

June 16, 2021

By E-Mail

Mayor and Members of Council
c/o Clerks Department
City of Richmond Hill
225 East Beaver Hall Road
Richmond Hill, ON L4B 3P4

Dear Mr. Mayor and Members of Council:

Re: Public Meeting - Revised Official Plan and Zoning By-law Amendments

9861 Yonge Development Inc. – 9861 Yonge Street and 236 and 240 Church Street South - City Files D01-12011 and D02-12032 (Related City File: D06-12100)

Aird & Berlis LLP acts on behalf of 9861 Yonge Developments Inc. with respect to its Official Plan and Zoning By-law amendment applications for the above-noted lands. This is a long-standing matter dating back to 2012. The plans that are being provided for your comment today represent the culmination of years of revision, cooperation and compromise between City staff and our client that we believe appropriately balance the planning objectives of the City with the development needs of our client.

It is important at the outset to acknowledge that these Official Plan and Zoning By-law Amendments have been appealed and are currently before the Ontario Land Tribunal (“OLT”)¹. In late 2019, our client and the City mutually agreed to adjourn these appeals *sine die* to allow settlement discussions to take place. Those discussions have proven productive, and in February of this year our client presented the current plans to the City as a with prejudice settlement proposal. It is our hope that should Council find favour with this proposal, the parties will return before the OLT this fall at a settlement hearing for final approval.

The reason this matter has returned to Council for a public meeting in advance of recommendation report relates to the addition of the property municipally known as 236 Church Street to the proposed development. This property was acquired by our client in 2018 and did not form part of the original application, the public meetings before Council on those applications, or the appeal to the OLT. As a result, they have not previously been the subject of a public meeting.

The addition of the 236 Church Street lands improve the proposed development in a number of ways. It allows access to the property to be exclusively provided from Church Street, consistent with the Region’s policies to limit vehicular access to Yonge Street. It provides appropriate space for circulation and access to the underground parking facilities, and it provides additional

¹ As of June 1, 2021, the Local Planning Appeal Tribunal (“LPAT”) was continued as the OLT. The original applications were appealed to the former Ontario Municipal Board, the predecessor to the LPAT. We are hopeful that these matters will be resolved before the tribunal changes its name once again.

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separation from the proposed mixed-use building to the existing homes to the north of the property on Church Street.

The revised plans contained in the with prejudice settlement proposal seek to redevelop the site with a 10-storey mid-rise, mixed-use, building which appropriately steps back from Yonge Street at the 7th storey and respects a 45-degree angular plane from the opposite side of Yonge Street. At the rear, the building is reduced to 3-storeys in height adjacent to Church street with individual unit entrances facing this street. The massing along this façade also steps back at 2 instances resulting in a building which respects the 45-degree angular plain from the eastern limit of Church Street South. The building itself will contain 147 residential units (63 one-bed, 67 two-bed, 9 three-bed and 8 townhouse) and 179 parking spaces. Lastly, the proposal contains 278.17m² of retail uses (2-units) facing Yonge Street and wrapping around the southern corner of the building to provide frontage onto the proposed park.

Ultimately, this revised proposal, including the additional lands, results in development that is consistent with the Provincial Policy Statement and conforms to the policies of the Growth Plan, Regional OP and Richmond Hill OP. It also has regard for and is consistent with the Downtown Urban Design Guidelines (“UDGs”) and the Richmond Hill UDGs. The proposal will provide for intensification within a “Local Centre” and along a “Priority Transit Corridor”/“Regional Corridor” where significant investment has been and will be made in upgrades to public transportation infrastructure. Further the development provides an appropriate transition to the low-rise neighbourhood to the east through implementation of a 45-degree angular plane (and provides significant setbacks to that angular plane). Therefore, we believe the development represents good planning in the public interest.

Importantly, the revised proposal is reflective of and responsive to the comments and input of City staff through months of feedback from numerous settlement meetings and discussions. Through these efforts, the parties are close to a resolution that will avoid a costly and contentious OLT hearing, to the benefit of everybody. To that end, we wish to acknowledge the cooperation of City planning staff and legal staff, including the late Barney Kussner, to move this long-standing matter closer to a final settlement.

We will be in attendance before Council on June 16, 2021 to answer any questions you may have.

Yours truly,

AIRD & BERLIS LLP



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