

May 12, 2020

**By E-Mail to *clerks@richmondhill.ca***

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

**Attention: City Clerk**

Dear Mayor Barrow and Council:

**Re: SRPRS.20.058 – Directions Report for the Yonge and Bernard Key  
Development Area – City File Numbers: D11-17001 and D24-17001  
City Council Agenda Item 12.6 – May 13, 2020  
Submission on behalf of Richmond Hill Retirement Inc. and Oakridge  
Gardens Retirement Partnership regarding 70 Bernard Avenue**

**Introduction**

We are counsel to Richmond Hill Retirement Inc. and Oakridge Gardens Retirement Partnership, one of the appellants to the Richmond Hill Yonge and Bernard KDA Secondary Plan. Our clients are the owners of the property municipally known as 70 Bernard Avenue (the “Property”), which is located within the northeast portion of the Secondary Plan area and is currently occupied by a five-storey retirement residence building (Richmond Hill Retirement Residence).

We are writing in response to the Directions Report for the Yonge and Bernard Key Development Area (Report No. SRPRS.20.058) (the “Directions Report”), which is to be considered by City Council at its meeting on May 13, 2020.

**We request that City Council reject staff’s proposal to modify the Yonge and Bernard KDA Secondary Plan schedules to redesignate the northern portion of 70 Bernard Avenue as “Greenway System”.**

**Rationale**

On May 28, 2019, City Council endorsed a settlement with our clients regarding their appeals of the Secondary Plan and Zoning By-law No. 111-17, based on acceptance of

a concept plan for a new 9-storey retirement residence building to be located in the northwest portion of the Property, which includes a 5 metre setback from the north property line. A copy of the site plan for the proposed new building that formed the basis of the settlement is attached for reference. City staff supported the settlement, as reflected in a Request for Direction report dated May 8, 2019 (Report No. SRPRS.19.098), and staff confirmed that the proposed new development at 70 Bernard Avenue would not require any modifications to the Council-adopted Secondary Plan.

As adopted by Richmond Hill Council in November 2017, the Yonge and Bernard KDA Secondary Plan did not designate any portion of 70 Bernard Avenue as “Greenway System”. Rather, the “Greenway System” designation was located immediately north of both 70 Bernard Avenue and the KDA Secondary Plan boundary (see, for example, Schedules 1 and 3 of the adopted Secondary Plan (November 2017) attached as Figures 1 and 2).

The Local Planning Appeal Tribunal (LPAT) accepted the settlement in a decision issued on April 17, 2020, in which it approved Zoning By-law No. 111-17, as amended, for 70 Bernard Avenue. In its decision, the LPAT confirmed that, in order for the proposed development to proceed, “no changes are required to the Secondary Plan and no amendment to the Secondary Plan is being sought”. As a result of this recent approval, our clients have since advised City staff of their intention to initiate an application for site plan approval to permit the development of the proposed new retirement residence building.

However, less than one month after the LPAT’s approval of our clients’ settlement with the City, staff is now recommending that the Secondary Plan schedules be modified to redesignate the northern portion of 70 Bernard Avenue as “Greenway System” (see, for example, the proposed modifications to Schedules 1 and 3 of the Secondary Plan (May 2020) attached as Figures 3 and 4).

In the Directions Report (page 39) recommending the proposed modifications to the Secondary Plan, City staff responded to the concerns raised by the landowners in the northeast quadrant regarding the proposed “Greenway System” designation on the northern portion of the lands by stating that “the Greenway system is identified in the in-force Part I Official Plan, and the area in question is designated Natural Core in the Official Plan”.

In fact, the Part I Official Plan does not identify the northern portion of 70 Bernard Avenue as “Greenway System”. As shown on the excerpts of the approved Schedules A1 and A2 from the Part I Official Plan on the attached Figures 5 and 6, there is no “Greenway System” designation on the south side of the drainage channel in this location, east of Yonge Street, and the KDA boundary extends to the south limit of the watercourse.

**Accordingly, we request that City Council direct staff to remove the proposed new “Greenway System” designation from the northern portion of 70 Bernard Avenue on all Secondary Plan schedules.**

Yours truly,  
**DAVIES HOWE LLP**

*“Signed”*

Mark R. Flowers  
Professional Corporation

encls.:

copy: Barnet Kussner / Raj Kehar, WeirFoulds LLP  
Clients  
Roy Mason, KLM Planning Partners Inc.

SITE STATISTICS:

EXISTING SITE AREA	=	7,569 m2
EXISTING BUILDING AREA	=	2,402 m2
PROPOSED BUILDING AREA	=	1,063 m2
TOTAL BUILDING AREA	=	3,465 m2
COVERAGE	=	3,465 m2 / 7,569 m2 = <b>45.8%</b>
GFA EXISTING	=	11,969 m2
GFA PROPOSED*	=	6,939 m2
GFA TOTAL*	=	18,908 m2
DENSITY (FSI)	=	18,908 m2 / 7,569 m2 = <b>2.50</b>

\*GFA PROPOSED EXCLUDES ALL INTERIOR PARKING & ELEVATING DEVICES

PROPOSED ASSISTED SUITES	=	7 SUITES (3rd FLOOR ONLY)
PROPOSED HOUSEHOLDS	=	84 SUITES (6 FLOORS @14ea.)
TOTAL NEW SUITES	=	<b>91 SUITES</b>
EXISTING SUITES	=	129 SUITES (130-1 for New BRIDGE)
OVERALL TOTAL SUITES	=	<b>220 SUITES</b>

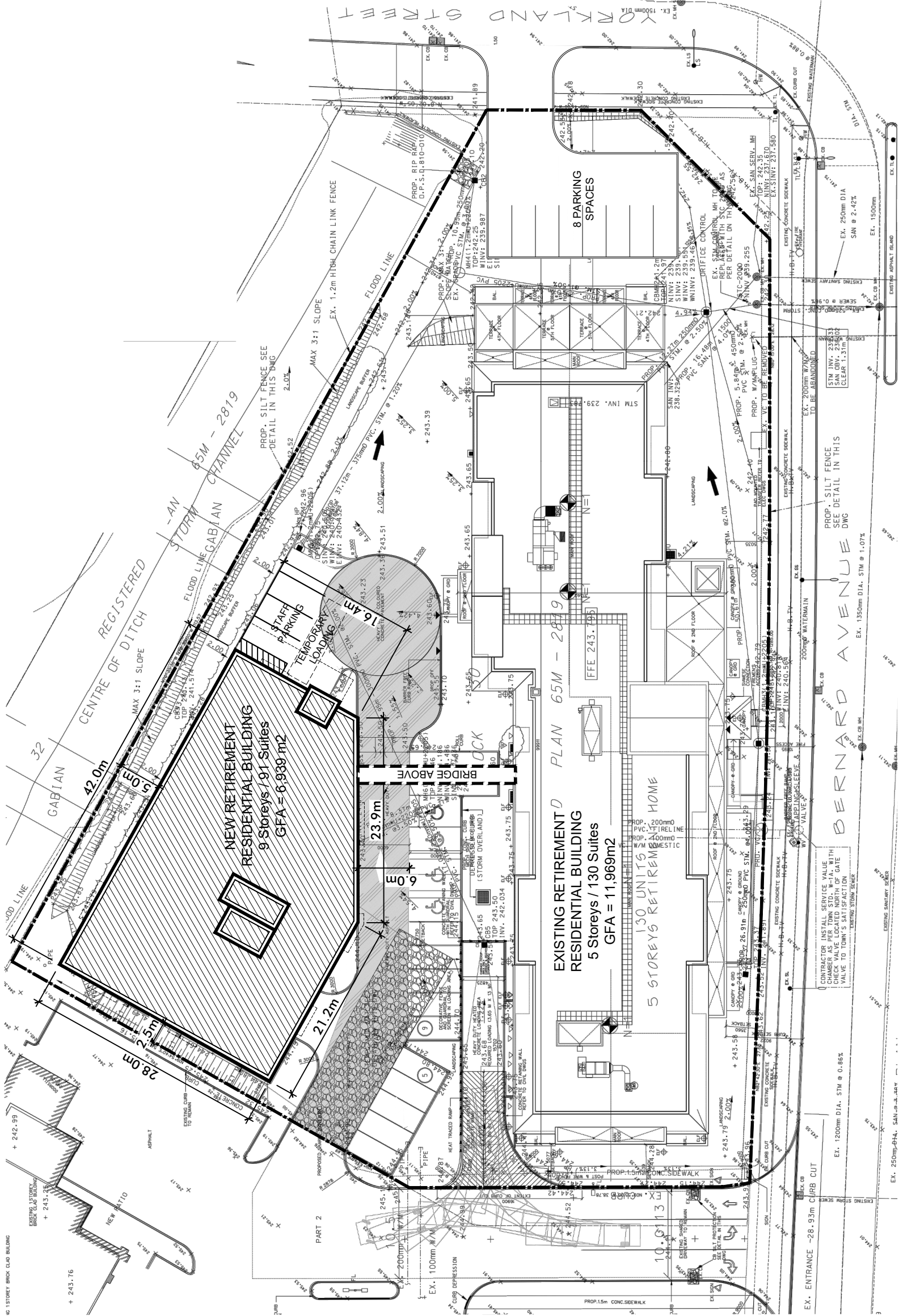
PARKING ANALYSIS:

If 8 New SPACES off Yorkland Street ARE Permitted:

EXISTING SURFACE PARKING	=	51 SPACES	=	<b>0.39</b> sp / suite
NEW SURFACE SPACES	=	8 SPACES		
(With 8 off Yorkland Street)	=	<b>26 SPACES</b>		
PROPOSED SURFACE SPACES	=	-25 SPACES		
NET DIFFERENCE	=	<b>61 SPACES (3 x Barrier-Free)</b>		
PROPOSED NEW PARKING	=	36 SPACES		
NET INCREASE OVERALL	=	<b>87 SPACES</b>		
TOTAL PARKING AFTER	=	36 / 91	=	<b>0.39</b> sp / suite
PARKING RATIO (NEW BUILD)	=	87 / 220	=	<b>0.39</b> sp / suite
PARKING RATIO (OVERALL)	=			

If 8 New SPACES off Yorkland Street are NOT Permitted:

EXISTING SURFACE PARKING	=	51 SPACES	=	<b>0.39</b> sp / suite
PROPOSED SURFACE SPACES	=	18 SPACES		
NET DIFFERENCE	=	-33 SPACES		
PROPOSED NEW PARKING	=	<b>61 SPACES (3 x Barrier-Free)</b>		
NET INCREASE OVERALL	=	28 SPACES		
TOTAL PARKING AFTER	=	79 SPACES		
PARKING RATIO (NEW BUILD)	=	28 / 91	=	<b>0.31</b> sp / suite
PARKING RATIO (OVERALL)	=	79 / 220	=	<b>0.36</b> sp / suite



Oakridges Gardens Intensification - 9 Storey Building

SITE PLAN / Roof Plan

18 Surface Existing Surface Parking Spaces Remain + 8 New = 26 Total



INSPIRED  
SENIOR LIVING



247 Spadina Avenue  
4th Floor  
Toronto, Ontario  
M5T 3A8

21JAN2019



Figure 1

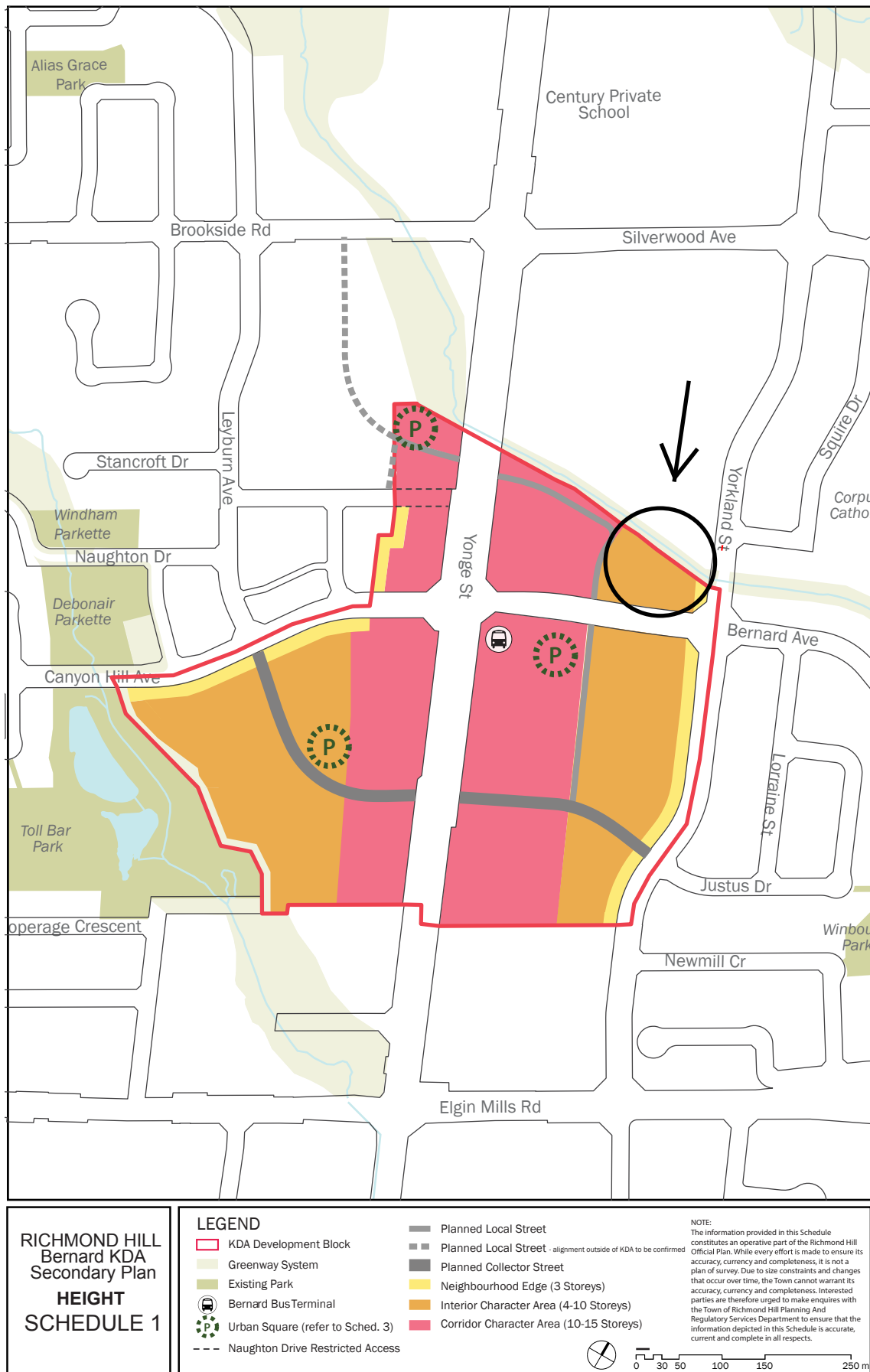


Figure 2

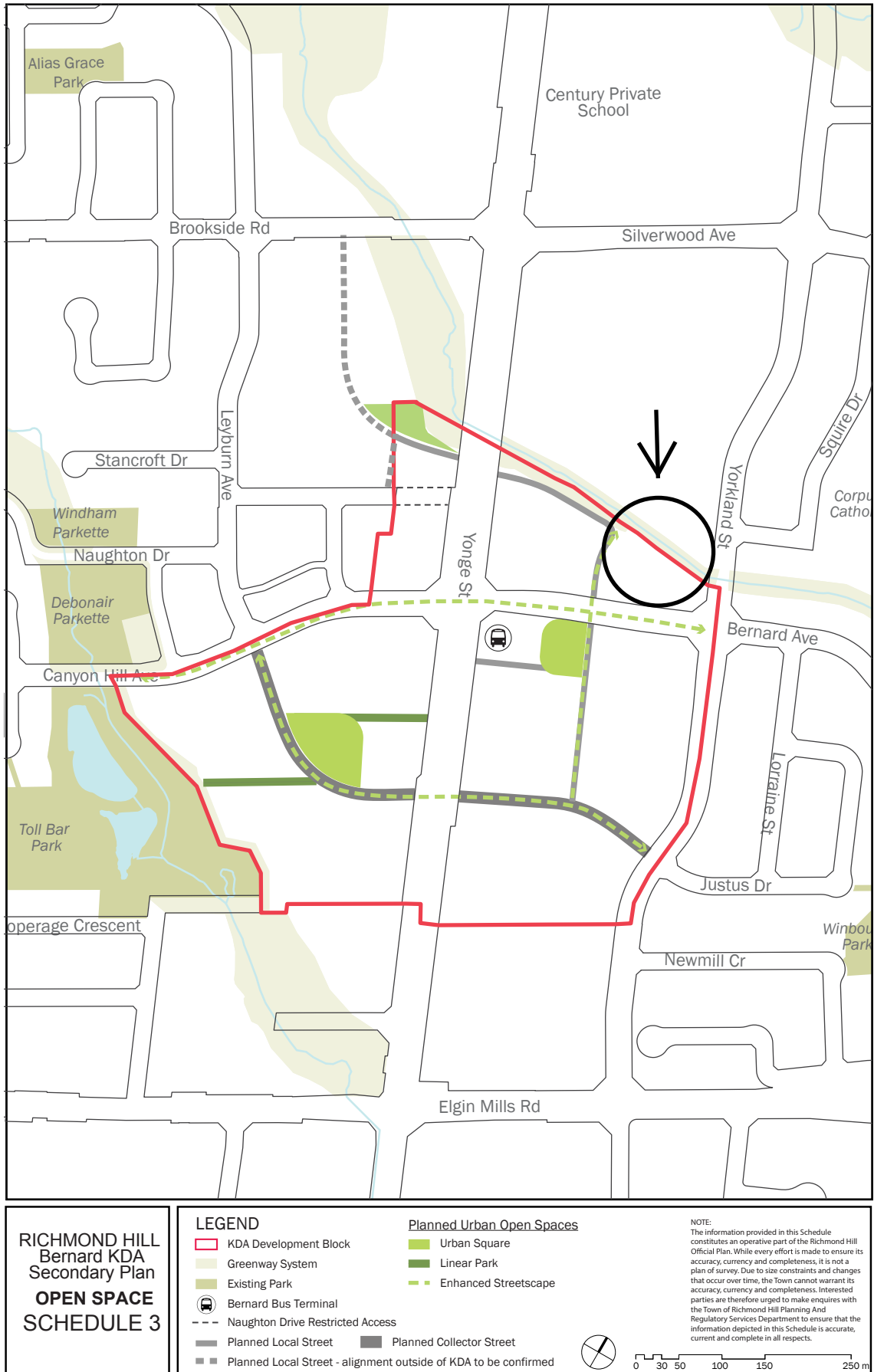


Figure 3

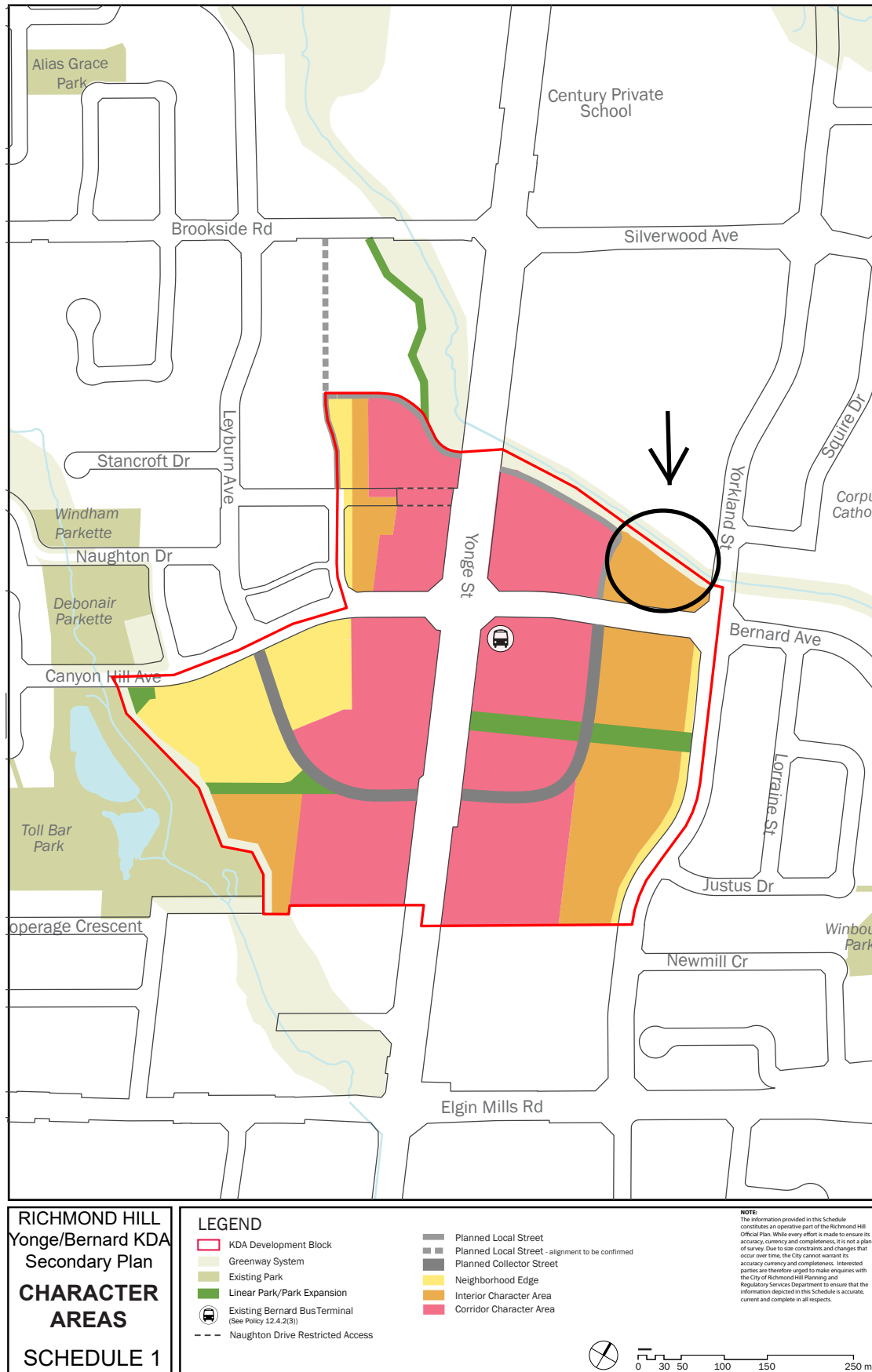


Figure 4

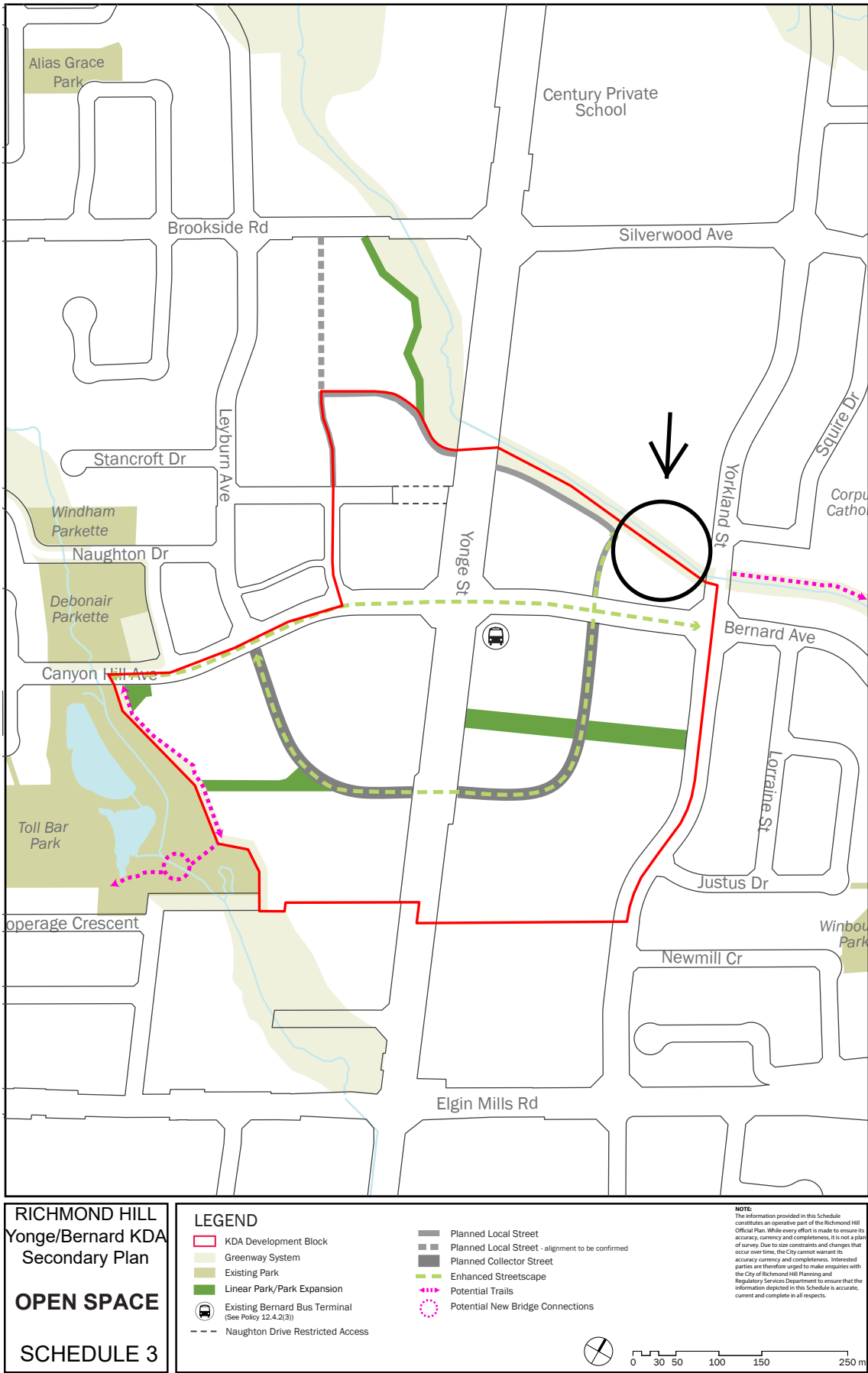




Figure 5

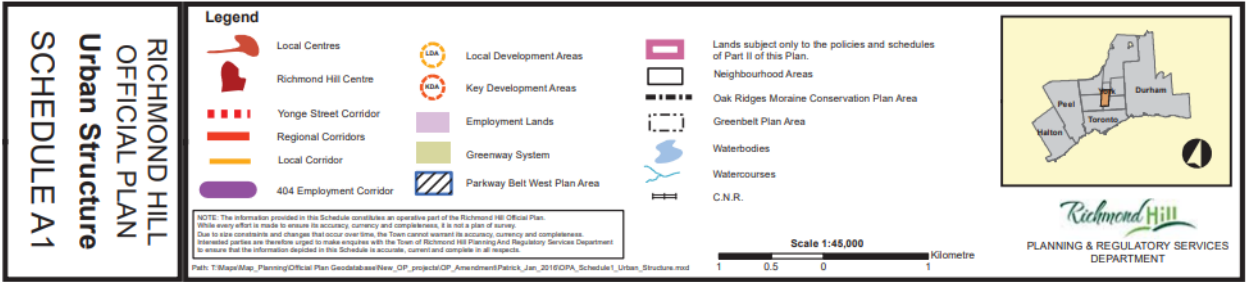


Figure 6

