas* and *strategic growth area*. The Bernard KDA is envisioned to be a *major transit station area*, as it is mentioned in the Yonge and Bernard Development Area Secondary Plan and as noted in Regional reports.

Figure 3: Major Transit Station Areas, Richmond Hill



The Growth Plan for the Greater Golden Horseshoe contains the policies below, in relation to *major transit station areas*<sup>1</sup>.

<sup>1</sup> Growth Plan for Greater Golden Horseshoe (2017). Online: [http://placestogrow.ca/index.php?option=com\\_content&task=view&id=430&Itemid=14#3.2.2](http://placestogrow.ca/index.php?option=com_content&task=view&id=430&Itemid=14#3.2.2)



### 3.1.1 Section 2: Where and How to Grow

- 2.2.4.8: “All *major transit station* areas will be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where appropriate:
  - connections to local and regional transit services to support *transit service integration*;
  - *infrastructure* to support *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
  - commuter pick-up/drop-off areas.”
- 2.2.4.9: “Within all *major transit station areas*, development will be supported, where appropriate, by:
  - planning for a diverse mix of uses, including second units and *affordable housing*, to support existing and planned transit service levels;
  - fostering collaboration between public and private sectors, such as *joint development* projects;
  - providing alternative development standards, such as reduced parking standards; and
  - prohibiting land uses and built form that would adversely affect the achievement of *transit-supportive densities*.”

In the review of the Zoning By-law 111-17, it is observed that the By-law does not reflect the Growth Plan policies 2.2.4.8 and 2.2.4.9. Policy 2.2.4.9 requires major transit station areas to address housing affordability considerations and provide lower development standards, which were completely disregarded in the Zoning By-law. The parking requirements in the Zoning By-law appear to originate from the 2010 Final Draft Parking Strategy. These standards are not supportive of transit policies, as mentioned in policy 2.2.4.8. Those parking requirements will continue to encourage single-occupancy vehicle trips and will not achieve multimodal transportation. In addition, commuter pick-up/drop-off areas were not integrated into the Zoning By-law, contrary to the requirements in policy 2.2.4.8.

### 3.1.2 Section 3: Infrastructure to Support Growth

- 3.2.2.4: “Municipalities will develop and implement *transportation demand management* policies in official plans or other planning documents or programs to:
  - increase the *modal share* of alternatives to the automobile, which may include setting modal share targets;
  - prioritize active transportation, transit and goods movement over single-occupant automobiles;
  - expand infrastructure to support active transportation; and
  - consider the needs of *major trip generators*.”

Policy 3.2.2.4 in the Growth Plan requires the municipalities to implement Transportation Demand Management (TDM) in planning documents. Except for the bicycle parking rates, Zoning By-law 111-17 does not contain sufficient TDM measures to address the desired transit modal split of 30% in Richmond Hill’s Urban Areas or 50% in Regional Centres and Corridors during peak periods by 2031, as specified in the Regional Municipality of York Official Plan Policy 7.2.26, and maintains unnecessarily high minimum vehicle parking rates based on the draft Richmond Hill Parking Strategy from 2010.

### 3.2 OAK RIDGES MORAINÉ CONSERVATION PLAN, O REG 140/02, S. 18.

The Oak Ridges Moraine Conservation Plan (ORMCP) is prescribed through O. Reg. 140/2 under the Oak Ridges Moraine Conservation Act, 2001, and provides direction for land use planning, resource management, and environmental protection for lands within the Oak Ridges Moraine to stakeholders in the planning process, such as municipalities and landowners. S. 18 of the ORMCP pertains to Settlement Areas, and provides direction to guide land use planning in a manner that supports the development of complete and low-carbon communities, with a focus on developing transit and active-transportation supportive development. Specifically, s. 18 sets out the following planning directives related to sustainable, active transportation and transit-supportive growth and intensification for Settlement Areas:

- 18.(1): The purpose of Settlement Areas is to focus and contain urban growth by,
  - (0.a) encouraging the development of communities that provide their residents with convenient access to an appropriate mix of employment, transportation options and local services and a full range of housing and public service facilities;
  - (a) minimizing the encroachment and impact of development on the ecological functions and hydrological features of the Plan Area;
  - (b) promoting the efficient use of land with transit-supportive densities, through intensification and redevelopment within existing urban areas; and;
  - (c) providing for the continuation and development of urban land uses consistent with the growth management strategies identified in the applicable official plans. O. Reg. 140/02, s. 18 (1); O. Reg. 141/17, s. 10 (1).
- 18.(2) Settlement Areas also have the objectives of,
  - (c.1) promoting the locating of two or more compatible public services in one building or place that is conveniently situated so as to be accessible to local residents by walking, cycling and, where available, public transit;
  - (c.2) ensuring that development takes place in a manner that reduces greenhouse gas emissions

### 3.3 YORK REGION OFFICIAL PLAN 2010 (ROP) & 2016 YORK REGION TRANSPORTATION MASTER PLAN

Yonge Street is designated as a Regional Corridor and a Regional Rapid Transit Corridor according to Maps 1 and 11 of the ROP. The ROP contains several policies which prioritizes transit and promotes an increase in transit usage along parking management, including:

- 7.1.1 To require that appropriate Transportation Demand Management measures to reduce single occupancy automobile trips are identified in transportation studies and in development applications.
- 7.1.2 To work with local municipalities, Metrolinx and other stakeholders to support local Smart Commute associations.
- 7.1.3 To manage the supply of parking in Regional Centres and Corridors, consistent with the policies in Section 5.4 of this Plan.

- **7.2.19** To recognize transit as a Regional strategic investment priority and a key element of York Region's urban structure.
- **7.2.21** To develop transit corridors and related infrastructure necessary to establish the York Region Transit and Viva network as illustrated on Map 11.
- **7.2.22** To work with partners to complete the transit network, as illustrated on Map 11, including subway line extensions, Metrolinx enhancements, the 407 Transitway and other rapid transit corridors.
- **7.2.23** To ensure communities are planned with the early integration of transit.
- **7.2.24** To provide preferential treatment for transit vehicles on Regional streets designated as Regional Transit Priority Network on Map 11, including the construction of *high-occupancy vehicle lanes*, dedicated transit lanes, transit signal priority and other transit priority measures within the right-of-way.
- **7.2.26** To achieve an overall transit modal split of 30 per cent during peak periods in the Urban Area and 50 per cent in the Regional Centres and Corridors by 2031.
- 5.3.9 That parking shall be managed in a manner consistent with policies 5.2.10, 5.4.8, 5.4.9 and 5.4.26.c of this Plan.
- 5.2.10 That secondary plans and zoning by-laws shall, in consultation with the Region and related agencies, incorporate parking management policies and standards that include:
  - a. reduced minimum and maximum parking requirements that reflect the walking distance to transit and complementary uses;
  - b. shared parking requirements, where possible, reflecting variances in parking demand between complementary uses on a time-of-day, weekday/weekend, and monthly basis;
  - c. on-street parking;
  - d. site design that orients the main building entrance(s) to face the public street(s), provides a pedestrian friendly urban form, and where appropriate, as determined by the local municipality, does not permit the placement of surface parking spaces between the main building entrance and the major street;
  - e. the design of surface parking to support redevelopment and retrofitting; and,
  - f. preferential locations for carpooling and car-sharing spaces and bicycle storage requirements.
- 5.4.8 That secondary plans and zoning by-laws shall, in consultation with the Region and related agencies, incorporate parking management policies and standards that include:
  - a. reduced minimum and maximum parking requirements that reflect the walking distance to transit and complementary uses;
  - b. shared parking requirements where possible, reflecting variances in parking demand between complementary uses on a time-of-day, weekday/weekend, and monthly basis;
  - c. site design that orients the main building entrance(s) to faces the public street(s), provides a pedestrian friendly urban form, and where appropriate, as determined by the

local municipality, does not permit the placement of surface parking spaces between the main building entrance and the major street;

- d. an approach that anticipates and plans for the transition of surface parking to structured/underground parking as site development evolves; and,
- e. preferential locations for carpooling and car-sharing spaces

The York Region Transportation Master Plan (TMP) sets out sustainable principles to guide policies in prioritizing pedestrians and transit developments<sup>2</sup>. Policy 61, under section 8.4.1, states the following:

- The Region will “consider opportunities for engaging directly with individuals and families to encourage sustainable travel choices, in order to maximize future uptake of facilities and services for walking, cycling, carpooling and public transit.”

Zoning By-law 111-17 continues to apply parking rates developed ten years ago. These rates are expected to continue to encourage automobile-dependency, which does not align with ROP policies as well as Policy 61 of the TMP. To reduce parking rates, the TMP provides a variety of parking management recommendations. Under Section 4.3.4, it suggests intensification areas to incorporate the strategies, as follows:

- Lower parking requirements,
- Promote shared parking rates, and
- Offer parking reductions in exchange for the provision of carpool, car-share and bicycle parking.

### 3.4 YORK REGION TRANSIT ORIENTED DEVELOPMENT GUIDELINES

The Transit Oriented Development Guidelines are tools that will support the long-term transit investments in the community<sup>3</sup>. The goal is to support areas that are experiencing transit growth with strategies, which will generate ridership and improve the transit system. Parking is one of the six themes to be focused on. The report suggests multiple vehicle parking design guidelines. The following points are considered to be relevant to this study:

- “Reduce the prominence of surface parking,
- Adjust the quantity of parking to reflect the level of transit service;
- Link parking supply with Transportation Demand Management (TDM) programs;
- Promote shared parking arrangements among neighbourhood properties.”

### 3.5 2041 REGIONAL TRANSPORTATION PLAN DRAFT

The final draft of the 2041 Regional Transportation Plan (2041 RTP) identifies transportation planning for the Greater Toronto and Hamilton Area (GTHA) for the next 25 years, in which the Bernard KDA is located in. The 2041 RTP sets out the visions, goals, and strategies in establishing well-integrated transportation system for the GTHA. Of the strategies outlined in the document, the following priority action is considered appropriate for the Bernard KDA<sup>4</sup>.

<sup>2</sup> 2016 York Region Transportation Master Plan. Online: [https://www.york.ca/wps/wcm/connect/yorkpublic/d7ec2651-8dc5-492e-b2a0-f76605edc122/16296\\_TmpFinalBigBook\\_NovWEB-FIX.pdf?MOD=AJPERES](https://www.york.ca/wps/wcm/connect/yorkpublic/d7ec2651-8dc5-492e-b2a0-f76605edc122/16296_TmpFinalBigBook_NovWEB-FIX.pdf?MOD=AJPERES)

<sup>3</sup> York Region Transit-Oriented Development Guidelines. Does not have URL link, but can be found online in the York Region website.

<sup>4</sup> Final Draft 2041 Regional Transportation Plan. Online: [http://www.metrolinx.com/en/docs/pdf/board\\_agenda/20180308/20180308\\_BoardMtg\\_Draft\\_Final\\_2041\\_RTP\\_EN.pdf](http://www.metrolinx.com/en/docs/pdf/board_agenda/20180308/20180308_BoardMtg_Draft_Final_2041_RTP_EN.pdf)

### 3.5.1 Strategy #3: Optimize the Transportation System

- Priority Action 3.7: “Make TDM a priority, which includes
  - Collaborate to develop and implement TDM programs as required by the Growth Plan
  - Deliver TDM programming to support all new rapid transit services, transit station areas, and areas impacted by major construction and events.
  - Reinvigorate carpooling with a compelling and user-friendly online regional platform integrated with trip planning and payment tools, and drive participation.”

In the draft of 2041 RTP, Priority Action 3.7 strongly suggests the municipality is to establish Transportation Demand Management (TDM) approaches to transit station areas, as required by the policy 3.2.2.4 in the Growth Plan. One of the points highlights the need for carpooling services, however carpooling is not incorporated in Zoning By-law 111-17.

## 3.6 RICHMOND HILL PARKING STRATEGY – FINAL DRAFT REPORT (2010)

The Richmond Hill Parking Strategy contains parking requirements for specific areas, including the Bernard KDA. The Draft Report focuses on measures that will promote the effective usage of parking facilities. It aims to lower vehicle ownership and encourage active transportation, transit usage, and transit-oriented development. In this report, it recommends the KDA apply the parking strategies, as indicated in **Table 1**. It suggests reducing the parking standards for the Downtown area of Richmond Hill, which includes the subject area, by 20-30%<sup>5</sup>. Also, maximum parking supply rates are recommended to be 25% higher than the minimum rates. The document has never been finalized, nor its recommended parking rates ever tested against current planning policies.

**Table 1: Parking Strategies – Richmond Hill Parking Strategy (Draft Final June 2010)**

	Downtown Local Centre and KDAs	Richmond Hill Regional Centre	Rapid Transit Corridors	Business Parks	Rest of Richmond Hill
Reduced on-site parking supply requirements	✓	✓	✓		
Maximize use of on-street and/or off-site public parking	✓	✓	✓		
Implement shared parking formula for mixed-use developments	✓	✓	✓	✓	✓
Cash-in-lieu	✓	✓			
Parking charges for non-residential development	✓	✓	✓		
Travel Demand Management	✓	✓	✓	✓	✓

<sup>5</sup> Town of Richmond Hill (2010). "Richmond Hill Parking Strategy – Final Draft Report" [Online]. Available: <https://www.richmondhill.ca/en/shared-content/resources/documents/RH-Parking-Strategy-Final-Draft.pdf>

### 3.7 YONGE AND BERNARD KEY DEVELOPMENT AREA SECONDARY PLAN

The Secondary Plan is proposed as an amendment to the City of Richmond Hill Official Plan. This Secondary Plan focuses on the area of Yonge Street and Bernard Avenue, known as Bernard KDA. It specifies policies in managing growth and enhancing retail and commercial development. The Bernard KDA is envisioned to become a mixed-use urban centre that supports a transit, cycling, and pedestrian-oriented development. Furthermore, a bus terminal is located at the Bernard KDA, which is considered as part of the infrastructure of the Major Transit Station Area as indicated in the Growth Plan.

The Secondary Plan requires new development to implement a TDM Strategy, in accordance with Section 12.4.3.5<sup>6</sup>. The purpose of a TDM Strategy is to reduce automobile dependency and to shift to more sustainable modes of transportation. BA Group prepared a traffic impact study titled, “Yonge Street and Bernard Avenue Key Development Area Richmond Hill Secondary Plan Transportation Considerations”, for the Yonge-Bernard KDA Secondary Plan and recommended several TDM strategies. However, TDM strategies are not contained in Zoning By-law 111-17. The following TDM strategies from this report should have been included in the Zoning By-law:

- ▶ Section 12.4.3.1: “The Town shall encourage and support implementing car-share facilities in the Bernard KDA.”
- ▶ Section: 12.4.3.5.i – “Car-sharing programs and preferential car-share parking”
- ▶ Section: 12.4.3.5.j – “Preferential carpool parking”
- ▶ Section: 12.4.3.5.k – “Paid parking for non-residential parking”
- ▶ Section: 12.4.3.5.m – “Electric vehicle charging stations or roughins”

### 3.8 RICHMOND HILL CONFIRMATORY BY-LAW 64-19

On April 16, 2019, the City of Richmond Hill passed a resolution which provides policy direction regarding the KDA Secondary Plan and Zoning By-law. The Council resolution directs that adjustments be made to the parking standards contained in the Zoning By-law in order to support transit and the City’s housing affordability objectives, including the provision of new apartment units without parking spaces. City Council gave direction to embrace the following items in the revised parking standards:

- ▶ Active transportation and transit,
- ▶ Carpooling,
- ▶ Car Sharing,
- ▶ Electric Vehicle charging stations,
- ▶ Bicycle stands,
- ▶ Small compact car spaces, and
- ▶ Other Transportation Demand Management Measures (TDM).

## 4 TRANSIT ORIENTED DEVELOPMENT STRATEGIES

The following section contains strategies and recommendations to be implemented for the subject site and KDA. These strategies should be incorporated in a revised Zoning By-law for the KDA.

LEA has outlined six effective strategies:

- 1) New lower minimum and maximum parking rates,

<sup>6</sup> Yonge and Bernard Key Development Area Secondary Plan (2017). Online: <https://www.richmondhill.ca/en/shared-content/resources/documents/Bernard-KDA---Secondary-Plan---Adopted.pdf>

- 2) car-share rates,
- 3) carpool rates,
- 4) compact car spaces,
- 5) shared parking rate, and
- 6) electric vehicle parking spaces.

For context, each section below outlines what is contained in the existing Zoning By-law 111-17. This will be compared to alternative parking standards in other municipalities within North America. Based on this best practice review, LEA will outline the parking strategies and recommendations for rates to be included in the Zoning By-Law for the Yonge Bernard KDA. Further, it is understood that By-law 111-17 specifies minimum bicycle parking space requirements for residential, visitor, and non-residential uses in addition to minimum vehicle parking standards. It is expected that By-law 111-17 will continue to require minimum bicycle parking standards that meet or exceed the requirements currently specified in the By-law to support reduced parking requirements and the City and Region’s goals with regards to encouraging active transportation use and reduced automobile dependence.

## 4.1 PARKING RATES

### 4.1.1 Existing By-law Rates

**Table 2** shows the current minimum and maximum parking standards set out in Zoning By-law 111-17. It includes residential and non-residential parking standards. It is observed that the By-law retains parking requirements as suggested by the 2010 Richmond Hill Draft Parking Strategy. These rates are not appropriate for the Yonge Bernard KDA for the reasons discussed in this report.

**Table 2: Bernard KDA By-law 111-17 Parking Standards**

Use	Minimum Parking Space Standard	Maximum Parking Space Standard
<b>Residential (parking space per Dwelling Unit or portion thereof)</b>		
<i>Apartment Dwelling</i>		
Bachelor	0.8	1.0
1-bedroom	0.9	1.1
2-bedroom	1.0	1.25
3-bedroom+	1.2	1.5
Visitor	0.15	0.2
<i>Apartment Dwelling (Rental Tenure)</i>		
Bachelor	0.75	0.9
1-bedroom	0.85	1.05
2-bedroom	1.0	1.25
3-bedroom+	1.2	1.5
Visitor	0.15	0.2
<b>Non-Residential (parking space per 100m<sup>2</sup> of Gross Floor Area or portion thereof, unless otherwise specified)</b>		
Major Office	2.0	2.5
Commercial (equal to or less than 10,000m <sup>2</sup> of Gross Floor Area)	4.0	5.0

Commercial (greater than 10,000m <sup>2</sup> Gross Floor Area)	3.0	3.75
Medical Offices/Clinics	5.4	6.75
Place of Assembly including Assembly Hall, and Place of Worship	4.8	6.0
Financial Institution	4.6	5.7
Veterinary Clinics	3.5	4.4
Arts and Cultural Facilities	5.0	6.3
Social Services	5.0	6.3

#### 4.1.2 Best Practices Review

##### 4.1.2.1 City of Richmond Hill, Ontario

In 2011, the OMB approved Zoning By-law 49-12 which is a site-specific By-law applicable to 9251 Yonge Street (located at the southeast corner of Yonge Street and 16<sup>th</sup> Avenue). The intersection of Yonge Street and 16<sup>th</sup> Avenue is within one of Richmond Hill’s KDAs. Both KDAs (Yonge/16<sup>th</sup> and Yonge/Bernard) share relatively similar characteristics as shown in **Figure 4**. Both KDAs are well served by public transit, including the Viva BRT network along Yonge Street. In addition, the Walk Score for both KDAs have high standings, which indicates the presence of a functional and accessible pedestrian network. Yonge Street & 16<sup>th</sup> Avenue has a Walk Score of 75<sup>7</sup> and Yonge Street & Bernard Avenue has a Walk Score of 79<sup>8</sup>. Furthermore, both intersections have similar existing land developments, predominately consisting of retail and commercial stores with massive parking lots.

**Figure 4: Aerial Image of Yonge and 16th KDA**



<sup>7</sup> Walk Score. Available: <https://www.walkscore.com/score/yonge-st-and-16th-ave-richmond-hill-on-canada>

<sup>8</sup> Walk Score. Available: <https://www.walkscore.com/score/yonge-st-and-bernard-ave-richmond-hill-on-canada>



Due to its similar features, growth, and location, the parking standards in By-law 49-12 can be a reference for the Bernard KDA By-law. In comparison to the Bernard KDA, the parking rates found in By-law 49-12 are lower. A comparison chart between the two By-laws is displayed in **Table 3**. Noticeably, the minimum parking requirements in By-law 42-12 are lower than the Bernard KDA By-law by approximately 0.1 to 0.3 parking space/unit, depending on the unit type. Due to the significant advancement of transit and non-auto modes in the years since Zoning By-law 42-12 was produced (2011), the Bernard KDA By-law should have strived for a more sustainable and forward-thinking parking management strategy.

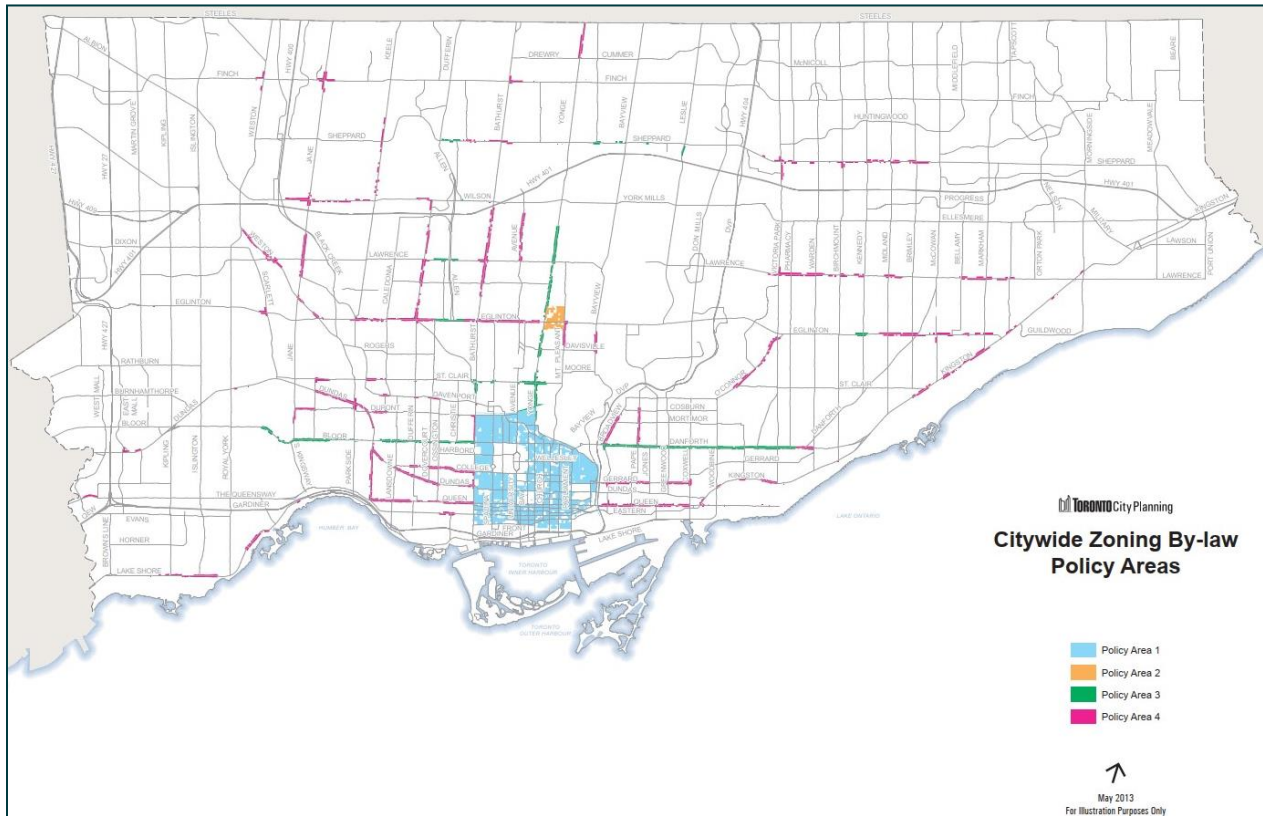
**Table 3: Comparison of Parking Standards Between By-law 49-12 By-law 111-17**

Unit type – Category	Parking Rate / Unit			
	Yonge/16 <sup>th</sup> By-law 49-12 (Apartment Dwelling)		Yonge/Bernard By-law 111-17 (Apartment Dwelling)	
	Min.	Max.	Min.	Max.
Bachelor Unit < 55 m <sup>2</sup>	0.5	0.8	0.8	1.0
1-bedroom Unit < 55 m <sup>2</sup>	0.7	1.0	0.9	1.1
1-bedroom Unit < 55 m <sup>2</sup> , ≤ 67 m <sup>2</sup>	0.8	1.1		
1-bedroom Unit < 65 m <sup>2</sup> , ≤ 83 m <sup>2</sup>	0.9	1.2		
2-bedroom Unit < 83 m <sup>2</sup> , ≤ 102 m <sup>2</sup>	1.0	1.3	1.0	1.25
2-bedroom Unit > 102 m <sup>2</sup>	1.1	1.5		
3-bedroom+ Unit > 102 m <sup>2</sup>	1.2	1.6	1.2	1.5
Visitor Parking	0.15	0.2	0.15	0.2

#### 4.1.2.2 City of Toronto, Ontario

City of Toronto By-law 569-2013 separates the urban intensification into four levels, with Policy Areas 1 to 4. Policy Area 1 is located in the downtown core with the most transit access, while Policy Areas 2 to 4 are generally less intensified than Policy Area 1 but more intensified than non-policy areas, and are located along corridors serviced by transit outside of the downtown core as shown in **Figure 5**.

Figure 5: City of Toronto Zoning By-law Policy Areas Map



Given that the City of Toronto Policy Areas 2 to 4 represent areas appropriate for intensification along transit routes outside of the established downtown core, the parking rates for these areas were deemed to be more appropriate comparisons to the Bernard KDA parking rates as per By-law 111-17. The minimum and maximum residential and non-residential parking rates of the City of Toronto By-law 569-2013 are summarized in **Table 4**<sup>9</sup>, with the By-law 111-17 rates provided for comparison.

<sup>9</sup> City of Toronto Zoning By-law 569-2013. Online: [https://www.toronto.ca/zoning/By-law\\_amendments/ZBL\\_NewProvision\\_Chapter200.htm](https://www.toronto.ca/zoning/By-law_amendments/ZBL_NewProvision_Chapter200.htm)

**Table 4: City of Toronto By-law 569-2013 Minimum Parking Requirements**

Use	Minimum & Maximum Parking Rates / Unit					
	Existing Bernard KDA		Toronto (Policy Area 2 & 3)		Toronto (Policy Area 4)	
	Min.	Max.	Min.	Max.	Min.	Max.
<i>Residential Uses</i>						
Bachelor	0.8	1.0	0.6	0.9	0.7	1.0
1-bedroom	0.9	1.1	0.7	1.0	0.8	1.2
2-bedroom	1.0	1.25	0.9	1.3	0.9	1.3
3-bedroom	1.2	1.5	1.0	1.5	1.1	1.6
Visitor	0.15	0.2	0.1	n/a	0.15	n/a
Minimum & Maximum Parking Rates / 100m <sup>2</sup> GFA						
<i>Non-Residential Uses</i>	Bernard KDA		Toronto (Policy Area 2)		Toronto (Policy Area 3 & 4)	
Major Office	2.0	2.5	1.0	1.4	1.0	2.0
Commercial incl. restaurant uses (=/ $<$ 10,000m <sup>2</sup> of GFA)	4.0	5.0	Retail Store / Retail Service (All Sizes)			
			1.0	4.0	1.0	4.0
Commercial incl. restaurant uses ( $>$ 10,000m <sup>2</sup> GFA)	3.0	3.75	Eating Establishment (All Sizes)			
			0	4	0	5
Medical Offices/Clinics	5.4	6.75	Medical Offices			
			1.0	3.5	1.5	6.0
			Clinics (Policy Area 2 & 3)		Clinics (Policy Area 4)	
0.4	0.8	0.6	1.0			
Place of Assembly incl. Assembly Hall, and Place of Worship	4.8	6.0	Place of Assembly Only			
			4.5	n/a	5.5	n/a
Financial Institution	4.6	5.7	2.0	4.5	2.0	4.5
Veterinary Clinics	3.5	6.3	1.0	n/a	1.0	n/a
Arts and Cultural Facilities	5.0	6.3	Community Centre			
			0.5	1.3	0.5	1.3
			Art Gallery			
			0.5	n/a	0.5	n/a
			Performing Arts Studio			
0.5	1.3	0.5	1.3			

#### 4.1.3 Recommended Parking Rates

In reviewing the best practices above, there is a noted connection between proximity to transit and minimum parking requirements. Considering the presence of the Bernard bus terminal within the Bernard KDA, the direct connection future development will have to the VIVA rapid transitway and Richmond Hill's transportation hierarchy (Policy 3.5.1.2) and transit-oriented development goals (Policy 3.5.4), LEA recommends the rates summarized in **Table 5**.

**Table 5: Recommended Parking Rates for Zoning By-law 111-17**

Residential Parking Rates *Subject to Note 1 below				
Use	Minimum Rates / Unit		Maximum Rates / Unit	
	Existing	Recommended	Existing	Recommended
Bachelor	0.8	0.5	1.0	0.7
1-Bedroom	0.9	0.7	1.1	0.9
2-Bedroom	1.0	0.9	1.25	1.1
3-Bedroom	1.2	1.0	1.5	1.5
Visitor	0.15	0.15	0.2	0.2
Non-Residential Parking Rates * Subject to a shared parking formula				
Use	Minimum Rates / 100m <sup>2</sup>		Maximum Rates / 100m <sup>2</sup>	
Major Office	2.0	1.0	2.5	2.0
Commercial including restaurant uses (equal to or less than 10,000m <sup>2</sup> of GFA)	4.0	1.0	5.0	3.0
Commercial including restaurant uses (greater than 10,000m <sup>2</sup> GFA)	3.0	0	3.75	3.5
Medical Offices/Clinics	5.4	0.6	6.75	6.0
Place of Assembly incl. Assembly Hall, and Place of Worship	4.8	4.5	6.0	5.5
Financial Institution	4.6	2.0	5.7	4.5
Veterinary Clinics	3.5	1.0	6.3	1.5

1. Notwithstanding the parking rates in Table 5, the minimum blended residential parking rate for all residential units located on a lot shall be 0.65 spaces per residential unit, or lower for purpose-built rental units, and the maximum blended residential parking rate for all residential units shall be no more than 1.0 spaces per residential unit, excluding visitor parking.

#### 4.1.3.1 Recommended Residential Rates

The recommended minimum residential rates are closely aligned with the City of Toronto’s minimum parking rates for Policy Area 3, while the maximum recommended rates are closely aligned with the minimum parking rates for Policy Area 4. As discussed in **Section 4.1.2.2**, Policy Areas 3 and 4 include areas outside of the downtown core that are appropriate for intensification, with the former predominantly located along subway and streetcar routes operating in a dedicated right-of-way and the latter along bus and streetcar routes mostly operating in mixed-traffic. The recommended rates are therefore intended to ensure that development within the Bernard KDA supports the City and Region’s transportation goals while maintaining flexibility for developments to apply a parking rate in line with similarly located developments that reflect either the existing or future transportation context of the Bernard KDA.

A key provision of both the minimum and maximum rates recommended by LEA is the creation of non-automobile households. This will ensure that required parking rates applicable to the Bernard KDA will not only support key policy goals of increasing transit ridership and supporting transit-oriented development, but will also contribute to Richmond Hill’s housing affordability objectives applicable to KDAs (35% target) by removing the requirement to construct a parking space for each new residential unit and allowing the cost of a parking space to be unbundled from the cost of a new residential unit. Allowing up to 35% of units to be

provided without a dedicated parking space would enable development within the Bernard KDA to support both Richmond Hill's transportation and affordable housing objectives through reduced parking requirements than are currently applicable under By-law 111-17. Similarly, enforcing the above recommended minimum parking rates would result in a maximum of 1 parking space per residential unit to be provided for the remaining 65% of units. The transportation and affordable housing goals of the City and Region would, therefore, lend themselves to support a blended rate of 0.65 parking spaces per unit, or lower for purpose-built rental units, which would support the compatible goals of creating non-automobile households (together with alternative mobility options discussed below) and addressing housing affordability and reduced greenhouse gas emissions in the Bernard KDA.

#### 4.1.3.2 Recommended Non-Residential Rates

The recommended non-residential parking rates closely match those of the City of Toronto's Policy Area 4 rates, and provide flexibility for various non-residential uses to apply a minimum or maximum parking rate. These rates are consistent with the non-residential uses located in areas of Toronto that are predominantly located along existing bus and streetcar routes but outside of the downtown core, and are supportive of encouraging alternative travel modes to the personal automobile.

The above referenced rates are intended to influence change to more non-automobile modes of travel for both residential and non-residential uses and address housing affordability concerns. The rates are adequate to support a change to non-automobile modes of travel, thereby supporting the target transit modal split for York Region and encouraging ridership of existing and under-construction transit services within Bernard KDA.

To support LEA's recommended reductions in residential and non-residential parking rate requirements from the rates specified in By-law 111-17, it is further recommended that transit-oriented development strategies applicable to the Bernard KDA be expanded to include car share, carpool, and shared parking rates, as well as requirements for parking facilities dedicated to electric vehicles and compact cars, as discussed in the following sections.

## 4.2 CAR SHARE RATE

Car-sharing provides an alternative opportunity for travel, without reliance on car ownership. Car-sharing programs serve as a temporary service for personal and employment purposes. Adopting car-share initiatives can reduce auto-dependency and parking spaces. To understand the beneficial effects of car-sharing initiatives, IBI examined the impacts of car share programs in the City of Toronto and other jurisdictions. The IBI report reveals that about one shared car removes about 8-10 individual cars off the road<sup>10</sup>. This can be demonstrated through the investigation of the car-sharing operations, such as AutoShare and Zipcar. AutoShare and Zipcar indicate that 15% and 40% of the members abandoned their personal cars, respectively. Currently, there is no provision for car-sharing in Zoning By-law 111-17, although there is provision for car-sharing in other Richmond Hill Zoning By-laws.

<sup>10</sup> IBI Group (2009). Online: "Parking Standards Review: Examination of Potential Options and Impacts of Car Share Programs on Parking Standards" [Online] Available: <http://www.urbandb.com/document/ibi-group-parking-standards-review-examination-of-potential-options-and-impacts-of-car-share-programs-on-par...-2009-03-01.pdf>

## 4.2.1 Examples of Car-share Rates

### 4.2.1.1 Seattle and Vancouver

The IBI study considered car-share parking requirements in Seattle and Vancouver. **Table 6** shows the reduction of parking spaces with the substitution of car share spaces<sup>11</sup>.

**Table 6: Maximum Allowable Reduction in the Minimum Required Parking**

Size of Development (# of Units)	Seattle		Vancouver	
	Max # Car Share Spaces	Max Allowable Reduction	Max # Car Share Spaces	Max Allowable Reduction
10	1	1	0	0
30	2	5	1	3
60	4	11	1	3
120	8	23	2	6
250	16	47	4	12
450	28	84	8	24

### 4.2.1.2 City of Richmond Hill, Ontario

Richmond Hill By-law No.49-12 (applicable to 9251 Yonge Street) provides for a minimum of 2 car share spaces. By-law 49-12 also provides that for every 1 car-share parking space, 5 parking spaces can be reduced to a maximum reduction of 25 spaces. This means that maximum number of car share spaces cannot exceed 5 in order to achieve a parking space reduction of 25 spaces. The By-law applicable to the Great Lands site (also at Yonge 16 KDA) requires a minimum of 4 car share parking spaces with a maximum parking space reduction of 16 spaces.

### 4.2.1.3 City of New Minister, British Columbia

The City of Westminister Zoning By-law 6680, 2001, section 150.74, has adopted car-share (co-operative) rates<sup>12</sup>. For every car-share parking space provided, up to 5 required parking spaces can be reduced. Car-share parking spaces can only take up to a maximum of 10% of the required parking spaces.

## 4.2.2 Recommended Car-share Rates

It is recommended that the Bernard KDA Zoning By-law be revised with the following requirements:

- a minimum of two car-share spaces be provided on site;
- that each car share parking space be clearly signed and located closest to a building entrance;
- that for every car-share parking space provided, five residential parking spaces can be reduced; and
- that the replacement/reduction of parking spaces due to car-share should not comprise more than 10% of the total site minimum parking requirement.

<sup>11</sup> IBI Group (2009). Online: "Parking Standards Review: Examination of Potential Options and Impacts of Car Share Programs on Parking Standards" [Online] Available: <http://www.urbandb.com/document/ibi-group-parking-standards-review-examination-of-potential-options-and-impacts-of-car-share-programs-on-par...-2009-03-01.pdf>

<sup>12</sup> City of New Westminister Zoning By-law 6680, 2001. Online: [https://www.newwestcity.ca/database/files/library/100\\_Introduction\(14\).pdf](https://www.newwestcity.ca/database/files/library/100_Introduction(14).pdf)

## 4.3 CARPOOL RATES

SmartCommute Markham Richmond Hill (SCMRH) was created to address traffic congestion. SmartCommute is an initiative in promoting sustainable alternatives to single occupancy vehicle travel. As the City of Richmond Hill has adopted this system, the tool is already established in the community to help with the transition of traveling behavior. Carpooling services is one of the programs that SCMRH participates in. SmartCommute has a free online tool that matches trips with other employers who take similar travel routes. To encourage carpooling, the provision of carpool spaces will further promote the participation of this service. These carpooling spaces should be prioritized to be located near building entrances. Zoning By-law 111-17 does not support carpool rates.

### 4.3.1 Examples of Carpool Rates

#### 4.3.1.1 *Town of Newmarket, Ontario*

The Town of Newmarket Urban Centres Secondary Plan proposed that carpool spaces must be provided with these rates<sup>13</sup>:

- At a minimum of 2 spaces; or,
- At a minimum of 5% of the total required parking supply for employment uses.

#### 4.3.1.2 *City of Vaughan, Ontario*

The City of Vaughan Comprehensive Zoning By-law supports car pooling with the following approach<sup>14</sup>:

- 5 spaces, or
- 5% of the office and industrial parking spaces on site.

#### 4.3.1.3 *City of New Westminster, British Columbia*

The City of Westminister Zoning By-law 6680, 2001, section 150.64, supports carpooling for office, industrial and institutional uses<sup>15</sup>. It requires 5% of the total parking spaces (with more than 30 off-street parking spaces) to be reserved for carpooling services.

### 4.3.2 Recommended Carpool Rates

Carpool spaces aligns with the vision to shift away from the usage of auto-dependency vehicles. Also, it reduces the parking supply for employment (non-residential) uses. Carpool spaces should be located nearby to building entrances to increase the visibility and viability of carpooling as a transportation mode.

It is recommended that the Zoning By-law include provision for carpool spaces at the following rate:

- A minimum of 2 spaces

<sup>13</sup> Town of Newmarket Urban Centres Secondary Plan, Parking Standards Background Study (2016):

<https://www.newmarket.ca/LivingHere/PublishingImages/Pages/Planning%20and%20development/Urban-Centres-Zoning-By-law-Project/Newmarket%20Parking%20Study%20-%20Draft%20Final%20Report%20October%2014%202016.pdf>

<sup>14</sup> City of Vaughan Comprehensive Zoning By-law, Review of Parking Standards by IBI Group (2010). Online:

[https://www.vaughan.ca/projects/policy\\_planning\\_projects/city\\_wide\\_parking\\_standards\\_review/General%20Documents/FINAL%20DRAFT%20TTR\\_2010-04-15%20Web%20Version%20%282%29.pdf](https://www.vaughan.ca/projects/policy_planning_projects/city_wide_parking_standards_review/General%20Documents/FINAL%20DRAFT%20TTR_2010-04-15%20Web%20Version%20%282%29.pdf)

<sup>15</sup> City of New Westminster Zoning By-law 6680, 2001. Online: [https://www.newwestcity.ca/database/files/library/100\\_Introduction\(14\).pdf](https://www.newwestcity.ca/database/files/library/100_Introduction(14).pdf)

## 4.4 COMPACT CAR SPACES

Compact car spaces are designed to be narrower and shorter than a standard parking space. Compact car spaces allow for a more efficient parking arrangement in a parking structure. Zoning By-law 111-17 does not provide for compact car spaces.

### 4.4.1 Examples of Compact Car Space Provisions

#### 4.4.1.1 City of Richmond Hill By-law 49-12

Richmond Hill By-law 49-12 allows for compact car spaces to be utilized on site up to a maximum of 10% of all required parking. The dimensions of a compact car space are 4.8m by 2.4m.

#### 4.4.1.2 City of New Westminster, British Columbia

City of New Westminster has adopted compact/small car parking spaces<sup>16</sup>. **Table 7** shows the difference between the dimensions of a standard and compact vehicle space. All the dimensions of the compact vehicle space are less than the standard vehicle space.

**Table 7: City of New Westminster Parking Dimensions for Standard and Compact Vehicles**

Angle	Width of Parking Space (m)		Length of Parking Space (m)		Width of Aisle (m)	
	Standard	Compact	Standard	Compact	Standard	Compact
90	2.6	2.44	5.5	4.87	6.93 (two-way)	6.93 (two-way)
Parallel	2.6	2.44	6.7	5.49	3.7 (one-way)	3.35 (one-way)

#### 4.4.1.3 City of Marlborough, Massachusetts

In accordance with the City of Marlborough Zoning By-law, Section 650-48.C, it specifies the dimensions of the standard and compact parking spaces, as indicated in **Table 8**<sup>17</sup>. It is optional to provide compact parking spaces at a development, but up to 33% of the parking spaces can be reserved for compact parking spaces. Each space shall be clearly identified with a sign that states “Compact Cars Only”.

**Table 8: Parking Dimensions for Standard and Compact Vehicles**

Angle	Width of Parking Space (m)		Length of Parking Space (m)		Width of Maneuvering Aisle – 1-way (m)		Width of Maneuvering Aisle – 2-way (m)	
	Standard	Compact	Standard	Compact	Standard	Compact	Standard	Compact
61-90	2.72	2.44	5.49	4.88	7.31	6.70	7.31	6.70
Parallel	2.72	2.44	6.10	4.88	3.66	3.66	6.1	5.49

### 4.4.2 Recommended Compact Car Spaces

It is recommended to allow up to 10% of the parking requirement can be compact car spaces, with minimum dimensions of 4.8m x 2.4m for perpendicular spaces and 5.5m x 2.45m for parallel spaces.

<sup>16</sup> City of New Westminster. Online: [https://www.newwestcity.ca/council\\_minutes/0421\\_08/CW/Reports/CW2.pdf](https://www.newwestcity.ca/council_minutes/0421_08/CW/Reports/CW2.pdf)

<sup>17</sup> City of Marlborough, Zoning By-law § 650-34. Online: <https://ecode360.com/9217781>



## 4.5 SHARED PARKING RATE

Shared parking allows multiple land-use activities to access the same parking spaces at different peak demands of the day. This approach serves as a pooled parking resource and operates best with mixed-use developments. There is no discussion of shared parking calculations in Zoning By-Law 111-17.

### 4.5.1 Examples of Shared Parking Rates

#### 4.5.1.1 City of Richmond Hill, Ontario

Richmond Hill By-law 49-12 contains a shared parking formula, dictating that the minimum supply of non-residential parking can be reduced in accordance with the time of day occupancy. The maximum supply calculated based on the occupancy rates displayed in **Table 9** will dictate the required shared supply.

**Table 9: Shared Parking Formula from By-law 49-12**

Type of Use	Occupancy Rate (Percentage of Peak Requirements)			
	Morning before 12 PM	Noon 12-1 PM	Afternoon 1-6PM	Evening After 6PM
Office	100%	90%	100%	10%
Commercial	80%	95%	90%	90%
Restaurant	30%	100%	50%	100%
Residential – Visitor	20%	20%	60%	100%

#### 4.5.1.2 City of Vaughan, Ontario

Currently, the City of Vaughan Comprehensive Zoning By-law incorporates shared parking rates for mixed-use development in the Metropolitan Centre Zone. **Table 10** displays the specified shared parking rates<sup>18</sup>.

**Table 10: Shared Parking Formula for the City of Vaughan**

Land Use	Morning	Noon	Afternoon	Evening
Percent of Peak Period Parking Demand (Weekly)				
Business and Professional Office	100%	90%	95%	10%
Retail Stores	65%	90%	80%	100%
Eating Establishment	20%	100%	30%	100%
Residential	80%	55%	80%	100%
Percent of Peak Period Parking Demand (Saturday)				
Business and Professional Office	10%	10%	10%	10%
Retail Stores	80%	85%	100%	40%
Eating Establishment	20%	100%	50%	100%
Residential	100%	100%	100%	100%

<sup>18</sup> City of Vaughan Comprehensive Zoning By-law, Review of Parking Standards by IBI Group (2010). Online: [https://www.vaughan.ca/projects/policy\\_planning\\_projects/city\\_wide\\_parking\\_standards\\_review/General%20Documents/FINAL%20DRAFT%20TTR\\_2010-04-15%20Web%20Version%20%282%29.pdf](https://www.vaughan.ca/projects/policy_planning_projects/city_wide_parking_standards_review/General%20Documents/FINAL%20DRAFT%20TTR_2010-04-15%20Web%20Version%20%282%29.pdf)

#### 4.5.2 Shared Parking Formula

Notwithstanding the above, it is recommended to follow the rates and calculations provided by the *Richmond Hill Parking Strategy* to identify the maximum shared parking demand, as shown in **Table 11** below. Guidelines and calculations can be found in the *Richmond Hill Parking Strategy* under Section 4.4.

**Table 11: Occupancy Rates for Shared Parking Formula**

Type of Use	Occupancy Rate (Percentage of Peak Requirements)			
	Morning before 12 PM	Noon 12-1 PM	Afternoon 1-6 PM	Evening After 6 PM
Office	100%	90%	100%	10%
Commercial	80%	95%	90%	90%
Restaurant	30%	100%	50%	100%
Residential – Visitor	20%	20%	60%	100%

*Occupancy rates for additional land use can be obtained from field surveys or Shared Parking, 2<sup>nd</sup> Edition (ULI, 2005).*

Subsequent changes in land use at each mixed-use site will require revisions to the shared parking analysis to determine if the new total shared parking demand can be accommodated at the site. The shared parking formula shall be monitored and updated within 2 to 4 years of development occurring within the KDA.

## 4.6 ELECTRIC VEHICLE PARKING

Vehicles are a significant source of greenhouse gas emissions (GHG). As specifically noted in the ORMCP Section 18(2)(c.2), new development should occur in a manner to reduce GHG emissions. Switching passenger, freight and transit vehicles from gasoline or diesel to electric and other low-carbon fuels is a central part of the plan to reduce GHG emissions and work towards the ORMCP objectives for Settlement Areas. The transition to electric and other low-carbon fuels will also significantly reduce local air pollutants. While the City has several City-owned electric vehicle (EV) charging stations, providing charging stations for residential and commercial uses is a key strategy to enhance electric vehicle usage throughout the City.

### 4.6.1 Examples of Electric Vehicle Parking

#### 4.6.1.1 City of Toronto, Ontario

The City of Toronto, as part of the *Toronto Green Standards* requires all mid to high rise buildings to be designed to provide 20% of the building's parking spaces to accommodate electric vehicle supply equipment.<sup>19</sup>

Based on this study, the City of Toronto requires:

- ▶ A minimum of 20-25% of all parking spaces to be built with priority parking spaces for electric vehicle parking, depending on the location, to the standards of the Ontario Building Code
- ▶ The remainder of the parking spaces should be designed to accommodate electric vehicle charging equipment at a later time.

<sup>19</sup> <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/toronto-green-standard-version-3/mid-to-high-rise-residential-all-non-residential-version-3/air-quality-for-mid-to-high-rise-residential-all-non-residential-development/>

#### 4.6.1.2 City of Vancouver, British Columbia

The City of Vancouver Building Code By-law 10908 requires 100% EV-ready stalls in all multi-unit residential new builds and 10% of parking stalls in commercial buildings, as of March 14, 2018. Comprehensive Zoning By-law proposed to provide with this approach<sup>20</sup>:

- ▶ 5 spaces, or
- ▶ 5% of the office and industrial parking spaces on site.

#### 4.6.2 Recommended Electric Vehicle Parking Rates

Electric Vehicles, while not reducing auto vehicle trips, reduces the greenhouse gas emissions associated with gasoline or diesel engines. LEA recommends electrical vehicle rates, in line with the City of Toronto and similar municipalities:

- Dedicate 20% of the residential parking and commercial parking spaces with electric vehicle equipment in priority locations (EVP Spaces), and
- Design all remaining residential parking spaces to be EV ready.

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<sup>20</sup> City of Vaughan Comprehensive Zoning By-law, Review of Parking Standards by IBI Group (2010). Online: [https://www.vaughan.ca/projects/policy\\_planning\\_projects/city\\_wide\\_parking\\_standards\\_review/General%20Documents/FINAL%20DRAFT%20TTR\\_2010-04-15%20Web%20Version%20%282%29.pdf](https://www.vaughan.ca/projects/policy_planning_projects/city_wide_parking_standards_review/General%20Documents/FINAL%20DRAFT%20TTR_2010-04-15%20Web%20Version%20%282%29.pdf)

## 5 CONCLUSIONS

In conclusion, the parking standards currently contained in Zoning By-law 111-17 are not appropriate for the Bernard KDA, which is a significant intensification area within York Region and Richmond Hill.

The proposed parking strategies and implementation rates outlined above will provide significantly more support to developing the transit-oriented mixed-use development now contemplated by City Council. The recommended strategies and rates provided in this report contain sufficient flexibility to encourage higher order transit usage and active transportation in conjunction with reduced automobile use, and therefore support key land use planning and transportation policies such as the Region and City's target of 35% affordable housing in KDAs and the Region's target transit modal split of 50% in Regional Corridors and Centres by 2031. Specifically, the proposed parking strategies will:

- ▶ Encourage and facilitate an important shift to non-auto modes of mobility.
- ▶ Provide future residents with more sustainable choices for transportation, including non-automobile households.
- ▶ Support Yonge Street as a rapid transit corridor with a focus on active transportation options.

The recommended transit supportive parking policy for the Yonge Bernard KDA and NEC site includes the following:

- ▶ New minimum and maximum parking rates as per **Table 12** below together with a new minimum blended parking rate of 0.65 spaces per dwelling unit to address housing affordability considerations by reducing parking space construction costs, and enabling non-automobile households to be created.
- ▶ Provisions for car-share parking spaces, with the following requirements:
  - a) a minimum of two car-share spaces be provided on site;
  - b) that each car share parking space be clearly signed and located closest to a building entrance;
  - c) that for every car-share parking space provided on site, five residential parking spaces can be reduced; and
  - d) that the replacement/reduction of parking spaces due to car-share should not comprise more than 10% of the total site total minimum parking requirement.
- ▶ Provisions for compact parking spaces, with the following requirements:
  - a) up to 10% of the parking requirement can be compact car spaces; and
  - b) compact spaces will provide with minimum dimensions of 4.8m x 2.4m for perpendicular spaces and 5.5m x 2.45m for parallel spaces.
- ▶ Notwithstanding the parking rates set in **Table 12**, non-residential parking supplies may be shared, given that:
  - a) the supply is provided in accordance with the peak time of day shared parking demand, calculated using the rates as shown in **Table 13** below. Guidelines and calculations can be found in the *Richmond Hill Parking Strategy* under Section 4.4; and
  - b) Subsequent changes in land use at each mixed-use site will require revisions to the shared parking analysis to determine if the new total shared parking demand can be accommodated at the site. The shared parking formula shall be monitored and updated within 2 to 4 years of development occurring within the KDA.

- ▶ Provisions for electric vehicle parking spaces, with the following requirements:
  - a) Dedicate 20% of the residential parking and commercial parking spaces with electric vehicle equipment in priority locations (EVP Spaces); and
  - b) Design all remaining residential parking spaces to be EV ready.

**Table 12: Recommended Parking Minimum and Maximum Parking Rates for the Yonge Bernard KDA**

Residential Parking Rates * subject to Note 1		
Use	Minimum Rates / Unit	Maximum Rates / Unit
Bachelor	0.5	0.7
1-bedroom	0.7	0.9
2-bedroom	0.9	1.1
3-bedroom	1.0	1.5
Visitor	0.15	0.2
Non-Residential Parking Rates * Subject to a shared parking formula as per Table 13 below		
Use	Minimum Rates / 100m <sup>2</sup>	Maximum Rates /100m <sup>2</sup>
Major Office	1.0	2.0
Commercial including restaurant uses (equal to or less than 10,000m <sup>2</sup> of Gross Floor Area)	1.0	3.0
Commercial including restaurant uses (greater than 10,000m <sup>2</sup> Gross Floor Area)	0	3.5
Medical Offices/Clinics	0.6	6.0
Place of Assembly including Assembly Hall, and Place of Worship	4.5	5.5
Financial Institution	2.0	4.5
Veterinary Clinics	1.0	1.5
Arts and Cultural Facilities	1.0	1.5
Social Services	1.0	2.0

1. Notwithstanding the parking rates in Table 12, the minimum blended residential parking rate for all residential units located on a lot shall be 0.65 spaces per residential unit, or lower for purpose-built rental units, and the maximum blended residential parking rate for all residential units shall be no more than 1.0 spaces per residential unit, excluding visitor parking.

**Table 13: Occupancy Rates for Shared Parking Formula**

Type of Use	Occupancy Rate (Percentage of Peak Requirements)			
	Morning before 12 PM	Noon 12-1 PM	Afternoon 1-6 PM	Evening After 6 PM
Office	100%	90%	100%	10%
Commercial	80%	95%	90%	90%
Restaurant	30%	100%	50%	100%
Residential – Visitor	20%	20%	60%	100%



## Brian DeFreitas

---

**From:** Mike Venditti <mvenditti64@gmail.com>  
**Sent:** Friday, March 13, 2020 2:11 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard Kda secondary plan and zoning bylaw

! CAUTION: This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

I say no to the revised Yonge Bernard kda secondary plan and bylaw.

Mike Venditti  
54 Brookside Rd  
Richmond Hill  
905-884-3417  
Mvenditti64@gmail.com

Sent from my iPad

## Brian DeFreitas

---

**From:** Sunah Choi <sunah.choi@yahoo.com>  
**Sent:** Friday, March 13, 2020 8:22 AM  
**To:** bernardKDA  
**Subject:** No to proposed/revised YB KDA Secondary Plan and Zoning By-Law

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Hello,

I'm a resident in Richmond Hill and ride my daughter to Richmond High School through Canyon Hill Avenue(Bernard) and Yonge.

Name: Sunah Choi

Address: 17 Canyon Hill Avenue, Richmond Hill, Ontario, L4C 0S4

Contact email: sunah.choi@yahoo.com

Telephone:905-237-2890

I've checked/reviewed many documents regarding Bernard developments study/schedule/zone.

- Bernard-KDA\_Secondary-Plan\_February-2020.pdf
- Bernard-KDA\_Secondary-Plan\_Redline\_February-20.pdf
- Bernard-KDA\_Secondary-Plan\_Schedules\_February-.pdf
- Bernard-KDA\_Transportation-Study\_February-2020.pdf
- Bernard-KDA\_Zoning-By-law\_Redline\_February-202.pdf
- Bernard-KDA\_Zoning-By-law\_Schedules\_February-2.pdf

Shortly, I think this plan does not make sense at all. This change makes extremely worse not only traffic but also the quality of life.**I strongly oppose this proposed/revised YB KDA plan and Zoning By-Law.**

I think this proposed/revised YB KDA plan and Zoning By-Law must b reviewed carefully again, then it must be cancelled.

Please go to the north area of Yonge St. & Major Mackenzie Drive.

This old city area is the main source of traffic issue. The traffic issue in this area must be resolved first, otherwise **developing in Bernard area will make Richmond Hill the worst city in the Ontario.**

Regards,  
Sunah Choi



## Brian DeFreitas

---

**From:** Stella Domenichini <stella.domenichini46@gmail.com>  
**Sent:** Thursday, March 12, 2020 9:36 AM  
**To:** bernardKDA  
**Subject:** We are residents at 50 Brookside Rd. Richmond Hill. We do NOT agree with revised changes to the Yonge Bernard KDA Secondary Plan. This development is double the residential units proposed

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in the original 2017 plan, This is at least 13,000 cars added. We will be drastically affected. We have difficulty exiting our driveway now. traffic is unbelievable. There is already much congestion in this area and will have negative effects on our auto insurance.

Again I say NO to revised Yonge Bernard KDA Secondary Plan and zoning by~law

Vince and Stella Domenichini  
50 Brookside Road  
Richmond Hill

[stella.domenichini@yayoo.ca](mailto:stella.domenichini@yayoo.ca)  
905 7705732

## Brian DeFreitas

---

**From:** John Krim <krimpelbein@hotmail.com>  
**Sent:** Thursday, March 12, 2020 1:40 AM  
**To:** bernardKDA  
**Subject:** Yonge Bernard Key Development Area

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"No to proposed/revised YB KDA Secondary Plan and Zoning By-Law".

I have lived at 152 Bernard Ave. for over 25 years and am concerned with increasing population density and the revision of the original plan from a 15 story building height limit to 37. This is madness and I'm totally against this.

Why does the city council want to ruin the quality of life over keeping taxes low by increasing density? Richmond Hill should not be so concerned about keeping property taxes down by increasing density. I moved away from the congestion in Toronto precisely to live in a lower density city. Now Richmond Hill is trying to become like Toronto.


Don't worry about taxes, if I need to pay a bit more, that is acceptable to keep my and the residents' standard of living. If Ontario demands more density, then it should be distributed to more northern parts of the city and not concentrated in this area only. Richmond Hill has no idea on what they are doing and will create traffic congestion for much of the daylight hours in the area, as the roads were not designed or pre-planned with this level of density. It's madness.

John Krim

## Brian DeFreitas

---

**From:** yvonne chevannes <ychevannes@hotmail.com>  
**Sent:** Wednesday, March 11, 2020 7:21 PM  
**To:** bernardKDA  
**Subject:** My name is Yvonne Chevannes 85 Yorkland St (647-278-0249 I said "No to revised Yonge Bernard KDA Secondary Plan and zoning BY-law "Good Day,I am requesting the revised Yonge Bernard KDA Secondary Plan and Zoning BY-Law. Thank you

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## Brian DeFreitas

---

**From:** yvonne chevannes <ychevannes@hotmail.com>  
**Sent:** Monday, March 9, 2020 9:50 PM  
**To:** bernardKDA

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Pls add my name to the list. Pls not to revise Yonge Bernard KDA secondary plans zoning By-Law

Sent from my Huawei phone

## Brian DeFreitas

---

**From:** Sungjo Bang <sungjo.bang@yahoo.com>  
**Sent:** Wednesday, March 11, 2020 9:55 AM  
**To:** bernardKDA  
**Subject:** Re: No to proposed/revised YB KDA Secondary Plan and Zoning By-Law

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Adding my telephone number in the below email body.

On Wednesday, March 11, 2020, 09:48:32 a.m. EDT, Sungjo Bang <sungjo.bang@yahoo.com> wrote:

Hello,

I'm a resident in Richmond Hill and commute every day through Canyon Hill Avenue(Bernard) and Yonge.

Name: Sungjo Bang

Address: 17 Canyon Hill Avenue, Richmond Hill, Ontario, L4C 0S4

Contact email: sungjo.bang@yahoo.com

Telephone:905-237-2890

I've checked/reviewed many documents regarding Bernard developments study/schedule/zone.

- Bernard-KDA\_Secondary-Plan\_February-2020.pdf
- Bernard-KDA\_Secondary-Plan\_Redline\_February-20.pdf
- Bernard-KDA\_Secondary-Plan\_Schedules\_February-.pdf
- Bernard-KDA\_Transportation-Study\_February-2020.pdf
- Bernard-KDA\_Zoning-By-law\_Redline\_February-202.pdf
- Bernard-KDA\_Zoning-By-law\_Schedules\_February-2.pdf

Shortly, I think this plan does not make sense at all. This change makes extremely worse not only traffic but also quality of life.

I strongly oppose this proposed/revised YB KDA plan and Zoning By-Law.

I think this proposed/revised YB KDA plan and Zoning By-Law must be cancelled.

Regards,  
Sungjo Bang

## Brian DeFreitas

---

**From:** Joyce <jiaoyang.jia@gmail.com>  
**Sent:** Tuesday, March 10, 2020 10:07 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

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Hi,

My name is Joyce Jia and I live at 5 Price St, Richmond Hill, Ontario. Postal code is L4S1E1. My telephone number is 647 309 7325 and my email is Jiaoyang.jia@gmail.com.

I say No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law.

Regards,  
Joyce

## Brian DeFreitas

---

**From:** Done Tran <donetran@yahoo.com>  
**Sent:** Tuesday, March 10, 2020 8:44 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Hi,

My name is Done Tran and I live at 5 Price St, Richmond Hill, Ontario. Postal code is L4S1E1. My telephone number is 647-208-0022 and my email is donetran@yahoo.com.

I say No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law.

Regards,  
Done

## Brian DeFreitas

---

**From:** Julia Orechnikova <orechnikova@gmail.com>  
**Sent:** Tuesday, March 10, 2020 10:12 AM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

Julia Orechnikova  
197 Rothbury Rd Richmond Hill ON  
[orechnikova@gmail.com](mailto:orechnikova@gmail.com)



## Brian DeFreitas

---

**From:** Mike Garfinkle <stemgarf@hotmail.com>  
**Sent:** Tuesday, March 10, 2020 6:42 AM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By-law

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

No to revised Yonge Bernard KDA Secondary Plan and Zoning By-law  
32 Canyon Hill Ave Richmond Hill ON L4C0S3

Regards Mike Garfinkle

## Andrew Crawford

---

**From:** Mike <mplanning@rogers.com>  
**Sent:** March 10, 2020 12:00 AM  
**To:** Patrick Lee  
**Cc:** bernardKDA  
**Subject:** Yonge Bernard Secondary Plan

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Hi Patrick/Sybille,

On behalf of North Elgin Centre (NEC) we would like to request a meeting with you as soon as possible to discuss the most recent changes to the Yonge/Bernard KDA Secondary Plan.

We have reviewed the latest documents and need to have City staff explain the following:

1. Staff proposed Secondary Plan - Schedule 1 - now called "character areas" schedule. NEC lands are all PINK meaning "corridor character area". We are not sure why you show roads on this plan. We note that Schedule 1 does not have any "Greenway designation" on the NEC property.
2. Schedule 2 - now called height and density. NEC is shown multi coloured now. Not sure how you arrived at a density of 4.5 FSI. What is the basis for the densities identified on Schedule 2? Also note that this schedule has Greenway south of the fence line/drainage channel.  
This is not consistent with Schedule 1. We note that height is permitted up to 30 storeys. What is the basis for that Height limit
3. Schedule 3 - is the open space schedule. For NEC lands it shows an underlying Greenway designation along with a trail. How can a trail be located here, especially east of NEC.
4. Schedule 4 - streets. For NEC lands - it shows a local (public road) through the NEC site amongst other matters. Although it states to be a public road plan, it shows future signalized intersections, some greenway - all in relation to NEC lands. How can this be justified based on the current full use of the property which has now been endowed with multiple public uses without justification. There has yet to be any demonstrated need for a road through the property or indication why a drainage ditch should be considered appropriate for greenway and a trail.
5. Zoning Schedules - see below - NEC is the only property that would have an OS zone on it in the entire KDA. How can this possibly be justified. This needs to be removed or explained why its necessary.

Are you available this Friday or early next week to meet. Thank you.

Regards,

*Mike Manett*

MPLAN Inc.  
23 Foxwood Road  
Thornhill, ON L4J 9C4  
(905) 889-1564  
fax: (905) 889-6309  
cell: (416) 706-9460  
email: [mmanett@mplaninc.com](mailto:mmanett@mplaninc.com)

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## Brian DeFreitas

---

**From:** Frank DiPede <frank@silvernimbus.ca>  
**Sent:** Monday, March 9, 2020 8:26 PM  
**To:** bernardKDA  
**Cc:** Sybelle von Kursell; Patrick Lee; Kelvin Kwan; Joe DiPaola; Carmine Perrelli; greg@gregberos.com; Tom Muench; Jim Kotsopoulos  
**Subject:** Yonge-Bernard KDA - 16 Naughton Drive, RH  
**Attachments:** DOC000.pdf; DOC005.pdf; DOC006.pdf

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Dear Sirs,

Further to my email to Ms. Van Kursell, et al. of March 6<sup>th</sup> @ 11:07am, I would like to further clarify my concerns as highlighted in the aforementioned email by stating that I do not see any logical rationale in dividing the two abutting properties known municipally as 12 and 16 Naughton Drive in such manner that 16 Naughton will remain within the low density “Neighbourhood” designation (maximum 3 storeys) while the abutting lands to the east which you have indicated are now being proposed to be included in the expanded KDA (12 Naughton Dr. and additional lands comprising 1 hectare) will be designated as “Interior Character Area” (minimum of 4 storeys and a maximum of 10 storeys) as depicted on the attached Schedule 1 – Modified Character Areas (RH – Bernard-Yonge Secondary Plan).

In my view, the proposed intention to implement separate land use designations for the two abutting properties does not represent good planning, nor is it consistent with the City’s Official Plan in terms of proper and comprehensive block planning to facilitate a complete and integrated community on a go-forward basis.

The proposed land use designation separation between the two properties will not allow for a proper development transition between the higher density lands adjacent to the Yonge Street Regional Corridor and the lower density lands on the east side of Leyburn Avenue. Further, as is evidenced by the attached Zoning Block excerpt, both #12 Naughton Dr. and #16 Naughton Dr. are currently zoned as “Rural Residential”. As such, the most logical and optimal treatment of these two abutting properties would be to designate them as per the “Interim Character Area” designation as properly and appropriately depicted on the attached Exhibit 4-19 of the HDR Transportation Assessment Update (dated February 13, 2020). To do so to the contrary will create an inappropriate scenario in which the #16 Naughton lands will become effectively and noticeably isolated from an appropriate future development potential as one moves westward from Yonge into the existing built form. Distinguishing the 2 properties in the manner being proposed seems arbitrary in nature and without the appropriate planning merit.

This potential isolation concern for the #16 Naughton lands becomes even more pronounced and evident given the current version of the attached Schedule 1 of the Richmond Hill Bernard Secondary Plan, wherein the existing Abitibi Street ROW (located on the south side of Naughton Drive) is depicted as being extended northerly to connect with Brookside Road further north. Under this scenario, the potential differences between the maximum densities and massing permitted between #16 Naughton Dr. and #12 Naughton Dr. will generate a number of adverse land use impacts related to the issues of a lack of transition between built form, further resulting in notable shadowing, privacy, building separation and overlook concerns.

I remain committed to working with City Staff towards satisfactorily resolving the above-noted concerns and creating a better planned solution for this specific quadrant of the overall Yonge-Bernard KDA Secondary Plan.

I look forward to meeting with you as previously suggested on either the 24<sup>th</sup> or 25<sup>th</sup> of the month. Kindly advise as to the preferred date and time.

Frank D.

## Brian DeFreitas

---

**From:** Marcello Marino <mmarino3165@gmail.com>  
**Sent:** Monday, March 9, 2020 6:53 PM  
**To:** bernardKDA  
**Subject:** 37 story bulding

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I am opposed to the development of 37 story building towers on canyonhill and yonge st am a resident of canyonhill ave For 20 years and councilor muench is wrong to support this projects we will Remember next election thousands of residents opposed this projects.

## Brian DeFreitas

---

**From:** bbotbol@rogers.com  
**Sent:** Monday, March 9, 2020 1:29 PM  
**To:** bernardKDA  
**Cc:** 'BEN BOTBOL'  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law.

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

My name is Benjamin Botbol at 67 Yorkland Street in Richmond Hill.

Tel # 416 475-8638

[bbotbol@rogers.com](mailto:bbotbol@rogers.com)

I have lived at this address for over 20 years and have attended the KDA meetings.

The traffic situation on Yorkland street keeps getting worse every day and I have more difficulty getting in and out of my own driveway every day at all hours but especially in the mornings and afternoons. It has been countless times were I barely avoid having my car hit just getting access to my driveway.

I say **No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law.**

Please stop this madness and give us our street back. I hate what you are doing to our families.

Ben Botbol

## Brian DeFreitas

---

**From:** CONCETTO MINICUCI <cmimic1032@rogers.com>  
**Sent:** Monday, March 9, 2020 11:49 AM  
**To:** bernardKDA  
**Cc:** Concetto Minicuci  
**Subject:** NO to revised Yonge Bernard Secondary Plan and Zoning By-Law.

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Please be advise that we vote **NO to revised Yonge Bernard Secondary Plan and Zoning By-Law.**

Respectfully,

Concetto and Kim Minicuci  
9 Squire Drive  
Richmond Hill  
L4S 1C4  
416-909-6352



## Brian DeFreitas

---

**From:** Dong Steven Huang <dong.steven.huang@gmail.com>  
**Sent:** Monday, March 9, 2020 1:12 AM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

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Hi:

I want to say No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

Dong Huang.  
66 mandel Crescent, Richmond Hill, ON L4C 9Z7.  
416-727-6352  
[dong.steven.huang@gmail.com](mailto:dong.steven.huang@gmail.com)

--

Best Regards,

Dong (steven) Huang

## Brian DeFreitas

---

**From:** Jason <wongphjason@gmail.com>  
**Sent:** Sunday, March 8, 2020 9:06 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA secondary Plan and Zoning By-Law

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

To the whom it may concern,

My name is Jason Wong, I am a resident of ward 2 residing at 184 Bernard Avenue. I am writing to express my concern regarding the Yonge Bernard KDA secondary Plan and Zoning By-Law. Yorkland street has been a traffic bottleneck for many years; adding 5000 to 10000 units nearby without proper consultation will cause irrevocable damage to nearby neighborhoods in terms of traffic, noise and more. A public consultation is a must.

Below please find my contact information. Thank you

Jason Wong  
184 Bernard Ave, Richmond Hill, ON L4S 1E3, Canada  
(647) 5058212

## Brian DeFreitas

---

**From:** joe stenta <boxline6@gmail.com>  
**Sent:** Sunday, March 8, 2020 3:31 PM  
**To:** bernardKDA  
**Subject:** revised plan

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Name: Joe Stenta  
Address: 48 Newmill Cr.  
Telephone: 905-508-4852  
[e-mail: boxline6@gmail.com](mailto:boxline6@gmail.com)

## Brian DeFreitas

---

**From:** joe stenta <boxline6@gmail.com>  
**Sent:** Sunday, March 8, 2020 4:18 PM  
**To:** bernardKDA  
**Subject:** Yonge Bernard Secondary Plan Zoning

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To whom it may concern, this revised plan that was approved by council that SHOULD represent the taxpayers, and voters of Richmond hill took it upon themselves to green light this outrageously, stupid idea of adding more density to an already highly congested area. We the taxpayers and voters that keep you in council in power will do everything humanely possible to prevent this revised plan from going ahead. If you so choose this anti democratic method of ignoring us then prepare for a long battle!!!

## Brian DeFreitas

---

**From:** bahar Mahani <bahar.mahani@yahoo.com>  
**Sent:** Sunday, March 8, 2020 2:50 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By\_Law

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No to revised Yonge Bernard KDA Secondary Plan and Zoning By\_Law.

Bahar Mahani  
17 Justus Dr, Richmondhill, Ontario, L4C 9Z4  
(647)6557300  
Bahar.mahani@yahoo.com

[Sent from Yahoo Mail for iPhone](#)

## Brian DeFreitas

---

**From:** Daniel X <zxuz111@gmail.com>  
**Sent:** Sunday, March 8, 2020 1:19 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

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I said “ No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law”.

Name: Zhiqiang Xu  
Address: 30 Mandel Crescent, Richmond Hill, ON L4C 9Z1  
Phone: 647-838-7281  
E-mail: [zxuz111@gmail.com](mailto:zxuz111@gmail.com)

Regards,  
Zhiqiang Xu

## Brian DeFreitas

---

**From:** edmund guo <edmundguo@gmail.com>  
**Sent:** Sunday, March 8, 2020 1:17 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

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No to revised Yonge Bernard KDA Secondary Plan and Zoning By-Law

Name: Junjie Guo  
Address: 35 Loyal Blue Crescent  
Telephone: 416-418-8096  
email address: [edmundguo@gmail.com](mailto:edmundguo@gmail.com)

## Brian DeFreitas

---

**From:** hamidsani <hamidsani@aol.com>  
**Sent:** Sunday, March 8, 2020 12:00 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge Bernard KDA secondary plan & Zoning By-Law

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

No to revised Yonge Bernard KDA secondary plan & Zoning By-Law

Hamid Abolhassani  
131 Bernard Avenue  
Richmond Hill  
L4C 9Z6  
HAMIDSANI@AOL.COM  
416.857.0008

*"Warmest Regards"*

🍁 *Hamid(John) Sani* 🍁



## Brian DeFreitas

---

**From:** Rashid Maruf <rashid\_m97@outlook.com>  
**Sent:** Saturday, March 7, 2020 8:44 PM  
**To:** bernardKDA  
**Subject:** No to revised Yonge and Bernard KDA Secondary Plan and Zoning By-Law

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

No to revised Yonge and Bernard KDA Secondary Plan and Zoning By-Law  
Name- Rashid A.Maruf  
63 Yorkland Street Richmond Hill  
647-551-5316  
Rashid\_m97@outlook.com

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## Brian DeFreitas

---

**From:** Matthew Piazza <mpiazza2@gmail.com>  
**Sent:** Friday, March 6, 2020 9:11 AM  
**To:** bernardKDA  
**Subject:** Comments re the proposed Bernard KDA  
**Attachments:** BernardKDA\_North\_Boundary.jpg

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Please receive my comments below regarding the newest Bernard KDA study

1) Do not increase the Bernard KDA size. On the original KDA plan, the northern most boundary of the KDA is a "triangle piece" that ends just north of the retail plaza on the west side of Yonge. On the latest study, the KDA contains a "rectangle piece" into a few lots off Naughton. I have attached a picture.

I do not agree with this new northern boundary into the farm land

2) Decrease density in the KDA. 5 FSI is too high for buildings

3) Abandon the idea that this KDA will be a "24/7 area". The area has **always** been quiet residential, where families live and parents work and kids go to elementary and secondary school

Please confirm you have received my comments

Matthew Piazza

## Brian DeFreitas

---

**From:** Doug Miller <doogles@rogers.com>  
**Sent:** Sunday, February 23, 2020 8:04 AM  
**To:** bernardKDA  
**Subject:** Bernard KDA PROPOSAL

**Categories:** Submission

! CAUTION: This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

To whom it may concern,

I have had an opportunity to review the updated proposal for the Bernard KDA and wanted to advise you of my serious concerns for this proposal. The development proposal will significantly affect our quiet neighbourhood and increase the cars, population and congestion of our neighbourhood. The fact that the proposal is to increase the population density and allow for buildings 30 stories high is unbelievable and irresponsible.

There are 2 seniors buildings in the catchment area of the proposed development plan which, with increased congestion and cars will potentially increase safety risk. The congestion will lead to frustration in the area and greater risk for road rage incidents, accidents and potential fatalities in my opinion.

The idea of multiple high-rise buildings will also affect the homes that have to look onto the site - with buildings towering over their homes, it will negatively affect the aesthetics of our neighbourhood including casting shadows and blocking sunshine to their homes. Additionally I feel that the proposal will create a "downtown high rise environment" which will ruin our neighbourhood. In the downtown core, high-rises work as there is infrastructure in place such as subways where people don't need cars to travel. Richmond Hill is not in this situation. Our neighbourhood is already congested and the ability to get of Richmond Hill during rush hour is currently a nightmare. The prospect of adding thousands of people and as many cars will be detrimental to our neighbourhood and Richmond Hill as a whole.

When making such decisions, it is easy to get lost in the prospect of increased money for the city from property taxes etc, however, the proposed site is not the right area for this type of development. If you look at the area on the south side of Hwy 7 and Bayview for example, or the development at the 407 and Kennedy in Markham for instance, these entire neighbourhoods are all multi high-rise apartments and have the space for such development. It works because it does not impede on the neighbouring existing homes and does not take away from the existing neighbourhoods.

The proposed Bernard KDA is like dropping a square peg into a round hole - just because there is a piece of land where development is possible, does not mean that the proposed development is the right option. In this situation, I know I speak for my neighbours and friends in the neighbourhood who feel that this is NOT a good plan. We are imploring you, please do not ruin our neighbourhood. We do not have the infrastructure, (roads including multi-lane 6 lanes wide to move all of the cars in the area, transit, subways) in place to develop to this magnitude on the Bernard site.

We are against this plan and beg you, please do not move ahead with this plan.

Sincerely concerned citizen,

Carmen Miller

## Brian DeFreitas

---

**From:** rosemund yee <kewchinmoi@gmail.com>  
**Sent:** Friday, February 14, 2020 5:37 PM  
**To:** bernardKDA  
**Subject:** Re: Yonge/Bernard KDA – Upcoming Public Information Session

**Categories:** Submission

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

I object. Traffic is awful. Our taxes are high. We donot need all these hi raising. It should be limited to buildings to height.

Sent from my iPhone

On Feb 14, 2020, at 2:14 PM, bernardKDA <bernardKDA@richmondhill.ca> wrote:

Hello,

Thank you for your continued interest in the Yonge/Bernard KDA Secondary Plan. This email is to inform you that the revised drafts of the Secondary Plan and Zoning By-law, as well as a supporting Transportation Study, are now posted online. Please visit [our project webpage](#) to view the documents.

We are accepting comments until March 13, 2020 on the revised Secondary Plan and Zoning By-law, and we ask that all comments be submitted by email to [bernardKDA@richmondhill.ca](mailto:bernardKDA@richmondhill.ca).

In addition, we will be hosting a Public Information Session on March 3, 2020, where staff will present the proposed changes to the Secondary Plan and Zoning By-law, and a panel of City staff will be available to respond to questions.

**Date:** Tuesday, March 3, 2020

**Time:** 7 – 9 p.m.

**Location:** [Elgin West Community Centre](#), Palisade Room

We look forward to seeing you!

Regards,  
The Yonge/Bernard KDA project team

## Andrew Crawford

---

**From:** Ko, Augustine <Augustine.Ko@york.ca>  
**Sent:** February 11, 2020 4:10 PM  
**To:** Sybelle von Kursell  
**Cc:** Kawun, Adrian  
**Subject:** RE: Yonge and Bernard KDA

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

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Sybelle,

The timing issue associated with a new York Region Transit (YRT) bus terminal is acknowledged. YRT staff are aware of the need and benefit of proceeding through the Secondary Plan and TSMJC's development process in a well-coordinated manner. YRT staff has advised that they are currently reviewing their bus bay requirements, but for the time being, their preferred location is the current location at the southeast corner of Yonge Street and Bernard Avenue.

TSMJC's citation of the Planning Act in regards to transit facilities, through site plan approval, is correct. Under Section 41.(8)(c), the Region is only entitled to public transit right of ways. However, what is not mentioned, and as you are probably aware, Section 51 (25)(b.1) of the Planning Act states that as condition to subdivision approval, the approval authority can require:

*"that such land be dedicated for commuter parking lots, transit stations and related infrastructure for the use of the general public using highways, as the approval authority considers necessary;"*.

A fundamental component that supports planning for development of the Yonge Bernard Key Development Area, and more recently identified as a Major Transit Station Area, is the Yonge Street rapid transitway and the Bernard Bus Terminal. TSMJC is encouraged to continue to work cooperatively with York Region Transit. The upward trend of increasing heights and densities in this KDA can only be realized with increase public transit usage. A new and expanded bus terminal is only required because of plans to build to the highest extent contemplated by the modified Secondary Plan.

Intensification is supposed to take advantage of planned and existing infrastructure. This promotes the efficient use of land and infrastructure. Intensification should not result in the need for public agencies to increase capital costs to service the increased intensification. If an expanded bus terminal is required to serve the high level of intensification, then the lands required should be dedicated through the plan of subdivision process.

**Augustine Ko, MCIP, RPP** | Senior Planner, Community Planning and Development Services,

## Andrew Crawford

---

**From:** Ko, Augustine <Augustine.Ko@york.ca>  
**Sent:** February 11, 2020 4:10 PM  
**To:** Sybelle von Kursell  
**Subject:** RE: Yonge and Bernard KDA

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

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Sybelle,

Regional staff have reviewed the modified secondary plan and provide the following comments from our Transportation Planning staff.

- Section 12.4 - g. Ensure vehicular interconnections between blocks to connect to public roadways to maximize their efficiency, where appropriate
- Section 12.4 – f. minimize vehicular access onto arterial streets to maximize their efficiency
- Section 12.4.4.1 – 3. it should be noted that the Region will only consider on-street parking on Regional road if there is a comprehensive area-wide parking strategy study. As such, the wording should be revised accordingly.

Community Planning also supports strengthening policies that require developments to proceed through the plan of subdivision process. This is imperative for a new bus terminal, as the land should be dedicated.

**Augustine Ko, MCIP, RPP** | Senior Planner, Community Planning and Development Services,  
Planning and Economic Development Branch, Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 71524 | [Augustine.ko@york.ca](mailto:Augustine.ko@york.ca) | [www.york.ca](http://www.york.ca)

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---

**From:** J. LI [<mailto:cadtocam@yahoo.com>]  
**Sent:** January 30, 2020 1:23 PM  
**To:** Kelvin Kwan; Patrick Lee; Sybelle von Kursell  
**Cc:** David West; Tom Muench; Greg Beros; Carmine Perrelli; Castro Liu; Karen Cilevitz; Godwin Chan; Tim Tucci; Sherry Zhang; LESTER CHAN; Wei Hua; Emily Lee; Matthew Piazza; Deborah Mida; Office-Mayor Richmondhill  
**Subject:** Stop the Ultra-High-Density Planning in Bernard KDA !

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Dear Kelvin,

**On behalf of the Yonge-Bernard Residents Association (YRA), I'm writing to express our clear objection to the draft Revision of the Yonge Bernard Secondary Plan**

On the late afternoon of January 22<sup>nd</sup>, 2020, myself and other members of the Yonge-Bernard Residents Association (YRA) attended the meeting with RH Planning staff. Your project team introduced the draft revision of the Yonge Bernard Secondary Plan. Your team has confirmed that you wish to double allowable building heights to 30 storeys and increase planned density by 30% over the existing plan to 11,000 residents and 3,200 jobs for the Yonge/Bernard KDA - or 724 residents and jobs per hectare (R&J/Ha.)

I confirmed my advice to the project team that their new plan is shocking for the following factual reasons:

## **FACTS & CONSEQUENCES**

➤ Adequate statistics show the Yonge/Bernard KDA's local infrastructure is already problematic for normal development, not to mention ultra-high-density development.

- From 2012 to 2018 York Region has had a 25% reduction in traffic accidents, but R.H. traffic accidents have increased by 13%. The Bernard KDA traffic accident rate is 12 to 17 times higher than that of the R.H. average. These figures exist with current densities, without the hyper densities you proposed.
- Per capita parkland in this area is the lowest in the GTA. While per capita parkland in Toronto is 28 m<sup>2</sup>, in Richmond Hill it is 16 m<sup>2</sup> (the lowest for GTA municipalities). However, the existing figure is only 9 m<sup>2</sup> per capita in this area! Adding 11,000 residents will further reduce this figure to 6 m<sup>2</sup> per capita for area residents. Moreover, one of the first acts of the New Council was to cut the developer's parkland cash-in-lieu fees to 1/3, which is a reduction of \$ 25,000 per unit! and a direct loss of the Bernard KDA alone exceeding \$ 100 million for the residents of Richmond Hill.
- According to the school resources in R.H., the addition of 11,000 residents should necessitate 2 additional schools for their children. However, nothing in your plan provides for this. Currently, the nearest high school, Richmond Hill High School (RHHS) has reached 165% of its capacity.
- These infrastructure shortages can logically be applied to all existing medical, fire protection, policing, parking and other community



resources. For the sake of the brevity of this letter, I will not go into details.

➤ We are not aware of any other KDA area in Canada with a density of 724 residents and jobs per hectare. We believe your proposal will set new records for density in Canada – and you will do it on the backs of existing infrastructure and residents.

In Toronto, the highest planned density is at the Yonge-Eglinton KDA area. This KDA is serviced by non-beatable infrastructure with 2 subway stations and 4 LRT stations inside. Yet it only has a planned density of 600 R&J/Ha in its core area (350 and 160 in its middle and edge, respectively). Meanwhile, the Yonge/Bernard KDA will have a single BRT station – with a planned density that is twice the average of the Yonge-Eglinton KDA. The Vaughan Metropolitan Centre (VMC) KDA has a subway station, two 400 series highways and Highway 7. Meanwhile VMC's planned density is only 200 R&J/Ha - which is only 28% of what you want to shove into the Yonge/Bernard KDA. The Yonge/Bernard infrastructure simply CANNOT compare to these counterparts. **So how can you justify the huge contrast in densities?!**

➤ Applying Census Canada's 2016 statistics to your proposal for the KDA's population density (56,122 inhabitants/km<sup>2</sup>) will make it Canada's second most densely populated community, behind only St. James Town (82,434 inhabitants/km<sup>2</sup>). Unfortunately, St. James Town is also one of the poorest communities in Toronto. This should not be surprising because the impact of over-density on a community is negative. Neighborhoods must sacrifice parks, green space, parking spaces, schools, medical and recreational facilities the way you want to residents of the Yonge/Bernard KDA to. As a result, middle-class families will become discouraged from living in such communities with a lower quality of life. Eventually, middle-class families will move out, property values

collapse and poverty will prevail. This is the case in St. James Town, which has a per capita income of only 55% of the national average. Similarly, Montreal's densest community's per capita income is only 46% of the national average. It appears that you have been directed by New Council to form a plan to encourage this outcome for the Yonge/Bernard KDA and surrounding area. Is this the planning result you want?!

➤ Please remember, for commercial landowners always want "the sky to be the limit" for development because they want to make the most money possible. They will never be satisfied with what community minded City planners have planned. They will always want more – because they live someplace else! Several developers around the Yonge/Bernard KDA area have submitted applications for over 100,000 inhabitants/km<sup>2</sup> (= 1,000 residents/hectare) developments in their lands.

### **REALISTIC SOLUTION**

➤ Do we really need to pursue such record-breaking density for the KDA to achieve the population goals set by the provincial government? Is there really no other piece of land available other than the Bernard KDA's 20 hectares of land? **The answer is simply NO.** In the April of 2019 York Region drafted the York Region Intensification Plan and identified 70 Major Transit Station Areas (MTSA) to implement the Provincial Population Growth Plan. The Bernard KDA is part of the identified Bernard BRT Station MTSA, and accounts for approximately 30% of its area; its proposed density is 200 residents and jobs per hectare. Richmond Hill has 16 proposed MTSAs, with a total land area of 450 hectares, accounting for about 4.5% of the city's total area. According to the York Region Intensification Plan, this 4.5% of the area will undertake a population growth target of more than 50,000 residents (= additional 114 residents/ha). Assuming 70% of the new population is achieved

within the 16 MTSAs, then the another 95.5% of the city land can accommodate the other 30%, or over 20,000 people (= additional 2.3 residents/ha). Richmond Hill has a population of about 210,000 currently. The proposed additional population growth of more than 70,000 exceeds the 2041 Richmond Hill population growth target planned by the Ontario government. **We already have solution to achieve and EXCEED the provincial population growth target at a REALISTIC density.**

➤ Please note that amongst the York Region's 70 MTSAs, the Bernard BRT Station's condition is just about average. Its proposed density is 200 R&J/Ha, **A FRACTION as what you have proposed now.**

## **QUESTIONS**

Here are several questions regarding the draft revision of the Yonge Bernard Secondary Plan. **I kindly ask that you PLEASE respond to each of them.**

1. Since there are dozens of MTSAs in York Region that are in better condition than the Bernard KDA, and we are already able to achieve and exceed the provincial population growth target at a reasonable density, why do you propose to set our KDA's density to a national record?
2. The Yonge-Eglinton KDA and VMC KDA both have subways, plus light rail or highway support. Bernard KDA has nothing but a BRT station. What could support this Bernard KDA's proposed density of 2 to 3 times that of Yonge-Eglinton and VMC?!
3. Ultra-dense communities create strains on local amenities. Can you cite ONE

example where the kind of density you propose on the kind of amenities we have in this neighbourhood has not caused that neighbourhood to decline?

Lastly, people who follow development issues have a sense that those with resources and corporate agendas can engineer research reports to achieve the results you want. **And most likely you will ask York Region to modify the proposed density or border of Bernard BRT Station MTSA to achieve desired results to favour the revision.** Should this be the case, it would validate that the City's motivation is their financial relationship with the developers and further confirm that they are acting in a manner that is contradictory to the well being of the community.

The *2018 RH Annual Report* sites the importance of seeking feedback from our residents. "Engaging with our residents as we build a new kind of urban mean planning for people, not for land or building. It is about finding better ways for a community to function including creating community spaces that reflect the authentic Richmond Hill." **There is no doubt that a professional municipal planner has knowledge of the fundamental density mistakes and the consequences related to them.** Moving forward with releasing this draft density plan will harm and negatively affect our community.

**Moving forward with releasing the draft density is not a planning issue – it is a planning scandal!**

Thank you for your time and consideration.

Regards,

John Li

On behalf of,

Yonge-Bernard Residents Association (YRA)

P.S. Reference data available upon request.

## Brian DeFreitas

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**From:** Sybelle von Kursell  
**Sent:** Thursday, January 30, 2020 6:32 PM  
**To:** bernardKDA  
**Subject:** FW: Stop the Ultra-High-Density Planning in Bernard KDA !  
**Attachments:** Community Concern.docx  
  
**Categories:** Submission

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**From:** Mida, Deborah <deborah.mida@yrdsb.ca>  
**Sent:** January 30, 2020 5:50 PM  
**To:** Kelvin Kwan <kelvin.kwan@richmondhill.ca>; Patrick Lee <patrick.lee@richmondhill.ca>; Sybelle von Kursell <sybelle.vonkursell@richmondhill.ca>  
**Cc:** David West <david.west@richmondhill.ca>; Tom Muench <tom.muench@richmondhill.ca>; Greg Beros <greg@gregberos.com>; Carmine Perrelli <carmine.perrelli@richmondhill.ca>; Castro Liu <castro.liu@richmondhill.ca>; Karen Cilevitz <karen.cilevitz@richmondhill.ca>; Godwin Chan <godwin.chan@richmondhill.ca>; Tim Tucci <tuccitim@gmail.com>; Sherry Zhang <sherry\_z@yahoo.com>; LESTER CHAN <lchan1@rogers.com>; Wei Hua <wei@weihuaca.com>; Emily Lee <emily\_lee@rogers.com>; Matthew Piazza <mpiazza2@gmail.com>; Office-Mayor Richmondhill <officemayor@richmondhill.ca>; cadtocam@yahoo.com  
**Subject:** Stop the Ultra-High-Density Planning in Bernard KDA !

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Dear Kelvin,

I am concerned member of the Yonge-Bernard Residents Association (YRA). I am writing to express my clear objection to the draft Revision of the Yonge Bernard Secondary Plan. Please read the attached letter.

*Debbie Mida*

Yonge-Bernard Residents Association  
198 Canyon Hill Avenue

Be a Voice, not an echo.

**Inspire Learning!**

## Andrew Crawford

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**From:** Luk, Gilbert <gilbert.luk@yrdsb.ca>  
**Sent:** January 23, 2020 4:41 PM  
**To:** Brian DeFreitas  
**Cc:** Sybelle von Kursell; Andrew Crawford  
**Subject:** RE: Request for Input - Yonge Bernard Key Development Area Secondary Plan

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Hi Brian,

Further to my VM, we've looked at the potential approximate 2,100 additional high density units for the Yonge/Bernard KDA and how it will impact school enrolment in the area. A build-out of ~5,808 units won't trigger a need for an elementary school site but as we've shared previously, we continue to experience enrolment pressures at the secondary panel and the Yonge/Bernard KDA will need to be redirected to other secondary school(s) in the area notwithstanding the proximity of Richmond Hill HS. In addition, the local elementary schools serving the KDA are currently providing temporary student accommodation to other development in the city (such as portion of North Leslie) while we wait for a threshold of students and Ministry funding for a new school. Depending on timing of development in the KDA, there may need to be redirection of students at the elementary panel as well to other schools in the area.

While we don't think the contemplated additional units will trigger need for an elementary school site, we have concerns on the phasing/implementation of the development in the KDA. What (if any) monitoring there will be with regards to the actual residential development that is ultimately proposed/constructed as it relates to the anticipated residential unit targets. Will there be a hard cap? (e.g. once the 5,808 unit is built, no more can be built without an update to the secondary plan?). Our experience in other parts of the Region is that development in high-density areas such as what's envisioned for the Yonge/Bernard KDA, often far exceed the targets identified in the secondary plan and the projections we used to anticipate student accommodation needs were inadequate as the units built far exceeded the targets in the secondary plan.

Please feel free to contact me if any clarification is required

Thank you,

### Gilbert Luk

Planning & Property Development Services  
Tel: (905) 727-0022 ext 2439

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**From:** Brian DeFreitas <brian.defreitas@richmondhill.ca>  
**Sent:** Wednesday, January 15, 2020 10:04 AM  
**To:** Luk, Gilbert <gilbert.luk@yrdsb.ca>  
**Cc:** Sybelle von Kursell <sybelle.vonkursell@richmondhill.ca>; Andrew Crawford <andrew.crawford@richmondhill.ca>  
**Subject:** RE: Request for Input - Yonge Bernard Key Development Area Secondary Plan

**YRDSB-WARNING: EXTERNAL EMAIL:** This message comes from an external organization. Do NOT reply, click links (embedded links) or open attachment(s) unless you recognize the sender email address. Also, NEVER provide your username and password as a result of an emailed request.

## Brian DeFreitas

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**From:** Brian DeFreitas  
**Sent:** Thursday, January 23, 2020 2:06 PM  
**To:** Sybelle von Kursell; Andrew Crawford  
**Subject:** FW: Request for Input - Yonge Bernard Key Development Area Secondary Plan

FYI. Andrew can you save this correspondence and input in together in that master list?

Thanks

--

**Brian DeFreitas MCIP, RPP**

Senior Planner

Policy Division | Planning and Regulatory Services

225 East Beaver Creek Road, Richmond Hill

T: 905-771-5431 | F: 905-771-2404 | [brian.defreitas@richmondhill.ca](mailto:brian.defreitas@richmondhill.ca) | RichmondHill.ca



**From:** Adam McDonald <adam.mcdonald@ycdsb.ca>  
**Sent:** Wednesday, January 22, 2020 3:38 PM  
**To:** Brian DeFreitas <brian.defreitas@richmondhill.ca>  
**Cc:** joshua.cipolletta@ycdsb.ca  
**Subject:** Re: Request for Input - Yonge Bernard Key Development Area Secondary Plan

**CAUTION:** This email is from an external source. Please do not click links or open attachments unless you recognize the sender.

Hi Brian,

Board staff has completed its review. Using the population/unit assumptions provided (11,000 population, approx 5,800 units), and the various scenarios discussed, with consideration to the estimated build out (to 2041), Board staff have determined that additional school sites WILL NOT be required to accommodate the growth anticipated from the Yonge/Bernard KDA.

Factors that went into this determination are as follows:

Available space in existing schools - Both Father Henri JM Nouwen (west of Yonge), and Corpus Christi (East of Yonge) are operating well under their capacities, and are projected to continue to decline over the next 15 years

Low Pupil Yields from High Density - Pupil yields vary between buildings, but generally are lower than that of ground related housing

Other Accommodation Options - A school site has been reserved in the North Leslie Secondary Plan for future accommodation that could possibly be used to accommodate students from the Yonge/Bernard KDA

While the Board reserves its right to reconsider its position in the future should it be necessary, we believe that the Board's existing schools/sites are adequate to accommodate the growth from the Yonge/Bernard KDA.



Please give me a shout if you wish to discuss further.

Adam

Regards,

Adam McDonald  
Planning Services  
York Catholic District School Board  
(P) 905.713.1211 ext. 12379

On Wed, Jan 22, 2020 at 11:11 AM Brian DeFreitas <[brian.defreitas@richmondhill.ca](mailto:brian.defreitas@richmondhill.ca)> wrote:

Hello Adam,

I just wanted to follow up on our e-mail conversation from last week regarding school requirements in the KDA. Are you able to provide some clarification on the need for a school site based on the revised growth estimates we are considering?

Any information you can share at this stage would be appreciated.

Regards,

Brian.

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**Brian DeFreitas MCIP, RPP**

Senior Planner  
Policy Division | Planning and Regulatory Services  
225 East Beaver Creek Road, Richmond Hill  
T: 905-771-5431 | F: 905-771-2404 | [brian.defreitas@richmondhill.ca](mailto:brian.defreitas@richmondhill.ca) | [RichmondHill.ca](http://RichmondHill.ca)



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**From:** Brian DeFreitas

**Sent:** Wednesday, January 15, 2020 11:07 AM

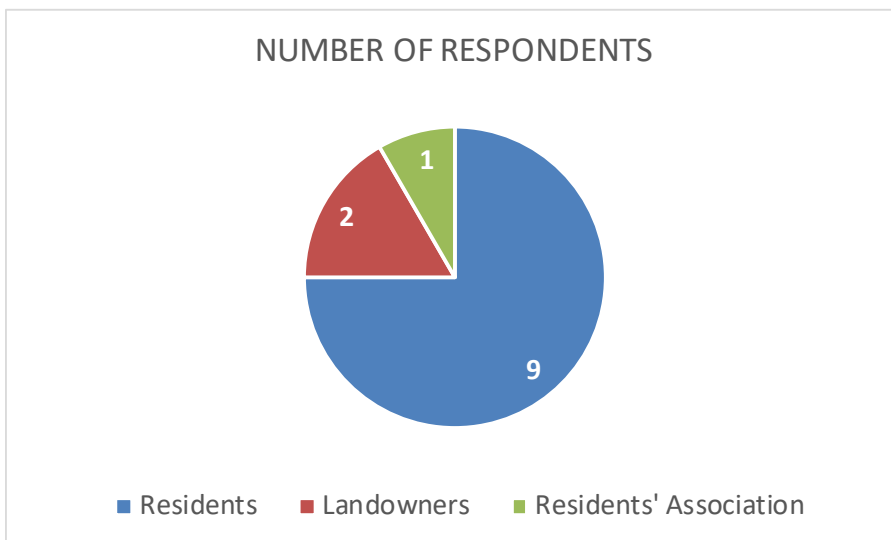
**To:** 'Adam McDonald' <[adam.mcdonald@ycdsb.ca](mailto:adam.mcdonald@ycdsb.ca)>; 'joshua.cipolletta@ycdsb.ca' <[joshua.cipolletta@ycdsb.ca](mailto:joshua.cipolletta@ycdsb.ca)>

## Bernard KDA – Comment Form Results from the Public Open House Held on December 10, 2019

### Participants

There were a total of 12 respondents who participated in the Comment Form survey. The majority of the respondents are local residents, followed by two landowners, and a residents' association. Exhibit 1 below shows the total count of participants.

Exhibit 1: Survey Respondents

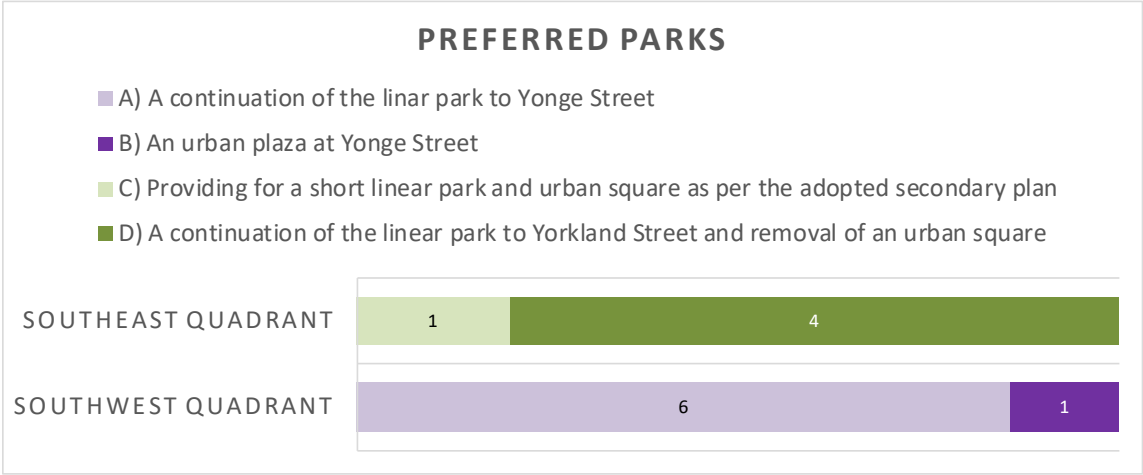


### Parkland and Community Benefit

Only two respondents indicated that the City should consider a pedestrian bridge as a community benefit.

With respect to parks, the majority of the respondents preferred a continuation of a linear park to Yonge Street in the southwest quadrant of the KDA. In the southeast quadrant, the majority of respondents preferred a continuation of the linear Park to Yorkland Street and removal of an urban square. Exhibit 2 shows the preference of parks by the four options.

**Exhibit 2: Parks Preferences**



**Transportation**

Respondents provided limited answer about what would make people walk, cycle, and take transit. Some suggested a separated grade bicycle lanes, others suggested better weather.

Few respondents responded to the question related to new technologies they would use in the future. The following table summarizes the responses.

Future Technology	Respondents
Car share services	2
Ridesharing services	0
Autonomous vehicles	2
Transit	1
Personal vehicles	1
Total	6

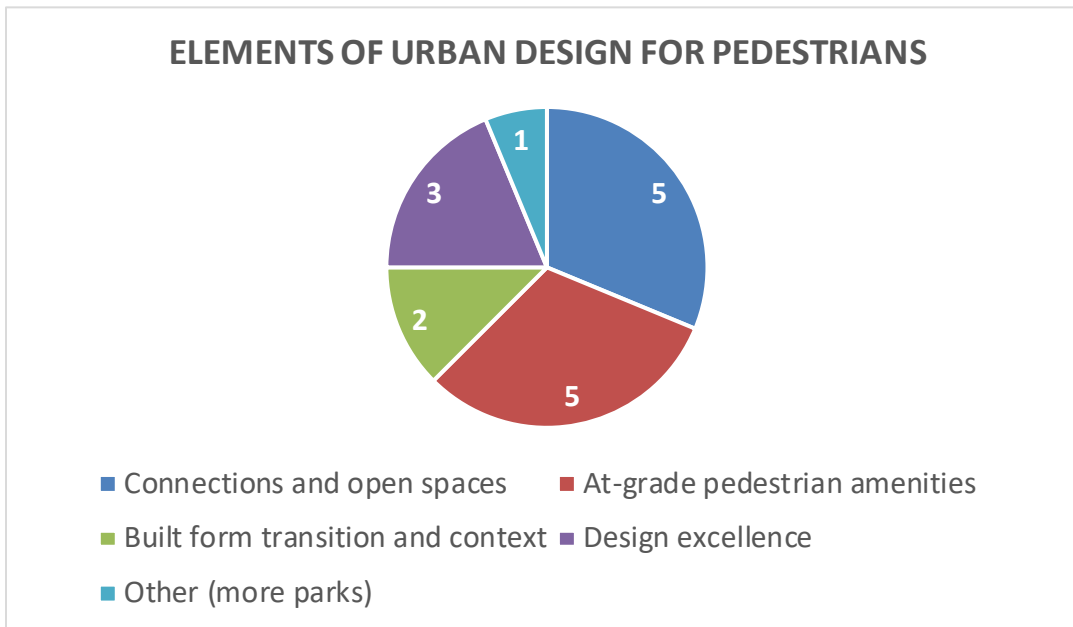
**Urban Design and Built Form**

Of the 6 responses collected on urban design and built form, all of them preferred demonstration #1; none chose demonstration #2, #3 or #4. Demonstration #1 has buildings with larger lot coverage and are 15 storeys or less.

## Urban Design Elements for Pedestrians

With respect to urban design for pedestrians, connections and open spaces, as well as at-grade pedestrian amenities were both equally important to respondents; these were followed by design excellence and built form transition and context.

Exhibit 3: Urban Design Elements that are Important for Pedestrians



## General Comments

General comments made by respondents can be found in the consultation summary report.

**Summary of Bernard KDA Comments from December 10, 2019 to February 7, 2020  
(Provided on Comment Sheets)**

Topic	Comments
Alternative Transportation (walk/cycle/transit)	<ul style="list-style-type: none"> <li>• The KDA does not have a subway, and the current VIVA transit is not efficient; the current system cannot support higher density.</li> <li>• Some residents want cheaper transit fees.</li> <li>• GO trains in Richmond Hill should operate during off peak hours and weekends; also need more frequent trains going to downtown Toronto.</li> <li>• GO stations need more parking.</li> <li>• It takes too long to transfer between buses; City need subways and bullet trains.</li> <li>• The elderly, women with children, and those with illnesses cannot be expected to walk in a high traffic area in order to get to transit.</li> <li>• Better weather may encourage transit use.</li> <li>• Cycling needs separated grade bike lanes.</li> <li>• The new Yonge Street VIVA dedicated lanes make turning difficult for other vehicles.</li> <li>• Transit system should be improved for the entire GTA as opposed to just the KDA.</li> <li>• Some questions were posed about improvements to transit and a future subway.</li> </ul>
Alternative Transportation (walk/cycle/transit)	<ul style="list-style-type: none"> <li>• Plan the KDA not as a Transit-Oriented-Development(s) but rather, Transit-Dependent-Development(s).</li> </ul>

<p>Traffic &amp; Other Transportation Issue</p>	<ul style="list-style-type: none"> <li>• The projected road system will not support the future increased traffic volume.</li> <li>• Prevention of over-development will resolve traffic issues.</li> <li>• More lanes are needed for cars on Yonge St.</li> <li>• Construction on Yonge Street is dangerous.</li> <li>• Eliminate the parking on Yonge St, north of Major Mackenzie Dr.</li> <li>• The intersection of Leyburn Ave and Canyon Hill Ave should be a 4-way stop sign and not signalized.</li> <li>• There is a lack of grade separation at the Elgin Mills train crossing.</li> <li>• Signal lights take too long for pedestrians and vehicles to cross an intersection.</li> <li>• Roads in the South Brookside Tertiary Plan area need to expand for increased traffic.</li> </ul>
<p>Traffic &amp; Other Transportation Issue</p>	<ul style="list-style-type: none"> <li>• Concerned about the large amount of congestion on Yonge Street</li> <li>• Most commuters would prefer to catch the GO train at Major Mackenzie or Gormley to get to downtown Toronto.</li> <li>• Many of the resident commuters work all over the GTA and the current bus system does not provide a viable alternative.</li> <li>• Building the Elgin Mills CN should be a top priority.</li> <li>• Brookside Rd and Yonge St should be widened to 3 lanes heading west.</li> <li>• A dedicated left-hand turning lane is needed to head north on Yonge.</li> <li>• A lane is needed to go straight through to Silverwood.</li> <li>• A dedicated right-hand turning lane is needed to go onto Yonge.</li> <li>• Residents prefer to go north to 19<sup>th</sup> Avenue and cut across to access Highway 404.</li> <li>• Adequate parking is needed so that residents do not park on side streets and clog up the roads.</li> <li>• There should be “No Parking” signs on Leyburn Ave with strict enforcement so that residents can use this artery unimpeded to get to Yorkland through the City’s proposed extension.</li> </ul>

Community Amenities	<ul style="list-style-type: none"> <li>Residents want amenities in the area, such as: shops, cafes, theatres, kids' play areas, schools, and another hospital,</li> <li>Concerned that the general public would not be able to access lands/amenities in private developments.</li> </ul>
Community Amenities	<ul style="list-style-type: none"> <li>Schools need to be considered.</li> </ul>
Height and Density	<ul style="list-style-type: none"> <li>The proposed densities are too high.</li> <li>The density should be no higher than the Highway 7 to Major Mackenzie corridor.</li> <li>Increased height and density create ugly built-forms.</li> <li>Current infrastructure cannot support increased height and density.</li> <li>Building heights should be about 8 to 15 storeys to allow for transitioning and respect existing surrounding building heights.</li> </ul>
Height and Density	<ul style="list-style-type: none"> <li>Too much density with proposed plans.</li> </ul>
Height and Density	<ul style="list-style-type: none"> <li>The MTSA has expanded the KDA and increased the density beyond 160 residents and jobs per hectare. The City and the Province is forcing higher densities on local residents.</li> </ul>
Urban Design and Built Form	<ul style="list-style-type: none"> <li>Good exterior design and high quality of materials will enhance communities and make intensification more acceptable.</li> </ul>

Urban Design and Built Form	<ul style="list-style-type: none"> <li>• Prefer demonstration #1.</li> <li>• The maximum height should not exceed the 15 storeys, including above-grade parking.</li> <li>• Prefer at grade pedestrian amenities, connections and open spaces and design excellence.</li> </ul>
Urban Design and Built-Form	<ul style="list-style-type: none"> <li>• The plaza on the south west corner of Levendale Rd and Yonge St is unattractive and dangerous.</li> </ul>
Housing	<ul style="list-style-type: none"> <li>• To reduce the high cost of rental building construction, require no parking while increase mixed-use (e.g., medical) in order to reduce trip count.</li> </ul>
Parkland	<ul style="list-style-type: none"> <li>• Increase the rate of cash-in-lieu for parkland which the town had won in the courts.</li> <li>• Some residents want more parks inside the KDA as opposed to near the area.</li> </ul>
Parkland	<ul style="list-style-type: none"> <li>• Prefer a more linear parkway over an urban plaza and as much parkland as possible.</li> <li>• Would like a dog park in the KDA.</li> </ul>
Environmental	<ul style="list-style-type: none"> <li>• The flood remediation project for the German Mills Creek should be incorporated into the planning for the KDA.</li> </ul>
Other Themes	<ul style="list-style-type: none"> <li>• Southern boundary of the KDA should be expanded.</li> <li>• More effort should be put into planning for the downtown core.</li> <li>• The City reduced development fees for while increased property taxes; current residents are subsidizing developers.</li> </ul>



Public Consultation - Quality and Process	<ul style="list-style-type: none"><li>• Concerned that the KDA is being consulted on again after the 2017-2018 consultation.</li><li>• Residents who were involved with the 2017-2018 consultation should also be consulted in this round of public consultation.</li><li>• Some residents feel that having site-specific applications being decided at the Local Planning Appeal Tribunal (LPAT) is unfair as it reduces the opportunity for local residents to be consulted upon.</li><li>• Residents want to be heard and to be shown all information about the secondary plan.</li></ul>
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