

May 11, 2020

MGP Files: 17-2407

Mayor and Members of Council
City of Richmond Hill
225 East Beaver Creek
Ontario, L4B 3P4

via email: clerks@richmondhill.ca

Dear Members of Council:

RE: Yonge and Bernard KDA Secondary Plan and Implementing Zoning Bylaw.

Malone Given Parsons Ltd. ("MGP") is the Planning Consultant to Dogliola Developments Inc. ("Dogliola") and Campo Ridge Home Corp. ("Campo"), owners of ~2.25 hectares (5.6 acres) of land at the southwest corner of Yonge Street and Canyon Hill Avenue in the Yonge and Bernard Key Development Area ("Subject Lands"). Dogliola and Campo have proposed a high-density development consisting of four (4) residential towers sitting a top two podiums on the Subject Lands.

We wish to express our sincere gratitude and appreciation to City Staff for their efforts to engage with and keep us up-to-date on the status of the proposed modifications to the Yonge and Bernard Key Development Area Secondary Plan and Implementing Zoning By-law. Even during these truly unprecedented times with the COVID-19 pandemic, City Staff have been ready and available to consult and discuss issues as they arose.

On May 6th, City Staff released the revised Secondary Plan and Implementing Zoning Bylaw that they will be seeking Council endorsement on at the upcoming May 13th, 2020 Council Meeting. This is the culmination of a lengthy public consultation process.

Overall, we support the modifications proposed by City Staff save for the requirement for 60% non-residential uses on the ground floor facing Yonge Street.

We appreciate the City's efforts to develop a plan that will provide an opportunity to develop the Yonge and Bernard Key Development Area ("KDA") into a high-density, transit-oriented urban community.

In particular, City Staff should be commended for the level of analysis and thought they have placed on determining the appropriate heights and densities for the KDA. The allocation of density, primarily along the corridors, and placing reliance on built-form policies such as angular planes, building separation and setbacks to regulate height, provides a planning framework that is flexible yet minimizes adverse impacts on the surrounding low-density community.

Where we disagree with City staff is Section 5.4(c) of the Implementing Zoning Bylaw which states:

“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”.

MGP supports active at-grade uses along the Yonge Street frontage. However, in this case the northern portion of the Subject Lands is encumbered by a below grade storm sewer that accommodates flows from an adjacent development. This storm sewer was installed before our client purchased the Subject Lands and was not, at that time, subject to a registered easement. It was only last year (April 2019) that the City enjoyed an easement for this sewer with our client providing the easement as a condition of approval for its adjacent townhouse development.

The sewer easement is located along the Yonge Street frontage (parallel to Yonge Street) which forces the location of the north podium and tower to be setback ~13 metres from Yonge Street. The sewer easement has a reduced impact on the south podium. The location of the sewer easement is shown as Parts 2, 3, 4, 5 & 6 on the Reference Plan 65R-38393 (Attachment 1).

With such a large setback from Yonge Street, the goal of having non-residential uses ‘activate’ or ‘animate’ Yonge Street cannot be met. Moreover, it is unlikely that any at-grade non-residential uses at this location will be viable over the long term. Finally, the public interest would not be served by requiring this non-residential space to be built yet potentially remain vacant.

We further note that there currently exist substantial non-residential uses in the KDA (south of the Subject Lands and across Yonge Street) and that the proposed Secondary Plan requires all of that existing space to be maintained through redevelopment. Accordingly, the loss of a small amount of future non-residential space along this stretch of Yonge Street will not jeopardize the City’s vision for this KDA.

We suggest that the Implementing Zoning Bylaw be modified to include the following clause:

“Where a building cannot be located within 6 metres of the street due to existing infrastructure, the requirement of commercial and community uses on the Yonge Street Active At Grade Frontage does not apply”

Such an exclusion recognizes the unique situation that exists on the Subject Lands while protecting the City’s efforts to animate and activate Yonge Street.

City Staff should be commended for the considerable work it has done during these difficult times. We would like to thank the City for providing us with the opportunity to work with you through this process and look forward to continuing our ongoing dialogue to see if we can come to a resolution on this one remaining issue.

Yours very truly,
Malone Given Parsons Ltd.

A handwritten signature in black ink, appearing to read "Lincoln Lo", with a stylized flourish at the end.

Lincoln Lo, MCIP, RPP

Encl. (Reference Plan)

Cc Patrick Lee, Director – Policy Planning
Dogliola Developments Inc.

ATTACHMENT 1



PLAN 65R-38393

I require this plan to be deposited under the Land Titles Act.

Date APRIL 16, 2019

GARY B. VANDERVEEN O.L.S.

RECEIVED AND DEPOSITED

Date April 17, 2019

Representative for the Land Registrar for the Land Titles Division of YORK REGION (No. 65)

SCHEDULE

PART	PART OF LOTS	CONCESSION	ALL OF PIN	AREA (m ²)
1	51 AND 52			10324
2				4
3				50
4				83
5	52			110
6				145
7				208
8				8488
9				199
10				1667
11				3465
12	51 AND 52			16681
13				1132
14	51			773
15	52			574

PARTS 3 AND 4 - SUBJECT TO TEMPORARY EASEMENT AS IN INST.YR2266262 AND INST.YR2817534
PART 7 - SUBJECT TO EASEMENT AS IN INST. VA63725.

PLAN OF SURVEY OF PART OF LOTS 51 AND 52 CONCESSION 1 (GEOGRAPHIC TOWNSHIP OF VAUGHAN) TOWN OF RICHMOND HILL THE REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 750
20 10 0 20 40 METRES

HOLDING JONES VANDERVEEN INC.
ONTARIO LAND SURVEYORS

NOTES

- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT SET
 - SB DENOTES STANDARD IRON BAR
 - SSB DENOTES SHORT STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - CP DENOTES CONCRETE PIN
 - WT DENOTES WITNESS
 - SCP DENOTES SPECIFIED CONTROL POINT
 - 922 DENOTES SCHAEFFER & REINTHALER LIMITED, O.L.S.
 - 1075 DENOTES HOLDING & JONES LIMITED, O.L.S.
 - HJV DENOTES HOLDING JONES VANDERVEEN INC., O.L.S.
 - P1 DENOTES PLAN 65R-36627
- ALL SURVEY MONUMENTS FOUND ARE MARKED (1075) OR (HJV), UNLESS OTHERWISE NOTED.

BEARING, DISTANCE AND CO-ORDINATE NOTES

BEARINGS AND CO-ORDINATES ARE GRID AND ARE DERIVED FROM SPECIFIED CONTROL POINTS (SCP) No. 01019840116 AND No. 95093 AND ARE REFERRED TO THE 6° UNIVERSAL TRANSVERSE MERCATOR GRID PROJECTION, ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE, NAD83 (ORIGINAL).
CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG. 216/10.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999761.
THE AREAS SHOWN HEREON ARE CALCULATED FROM GROUND DISTANCES.

POINT ID	EASTING	NORTHING
SCP 01019840116	625367.129	4859868.284
SCP 95093	624433.896	4862782.318
753	625080.667	4861236.232
2242	624722.724	4861158.940

CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

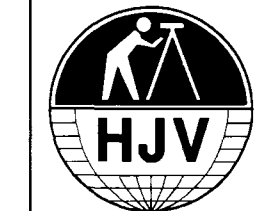
DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON APRIL 16, 2019

APRIL 16, 2019
DATE

GARY B. VANDERVEEN
ONTARIO LAND SURVEYOR

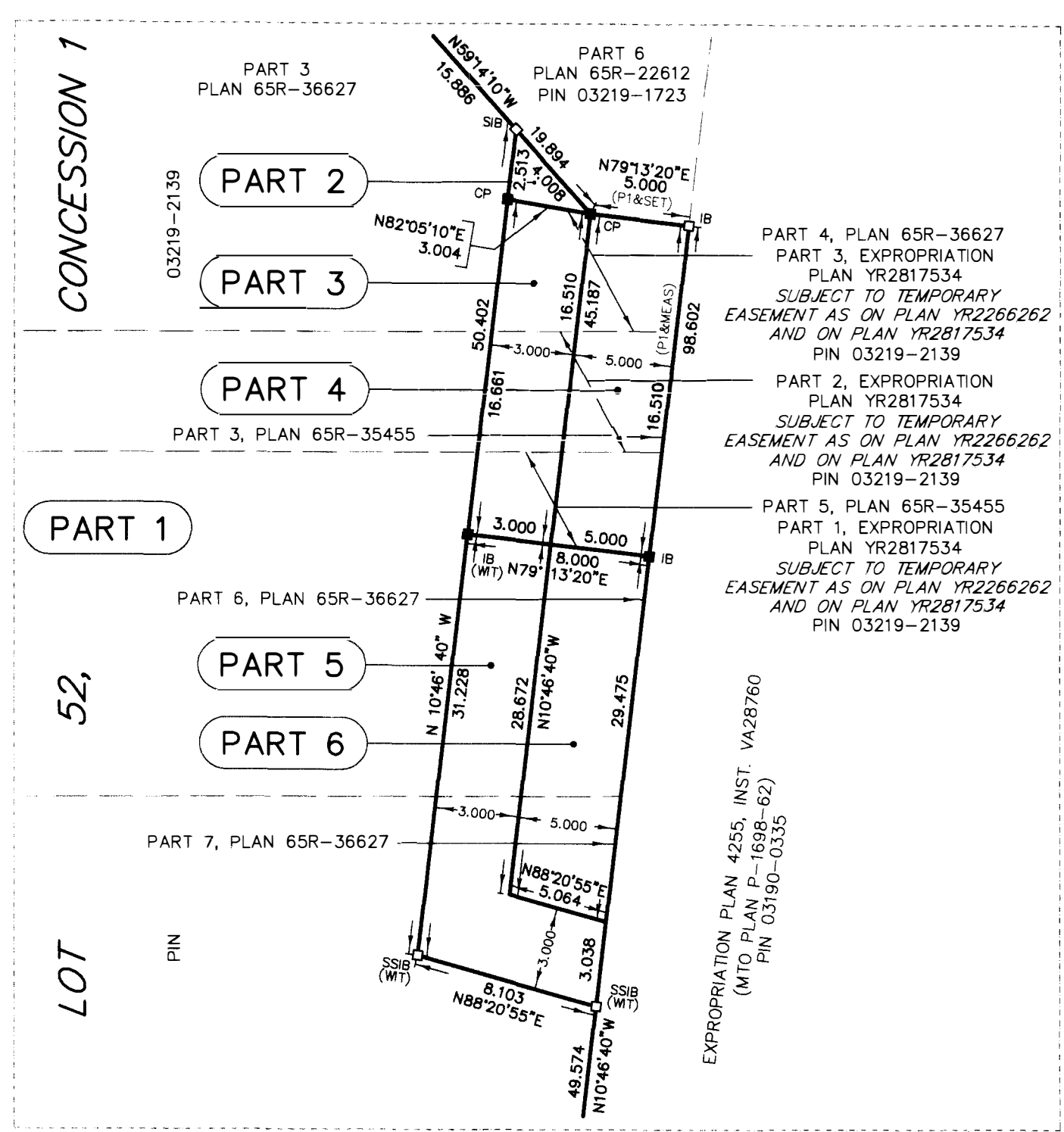


HOLDING JONES VANDERVEEN INC.
ONTARIO LAND SURVEYORS

1700 LANGSTAFF ROAD, SUITE 1002
VAUGHAN, ON L4K 3S3

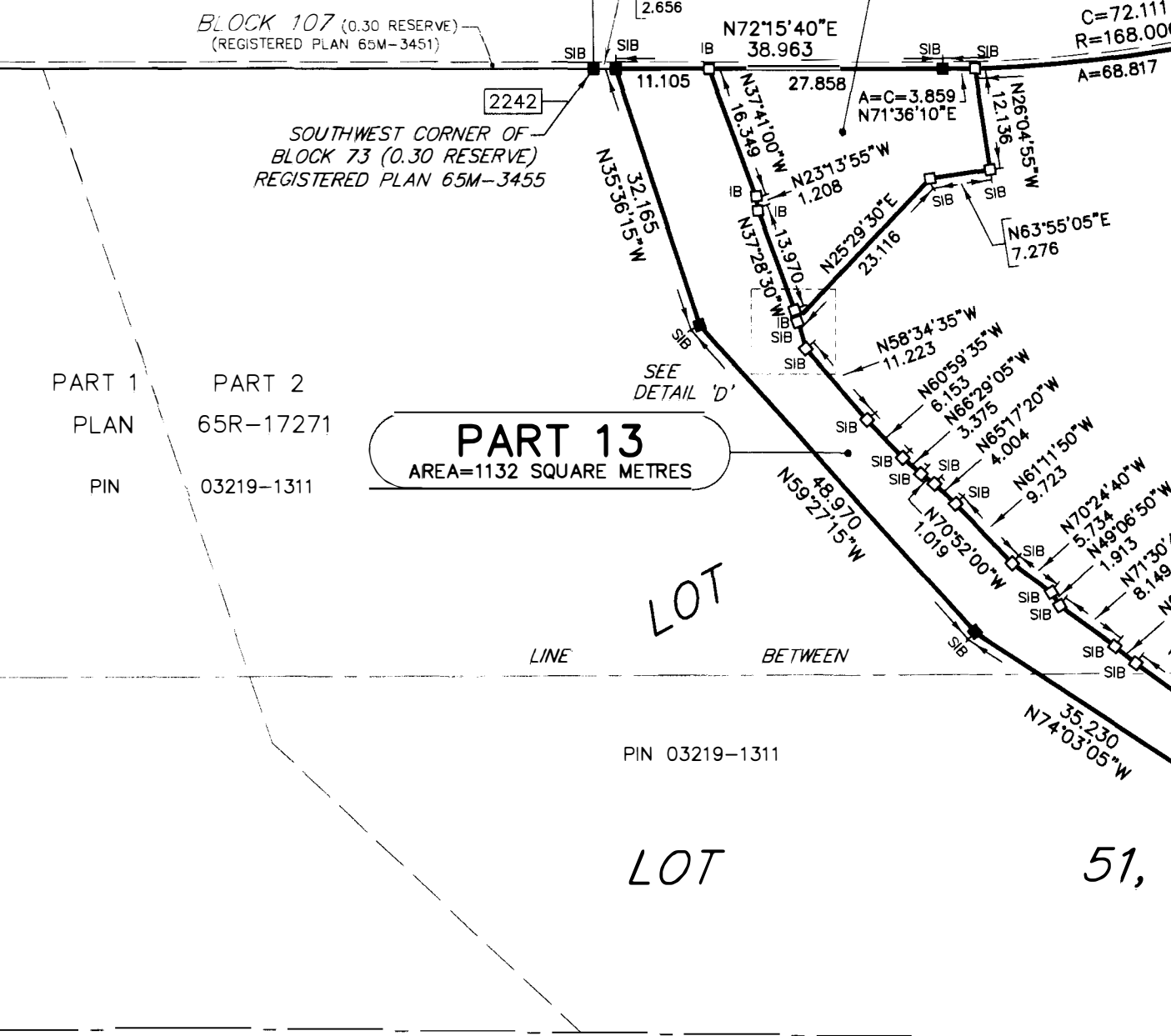
PHONE: 905-660-4000, 416-445-3800 EMAIL: hlv@hvj-ols.co

SCALE: 1:750 DRAWN BY: J.Y. CHKD. BY: S.K./G.V. JOB NO: 11-2133-REF3

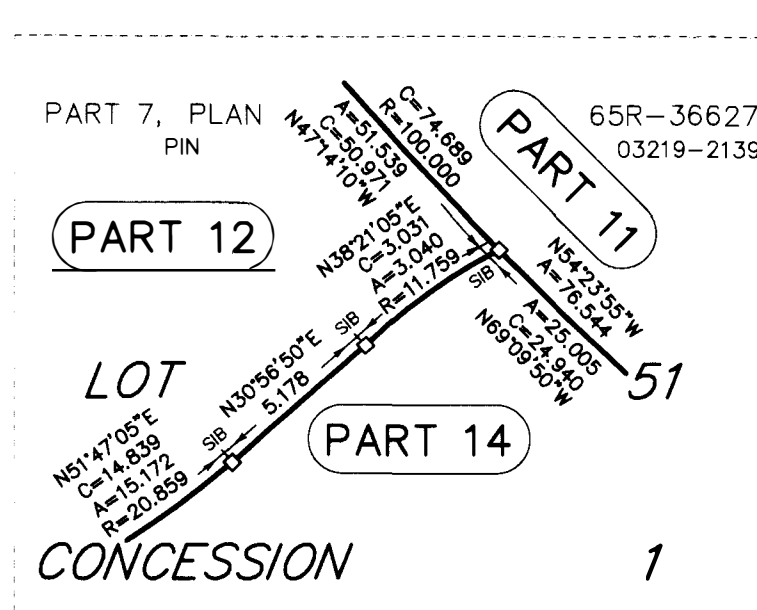


DETAIL 'A' (NOT TO SCALE)

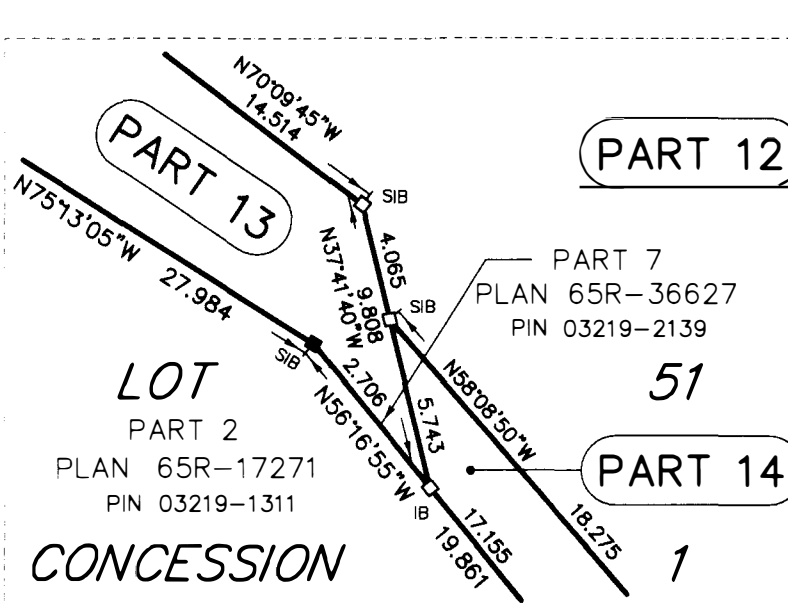
CANYON HILL AVENUE
(BY REGISTERED PLAN 65M-3451)



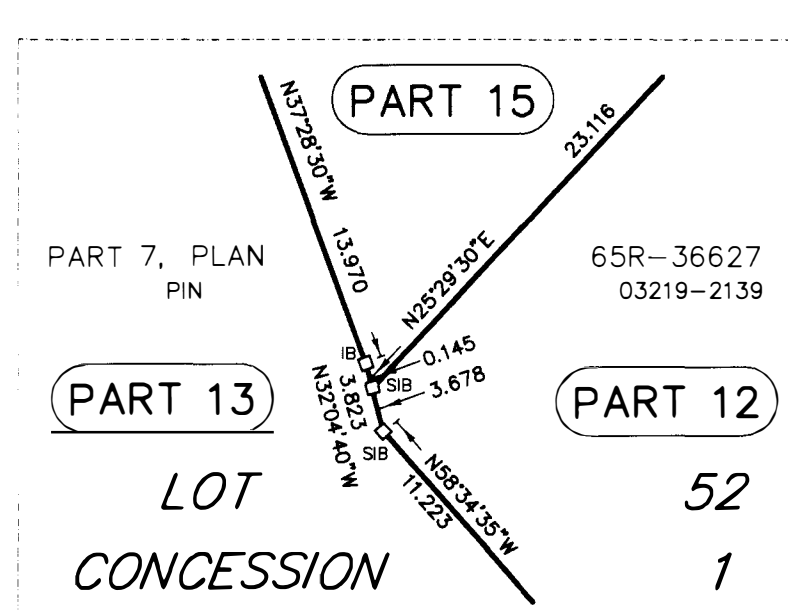
REGISTERED PLAN 65M-2455



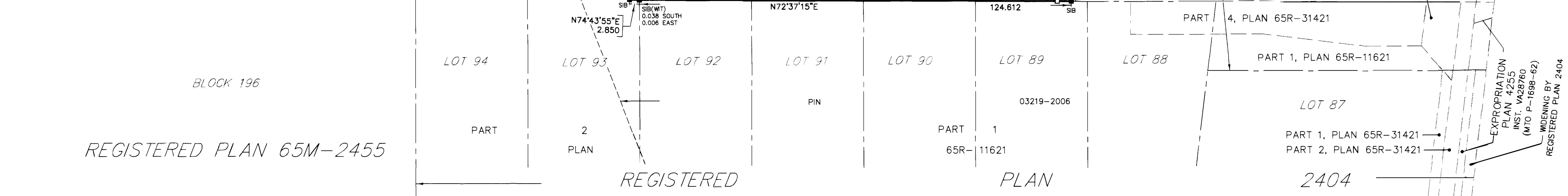
DETAIL 'B' (NOT TO SCALE)



DETAIL 'C' (NOT TO SCALE)



DETAIL 'D' (NOT TO SCALE)



REGISTERED

PLAN

2404