

Amendment 23 to the Richmond Hill Official Plan

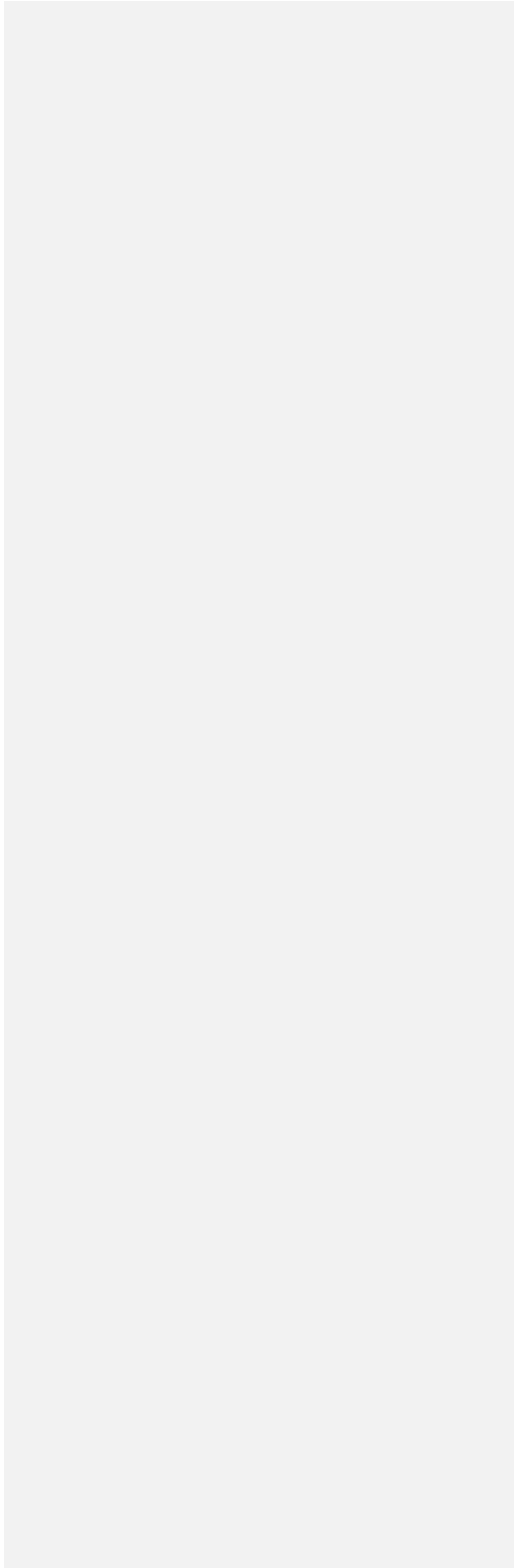
Draft for Public Consultation

November 2020

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**Richmond Hill Official Plan
Official Plan Amendment 23**

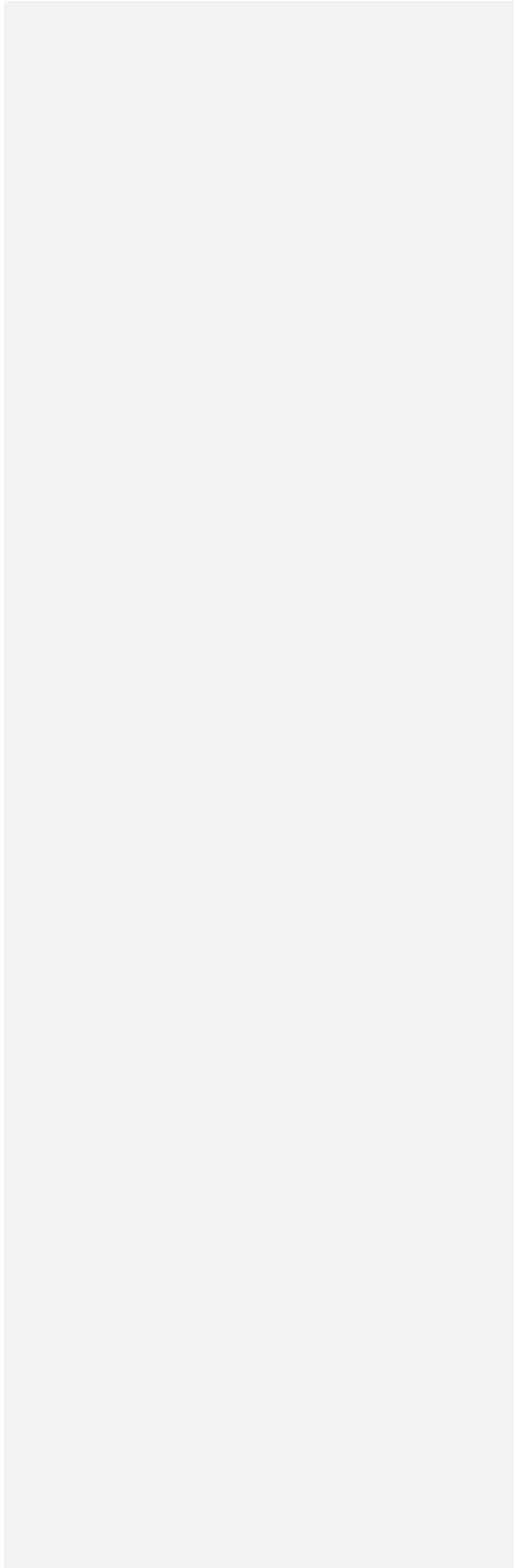
The attached and explanatory text constitute Amendment No. 23 to the Richmond Hill Official Plan.

This amendment was prepared and recommended by the Richmond Hill Council and was adopted by the Council of the Corporation of the City of Richmond Hill by By-law No. ____-____ in accordance with Sections 17 of the Planning Act on the ____ day of _____, 20____.

Dave Barrow
Mayor

Stephen M.A. Huycke
City Clerk

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The Corporation of the City of Richmond Hill

By-Law No. xx-21

A By-law to Adopt Amendment 23 to
The Richmond Hill Official Plan

The Council of the Corporation of the City of Richmond Hill, in accordance with provisions of the Planning Act, R.S.O. 1990, hereby enacts as follows:

1. That Amendment 23 to the Richmond Hill Official Plan, consisting of the attached Part Two is hereby adopted.
2. This by-law shall come into force and take effect on the day of the final passing thereof.

Passed this ____ day of _____, 20__.

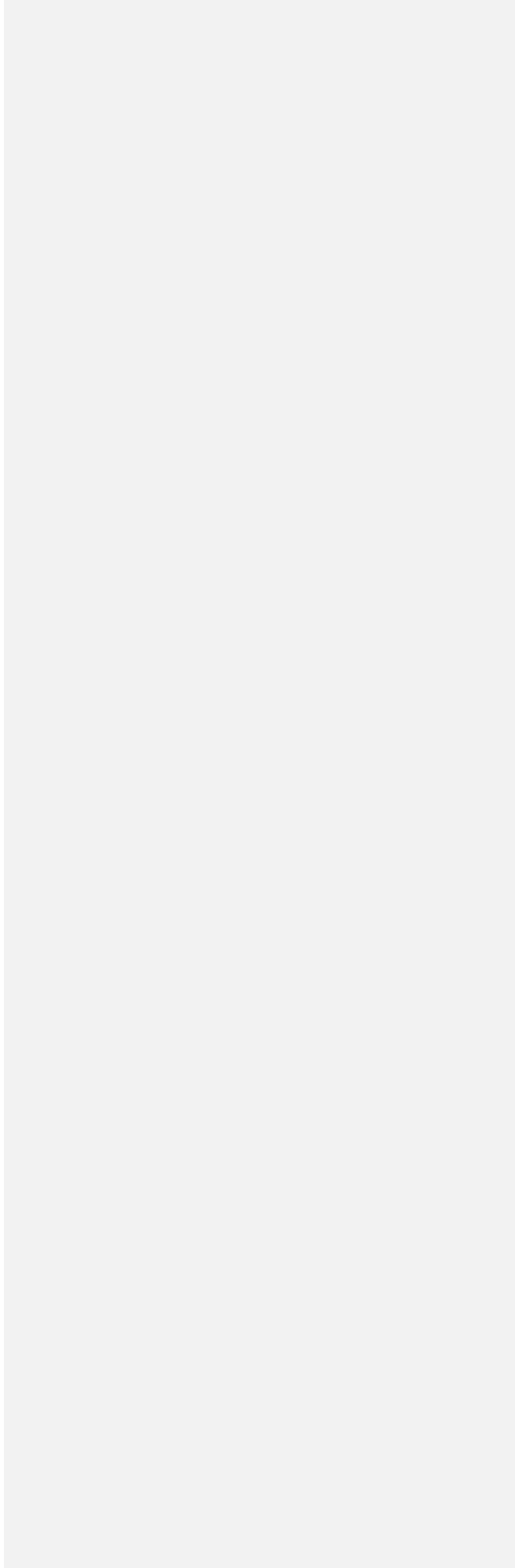
Dave Barrow
Mayor

Stephen M.A. Huycke
City Clerk

Part One - The Preamble is not a part of the Amendment.

Part Two - The Amendment, consisting of text, constitutes Amendment 23 to the Richmond Hill Official Plan.

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Part One – The Preamble

1.1 Purpose

The purpose of this Amendment to the Richmond Hill Official Plan is to permit an additional residential unit within a ground-related dwelling and in a structure ancillary to the ground-related dwelling on the same lot. The amendment would effectively allow up to a maximum of three dwelling units on a ground-related residential property. The intent of this amendment is to conform with Provincially legislated requirements and to facilitate housing diversity. The amendment will also help to increase the supply of affordable housing to meet the needs of Richmond Hill residents.

1.2 Location

The Amendment applies City-wide to all lands where ground-related dwellings are permitted. The permission would not apply to existing ground-related dwellings located in: hazard lands and hazardous sites, lands within the Greenbelt Plan Natural Heritage System, and lands within the Oak Ridges Moraine Conservation Plan's Natural Core and Natural Linkage areas.

1.3 Basis

This amendment updates the Richmond Hill Official Plan 2010 policies that permit secondary suites in single detached, semi-detached and townhouse developments. Since the time of adoption of the Official Plan, several changes to the *Planning Act*, the *Provincial Policy Statement, 2020* and several provincial plans have come into effect which require local official plans to permit additional residential units (secondary suites) both within a ground-related dwelling as well as within a structure ancillary to it. This would in effect allow up to three units on a lot.

The proposed amendment is considered by Council to be appropriate for the following reasons:

- The amendment implements the direction in the *Planning Act*, which requires Official Plans to contain policies that authorize the use of two residential units in a detached house, semi-detached house, or row-house (townhouse), and within a building or structure ancillary to a detached house, semi-detached house, or row-house (townhouse);
- the amendment implements the *Ontario Regulation 299/19 Additional Residential Units*, which prescribes requirements and standards in order to

reduce barriers for the approval and construction of additional residential units;

- the amendment is consistent with the *Provincial Policy Statement, 2020* (PPS), which directs municipalities to accommodate appropriate affordable and market-based range and mix of housing types, including “additional residential units” and to facilitate all types of residential intensification. Further, the amendment aligns with the PPS by directing developments away from areas of natural hazards;
- the amendment conforms to *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)*, which requires municipalities to meet minimum intensification targets and to create a range and mix of housing options and densities, including the provision of additional residential units;
- the amendment conforms with the *Greenbelt Plan, 2017* which permits a second dwelling unit in single dwellings or within existing accessory structures on the same lot, where the lot is located outside of the Natural Heritage System;
- the amendment conforms with the *Oak Ridges Moraine Conservation Plan, 2017* which permits a secondary dwelling unit in single dwellings located outside of a Natural Core Area or Natural Linkage Area; and
- the amendment conforms to the York Region Official Plan (2010), which directs municipalities to provide a minimum of 25 per cent of all new housing units to be affordable and identifies the provision of secondary suites as a means to achieve this target, and as such, requires local municipalities to adopt official plan policies and zoning by-law provisions to authorize secondary suites.

Part Two - The Amendment

2.1 Introduction

All of this part of the document entitled **Part Two – The Amendment**, consisting of the following text in Section 2.2 constitutes Amendment 23 to the Richmond Hill Official Plan.

2.2 Details of the Amendment

The Richmond Hill Official Plan is amended as follows:

2.2.1 That **Section 3.1.5 Housing** of the Richmond Hill Official Plan be amended as follows:

i. That **Policy 3.1.5 (5)** be deleted and replaced with the following text:

5. *Additional residential units* may be permitted within the City in accordance with the following policies:

a. *Additional residential units* are permitted in areas zoned for residential development.

b. Notwithstanding (a), an *additional residential unit* is not permitted:

i. on *hazard lands* or *hazardous sites*;

ii. on lands within the “Oak Ridges Moraine Natural Core” and “Oak Ridges Moraine Natural Linkage” designations; or,

iii. on lands within the **Greenbelt Plan Protected Countryside – Natural Core** designation.

c. Notwithstanding the definition of *additional residential unit*, where lands are designated “Oak Ridges Moraine Countryside”, only one *additional residential unit* is permitted within a *single detached dwelling*.

d. The dwelling and *additional residential unit(s)* meet all Provincial building code and fire code regulations and requirements; and,

e. Exterior changes to the existing *ground-related dwelling* are compatible with the character of the area.

2.2.2 That **Section 4.9.1 Land Use** of the Richmond Hill Official Plan be amended as follows:

i. By adding the following text to **Policy 4.9.1.2 (3) Medium Density Residential**: “This maximum density calculation shall not include the counting of *additional residential unit(s)*.” So that the policy reads as follows:

Commented [A1]: For ease of reference, the following is the current in-force policy of the Official Plan:

5. Secondary suites may be permitted within the Town to provide a form of affordable housing subject to Council approval of a Zoning By-law consistent with the following policies:

a. One secondary suite is permitted per ground related-dwelling

b. The dwelling and secondary suite meets all Provincial building and fire code regulations and requirements;

c. Exterior changes to the existing residential dwelling are minimal and are compatible with the character of the area.

d. Adequate on-site parking is provided in accordance with the Zoning By-Law; and

e. Appropriate development standards are established in the Zoning By-law which address maximum floor area requirements and other relevant development standards in accordance with the policies of this Plan.

Commented [A2]: Note: the policy relies on the definition in terms of permitting up to 3 units on a lot (i.e. a primary unit, which may be a single, semi, or townhouse, and another unit within it, plus a unit in a structure accessory to it).

Commented [A3]: NOTE: The majority of lands within the Greenbelt Plan Protected Countryside are located within the North Leslie Secondary Plan Area, and subject to Chapter 9 policies, see proposed changes below.

Commented [A4]: ORM Countryside applies also to the Hamlet of Gormley.

3. *Medium density residential development* shall have a maximum site density of 50 units per hectare (20 units per acre). This maximum density calculation shall not include the counting of *additional residential unit(s)*.

2.2.3 That **Section 5.14 Site Plan Control** of the Richmond Hill Official Plan be amended as follows:

i. By deleting the word “and” and adding the punctuation and words “, and *additional residential units*” after the words “semi-detached dwellings” in **Policy 5.14 (4)(c)** so that it reads as follows:

c. All forms of residential development, except single detached dwellings, semi-detached dwellings, and *additional residential units*;

2.2.4 That **Section 7 Definitions** of the Richmond Hill Official Plan be amended as follows:

i. That the following definitions be added with the following text:

GROUND-RELATED DWELLING means the following form of residential dwellings: single detached, semi-detached or townhouse.

HAZARD LANDS means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. For ease of implementation, the City of Richmond Hill may consult with the relevant Conservation Authority to ensure that most recent mapping of such areas are referenced when evaluating development applications and undertaking any works.

HAZARDOUS SITES means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils or unstable bedrock. For ease of implementation, the City of Richmond Hill may consult with the relevant Conservation Authority to ensure that most recent mapping of such areas are referenced when evaluating development applications and undertaking any works.

Commented [A5]: For context, policy 5.14(4)(c) reads as follows with track changes:

4. Unless an exemption or further restriction is provided under policy 5.14.2 of this Plan, site plan approval shall be required to all of the following:

c. All forms of residential development, except single detached dwellings, ~~and~~ semi-detached dwellings, ~~and~~ *additional residential units*;

- ii. That the term “Secondary Suite” be renamed “Additional Residential Unit” and its definition be amended by replacing the word “house” with the italicized words “*ground-related dwelling*,” and the following words: “and/or within a structure *accessory* to a *ground-related dwelling*”; further, the words “a facility for” is deleted and the word “facilities” is added after the word “cooking”, so that the definition reads as follows:

ADDITIONAL RESIDENTIAL UNIT means a single *accessory* dwelling unit within a *ground-related dwelling* and/or within a structure *accessory* to a *ground-related dwelling* that consists of one or more rooms that are designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities, and sanitary facilities are provided for the exclusive use of such person or persons.

- iii. That the definition of Single Detached Dwelling be amended by adding the words: “and may include one *additional residential unit*.” So that the definition reads as follows:

SINGLE DETACHED DWELLING means a building containing only one dwelling unit and may include one *additional residential unit*.

2.2.5 That **Chapter 8 West Gormley Secondary Plan** in the Richmond Hill Official Plan be amended as follows:

- i. By adding the following sentence to **Policy 8.6.2.2 (b) Residential Low Density**: “This maximum density calculation shall not include the counting of *additional residential unit(s)*.” So that the policy reads as follows:
 - b. In areas designated Residential Low Density, a maximum density of approximately 25 units per net residential hectare (10 units per acre) shall be permitted. This maximum density calculation shall not include the counting of *additional residential unit(s)*.
- ii. By adding the following sentence to **Policy 8.6.2.3 (b) Residential Medium Density**: “This maximum density calculation shall not include the counting of *additional residential unit(s)*.” So that the policy reads as follows:

Commented [A6]: For ease of reference below is the current definition for Secondary Suite:

Secondary Suite means a single *accessory* dwelling unit within a house that consists of one or more rooms that are designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which a facility for cooking sleeping facilities, and sanitary facilities are provided for the exclusive use of such person or persons.

Commented [A7]: For ease of reference “Accessory” as defined in the Official Plan means:

a use of land, buildings or structures that is normally incidental or subordinate to and exclusively devoted to the principal use, building or structure located on the same lot.

Commented [A8]: Note: This defined term only applies to specific policies implementing the Oak Ridges Moraine Conservation Plan.

b. In areas designated Residential Medium Density, a maximum density of 60 units per net residential hectare (24 units per acre) shall be permitted. This maximum density calculation shall not include the counting of *additional residential unit(s)*.

- iii. By amending **Policy 8.6.2.5 Other Permitted Uses in Residential Designations** through an addition of a new policy numbered **8.6.2.5 (4)** with the following text:

8.6.2.5.4 Additional residential units

1. *Additional residential units* may be permitted in accordance with the following policies:

- a. *Additional residential units* are permitted in areas zoned for residential development.
- b. Notwithstanding (a), an *additional residential unit* is not permitted:
 - i. on *hazard lands* or *hazardous sites*; or
 - ii. on lands within the “Oak Ridges Moraine Natural Core” and “Oak Ridges Moraine Natural Linkage” designations.
- c. The dwelling and *additional residential unit(s)* meets all Provincial building code and fire code regulations and requirements; and,
- d. Exterior changes to the existing *ground-related dwelling* are compatible with the character of the area.

- iv. By inserting the following terms and definitions to **Section 8.9.2 Definitions**:

Hazard Lands

means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. For ease of implementation, the City of Richmond Hill may consult with the relevant Conservation Authority to ensure that most recent mapping of such areas are referenced when evaluating development applications and undertaking any works.

Hazardous Sites

means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils or unstable bedrock. For ease of implementation, the City of Richmond Hill may consult with the relevant Conservation Authority to ensure that most recent mapping of such areas are referenced when evaluating development applications and undertaking any works.

Ground-Related Dwelling

means the following form of residential dwellings: single detached, semi-detached or townhouse.

Additional Residential Unit

means a single *accessory* dwelling unit within a *ground-related dwelling* and/or within a structure *accessory* to a *ground-related dwelling* that consists of one or more rooms that are designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities, and sanitary facilities are provided for the exclusive use of such person or persons.

2.2.6 That **Chapter 9 North Leslie Secondary Plan** in the Richmond Hill Official Plan be amended as follows:

- i. By adding the following sentence to **Policy 9.6.2.1 (b) Low Density Residential**: “This maximum density calculation shall not include the counting of *additional residential unit(s)*.” So that the policy reads as follows:
 - b. In areas designated Low Density Residential, a minimum density of 17 units per net residential hectare (7 units per net acre) and a maximum density of 35 units per net residential hectare (14 units per net acre) shall be permitted. This maximum density calculation shall not include the counting of *additional residential unit(s)*.
- ii. By adding the following sentence to **Policy 9.6.2.2 (b) Medium Density Residential**: “This maximum density calculation shall not include the counting of *additional residential unit(s)*.” So that the policy reads as follows:
 - b. In areas designated Medium Density Residential, a minimum density of 35 units per net residential hectare (14 units per net acre) and a maximum density of 60 units per net residential hectare (25 units per net acre) shall be permitted. This maximum density calculation shall not include the counting of *additional residential unit(s)*.

- iii. By amending **Policy 9.6.2.4 Other Permitted Uses in Residential Designations** through an addition of a new policy numbered **9.6.2.4 (5)** with the following text:

9.6.2.4.5 Additional residential units

1. Additional residential units may be permitted in accordance with the following policies:

- a. *Additional residential units* are permitted in areas zoned for residential development.
- b. Notwithstanding (a), an *additional residential unit* is-not permitted:
 - i. on *hazard lands* or *hazardous sites*; or,
 - ii. on lands within the Natural Heritage System designation.
- b. Where lands are designated “Protected Countryside”, only one *additional residential unit* is permitted within an existing single detached dwelling, or in a structure accessory to the single detached dwelling.
- c. The dwelling and *additional residential unit(s)* meets all Provincial building code and fire code regulations and requirements; and,
- d. Exterior changes to the existing *ground-related dwelling* are compatible with the character of the area.

- iv. By inserting the following terms and definitions to **Section 9.9.2 Definitions**:

“Hazard Lands” shall mean property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. For ease of implementation, the City of Richmond Hill may consult with the relevant Conservation Authority to ensure that most recent mapping of such areas are referenced when evaluating development applications and undertaking any works.

“Hazardous Sites” shall mean property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils or unstable bedrock. For ease of implementation, the City of Richmond Hill may consult with the relevant Conservation Authority to ensure that most recent mapping of such areas are referenced when evaluating development applications and undertaking any works.

“Ground-Related Dwelling” shall mean the following form of residential dwellings: single detached, semi-detached or townhouse.

“Additional residential unit” shall mean a single *accessory* dwelling unit within a *ground-related dwelling* and/or within a structure *accessory* to a *ground-related dwelling* that consists of one or more rooms that are designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities, and sanitary facilities are provided for the exclusive use of such person or persons.

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