



June 24, 2022

City of Richmond Hill
Planning and Infrastructure Services Department
225 East Beaver Creek
Richmond Hill, Ontario
L4B 3P4

Attn: Brian DeFreitas, Senior Planner

Dear Mr. DeFreitas,

**RE: Response to Proposed Amendments 18.3 and 18.4
to the City of Richmond Hill Official Plan**

Evans Planning acts on behalf of the individuals and entities listed in Schedule 'A' to this letter. On behalf of our Clients, we have reviewed draft amendments 18.3 and 18.4 to the City of Richmond Hill Official Plan (RHOP). We appreciate the work involved with the preparation of these documents, and wish to provide the following comments for consideration:

Proposed Amendment 18.3

- *2.2.13 That Section 3.1.5 Housing be amended as follows:
 - i. That Policy 3.1.5 (4) be deleted, and replaced with the following text: The demolition or conversion of existing rental housing to ownership housing that would result in the loss of six or more purpose-built rental housing units shall be prohibited unless one of the following conditions are met:
 - a. All of the existing rental housing units will be replaced and policy 3.1.5 (4)(c) is satisfied;
 - or
 - b. The overall vacancy rate of purpose-built rental housing for the City of Richmond Hill, as reported by the Canadian Mortgage and Housing Corporation, is above 3 per cent for the preceding three consecutive annual surveys, and the conversion or demolition of rental units will not significantly reduce the overall supply of purpose-built rental housing in the City.
 - c. If the rents of the units proposed for demolition are considered affordable at the time of application, these must be replaced by units that have affordable rents*

Comment: We request clarification with how this policy will be applied to rental housing that is not 'purpose built'. Further, how is it to be determined whether a proposal is 'purpose built'?

- 2.2.16 *That a new section 3.1.9.1 Phasing of Development be added with the following text:*
The provision of services is guided by this Official Plan, Master Plans, and the City's Capital Plan. The provision of orderly development can only occur when new development is supported by the implementation of planned infrastructure improvements. As such, phasing of new development may be required in order to align the provisions of new development with the timing of infrastructure improvements
It is the policy of Council that:
 1. *Development shall be commensurate with, and shall help to implement, the following Council-endorsed plans:*
 - a. *Transportation Master Plan;*
 - b. *Urban Master Environmental Servicing Plan;*
 - c. *Parks Plan;*
 - d. *Recreation Plan; and*
 - e. *Other plans approved by Council, as required.*
 2. *Development may not be permitted to proceed if critical infrastructure required to support development are not in place or identified in the City's or Region's Capital Plans and/or Development Charges Background Study.*

Comment: We suggest that this section be revised to clarify whether a proponent of development may prepare some or all of these materials on behalf of the City, or front-end the costs of infrastructure improvements, to permit development to occur.

- 2.2.19 *That existing section 3.1.9.3 Master Environmental Servicing Plans be renumbered to 3.1.9.4, and be amended as follows:*
 - i. *That Policy 3.1.9.3 (1) be deleted, and be replaced by new policy 3.1.9.4 (1) with the following text:*
New Master Environmental Servicing Plans (MESPs) may be required for development within an area that is not subject to an existing MESP, at the discretion of the City.

Comment: Please provide further details with respect to the criteria that are to be used to determine whether an MESP is required.

- 2.2.21 *That Section 3.1.9.5 Energy Conservation be renumbered to 3.1.9.6, and amended as follows:*
 - iv. *That Policy 3.1.9.5 (4) be deleted, and be replaced by new 3.1.9.6 (4) with the following text:*
Development shall be encouraged to incorporate on-site, or provide connections to, a district heating or cooling system, alternative and renewable energy systems, energy storage facilities, and/or other low-carbon energy systems, where feasible. Within the centres and corridors and employment lands, the City may require connections to such facilities, where feasible.

Comment: We support the intent of this policy, but suggest that more specificity is required with respect to how the City is to encourage the provision of these features. Will incentives, such as reduced parking requirements, development charge credits, application fee rebates, etc., be provided?

- 2.2.25 That Section 3.2.3 Sustainable Design be amended as follows:
 - i. That Policy 3.2.3 (1) be deleted, and replaced with the following text:

The City shall promote leadership in sustainable development to further the objectives of becoming a sustainable, resilient low carbon City.
 - ii. That Policy 3.2.3 (2) be deleted, and replaced with the following text:

The City shall utilize its Sustainability Assessment Tool to work with proponents of development and identify means of implementing sustainable development measures within their projects at the site plan or plan of subdivision stage, where applicable.

Comment: Refer to our previous comment with respect to the need for incentives.

- 2.2.25 That Section 3.2.3 Sustainable Design be amended as follows:
 - v. That Policy 3.2.3 (9) be renumbered to 3.2.3 (8) and be amended by replacing the word “communal” with the word “community” and adding the words “rooftop greenhouses and vertical agriculture” after the word “gardens” so that it appears as follows:

The City encourages the growing of produce through urban agriculture, including community gardens, rooftop greenhouses and vertical agriculture.

Comment: Refer also to our previous comments with respect to the need for incentives to encourage the provision of such features.

- 2.2.25 That Section 3.2.3 Sustainable Design be amended as follows:
 - vii. That Policy 3.2.3 (14) be renumbered to 3.2.3 (13) and be amended by adding the word “shall” after the word “Development”, and replacing the words “These may include techniques such as rainwater harvesting, runoff reduction of solids and materials at source, constructed wetlands, bioretention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation cover” with “as per the City’s Standards and Specifications Manual” so that it appears as follows:

Development shall have an integrated and innovative approach to water management, be water efficient, and minimize stormwater volumes and contaminant loads and maximize infiltration through an integrated treatment approach, as per the City’s Standards and Specifications Manual.

Comment: We suggest that the text should read “...approach to **storm**water management...”

- 2.2.25 That Section 3.2.3 Sustainable Design be amended as follows:
 - xix. That Policy 3.2.3 (32) be renumbered to 3.2.3 (34), and be amended by replacing the words “density bonusing” with the words “professional recognition” so that it appears as follows:

The City, together with York Region, will review and update sustainable building incentive programs as technologies and techniques evolve. These programs may include water and wastewater servicing allocation credits, professional recognition, expedited processing of development applications, or the use of Community Improvement Plans and associated financial tools.

Comment: We support the provision of incentives for the provision of sustainable building techniques and technology, but would suggest that the provision of incentives be expanded as outlined in our previous comments, and should also include potential for development charge, community benefits charge, and/or development/permit application fee rebates.

- 2.2.25 That Section 3.2.3 Sustainable Design be amended as follows:
 - xxi. That Policy 3.2.3 (34) be renumbered to 3.2.3 (36) and be amended by adding the words “reduce ambient surface temperatures and” after the word “To”, replace the word “include” with the word “install” and add the words “and green walls” after the words “white roofs” so that it appears as follows:

To reduce ambient surface temperatures and mitigate local heat island effects, development is encouraged to install green and/or white roofs and green walls.

Comment: Refer to our above comments with respect to the need for incentives to help encourage the provision of such features.

- 2.2.28 That Section 3.4.1 Urban Design be amended as follows:
 - xx. That Policy 3.4.1 (18) be renumbered to 3.4.1 (17) and be amended by replacing the words “Yonge Street and Highway 7” with the words “Yonge Street and Garden Avenue”, and adding new point with the words “Bathurst Street and Highway 7” so that it appears as follows:

The following intersections are recognized as major gateways:

- a. *Yonge Street and Garden Avenue;*
- b. *Yonge Street and Bloomington Road;*
- c. *Leslie Street and Highway 7; and*
- d. *Bathurst Street and Highway 7.*

Comment: Should Schedule A1 be updated to reflect these gateways?

- 2.2.28 That Section 3.4.1 Urban Design be amended as follows:
 - xxv. That Policy 3.4.1 (24) be renumbered to 3.4.1 (23) and be amended by adding the words “and be supported through a view shed study” after the words “significant views”, replacing the word “Downtown” with the word “Village”, and adding new item (d) with the text “Others as identified in Secondary Plans or Council approved urban design guidelines.” so that it appears as follows:

New development shall protect the following significant views and be supported through a view shed study:

- a. *The views looking north and south on Yonge Street to the church steeples in the Village;*
- b. *The views looking west on Bethesda Sideroad to Lake Wilcox;*
- c. *The views looking south on Yonge Street to the Toronto skyline; and*
- d. *Others as identified in Secondary Plans or Council approved urban design guidelines.*

Comment: We suggest the inclusion of a schedule or appendix including view cones which would eliminate potential confusion regarding these views. Further, what aspects of these views are worthy of protection and why? Where on Yonge is (c) to be considered from?

- 2.2.28 That Section 3.4.1 Urban Design be amended as follows:
 - xlviii. That Policy 1.6 be renumbered to 3.4.1 (47) and be amended by adding items (a) through (e) with the following text:
 - a. Above grade structured parking shall only be considered by the City if the site is constrained by high water table or other extenuating circumstances.
 - b. The design of above grade structured parking shall:
 - I. Minimize impacts on the property and on surrounding properties, including safety and attractiveness of adjacent streets, parks, and open spaces;
 - II. Be integrated within the podium of the building; and
 - III. Animate the street or open space by incorporating at-grade uses such as commercial, retail or community uses.

Comment: We suggest that there are many situations beyond those described in this policy where the provision of an above grade parking structure may be appropriate, provided that urban design considerations are met (i.e. if it is appropriately screened within building mass by active uses). Further, given increasing land constraints and rising costs of construction, we suggest that mechanical parking systems (such as car elevators, or stacker systems) should be given consideration.

- 2.2.28 That Section 3.4.1 Urban Design be amended as follows:
 - lvi. That Policy 3.4.1 (55) be amended by adding the words “in Neighbourhoods” after the words “residential areas” and deleting the words “be designed so as to provide”. Also, point (a) is to be deleted and replaced with new text. Further, the word “Incorporate” is added to the beginning of the sentence in point (b) and the word “Provide” is added to the beginning of the sentence in point (c). Lastly, new text is added as point (d). The cumulative amendments would appear as follows:
 - To ensure built form compatibility and transition of building heights with adjacent low density residential and medium density residential areas in Neighbourhoods, development within the centres and corridors shall:
 - a. Provide suitable massing and design, in order to achieve skyview, light and building separation. Unless otherwise specified in Chapter 4 (Land Use) of this Plan, the City shall apply a 45 degree angular plane, as a means to measure suitability.
 - i. Where there is a street separating the Neighbourhood designation from the centres and corridors designation, the angular view plane shall be measured from the adjacent low density residential property line located in the Neighbourhood designation.
 - ii. In the event that the Neighbourhood designation immediately abuts the lot line of lands within the centres and corridors, such as a side-lot or back-lot condition, a building up to 10 metres in height may protrude into the angular view plane.
 - b. Incorporate new public streets with grade-related residential entrances facing existing low density residential or medium density residential areas, where appropriate; and
 - c. Provide landscape buffers or linkages, which may include parks, where appropriate.
 - d. Be designed to minimize impacts related to privacy for adjacent low density residential and medium density residential areas through appropriate buffering, setbacks, built-form treatments and landscape.

Comment: For A(i), Please clarify whether the angular plane shall be projected from the existing or planned property line where road widening is contemplated. Given that the ultimate property line would determine setback, we suggest that this is an appropriate point from which to project any required angular planes.

Additionally, given that buildings in the *Neighbourhood* designation may be permitted up to 4 storeys along arterial streets, and no such angular plane height restriction is proposed for the *Neighbourhood* designation, we suggest that the maximum encroachment into the 45 degree angular plane be 4 storeys for consistency.

- 2.2.29 That Section 3.4.4 Parks and Urban Open Space System be amended as follows:
 - ii. That Policy 3.4.4 (8) be amended by adding new point (a) with the text “Destination Parks”, existing items (a) through (d) be renumbered to (b) through (e), and adding new point (f) with the text “Urban Plazas” so that it appears as follows:

The urban open space system shall include the following types of parks:

- a) *Destination Parks;*
- b) *Community Parks;*
- c) *Neighbourhood Parks;*
- d) *Linear Parks;*
- e) *Urban Squares; and*
- f) *Urban Plazas.*

Comment: We suggest that privately owned, publicly accessible space, and other strata parks should be permitted as determined in consult with Staff and Council, and that credit be provided to such facilities in satisfaction of the requirements of the Act.

Proposed Amendment 18.4

- 2.2.4.6 That Section 4.9.1 (Land Use) be amended by adding a new policy numbered (6) with the following text:

Proposed Sidebar – Not Part of this Amendment

“Multi-tached Housing”

The partitioning of existing singled-detached and semi-detached housing is one action item identified in the City’s Affordable Housing Strategy, called “multi-attached’ housing. Multi-attached housing allows multi-generational households to create separate units. It allows large homes to be converted and partitioned to allow for additional condominium dwelling units, thereby making homeownership possible for low- and moderate-income households. It also allows parts of a home to be rented out as individual units thereby providing much needed affordable rental housing and assisting the homeowner be able to afford their homes.

Comment: We request clarification regarding whether such units will require additional parking to be provided.

- That Section 4.9.1.2 (Medium Density Residential) be amended as follows:
 - i. By deleting Policy 4.9.1.2(2)(b) and replacing it with the following text:
 - b) A collector street, and where the lands proposed for development are within walking distance to a public transit stop, and as identified in a Concept Plan approved by Council in accordance with Section 5.2 of this Plan;
 - ii. By deleting Policy 4.9.1.2(2)(c) and replacing it with the following text:
 - c) A local street, and only where the lands proposed for development are in proximity to an existing medium density residential or high-density residential development, and as identified in a Concept Plan approved by Council in accordance with Section 5.2 of this Plan;
 - iii. By adding a new sub-policy (d) to Policy 4.9.1.2(2) with the following text:
 - d) A street that is adjacent to an area designated Centre or Corridor, and as identified in a Concept Plan approved by Council in accordance with Section 5.2 of this Plan.

Comment: We suggest that the use of ‘and’ should be replaced with ‘or’ to maximize flexibility in terms of the location of medium density residential uses.

- That Section 4.9.1.2 (Medium Density Residential) be amended as follows:
 - i. By adding a new policy numbered (4) with the following text:
 - 4) Where medium density residential uses have been approved for lands within the City through a Council approved Concept Plan, Tertiary Plan, or Infill Study as shown on Appendix 9 to this Plan, the criteria set out in the Council approved study or plan shall apply.
 - ii. By adding a new policy numbered (5) with the following text:
 - 5) Council approval of a Concept Plan may occur in advance of, or concurrent with, approval of proposed medium density residential development.

Comment: Will the terms of reference for a Concept Plan be established on a site by site basis, or will a general format be established?

- That Section 4.9.1.3 Neighbourhood Commercial be amended as follows:
 - 2.2.5.2 That Policy 4.9.1.3(1) be deleted and replacing with the following text:
 - 1) The following neighbourhood commercial uses may be permitted within the Neighbourhood where the site fronts an arterial street:
 - a) Small-scale retail;
 - b) Commercial;
 - c) Office;
 - d) Community uses in accordance with Section 4.1 of this Plan;
 - e) Live-work units

Comment: We suggest that Neighbourhood Commercial uses should also be permitted on collector roads.

- That Section 4.9.1.3 Neighbourhood Commercial be amended as follows:
 - 2.2.5.5 That Policy 4.9.1.3(5) be deleted and replaced with the following text:
 - 5. The development of new neighbourhood commercial sites shall:

- a) *Provide a maximum of one supermarket or one anchor tenant and no department stores;*
- b) *Maintain all storage of materials and/or goods indoors; and*
- c) *Provide adequate on-site parking, access and circulation.*

Comment: To avoid confusion, we suggest that greater specificity or clarity should be provided with respect to what constitutes a department store for the purposes of this policy. We would further question the rationale behind such a restriction, and suggest that it may be more beneficial to limit the size of a commercial use to maximize the flexibility of this policy with respect to alternative forms of retail uses.

- *That Section 4.9.1.3 Neighbourhood Commercial be amended as follows:
2.2.5.6 That Section 4.9.1.3 be amended a new policy numbered (7) with the following text as follows:
7) The City shall require proponents of development, who require relief from Policy 4.9.1.3(4)(a) of this Plan, to submit an amendment to the Zoning By-law which demonstrates to the satisfaction of the city that:
a) There is adequate commercial and/or retail space in adjacent neighbourhood commercial sites to serve the immediate neighbourhood surrounding the subject lands.*

Comment: We suggest that this policy should be revised to reflect that commercial and/or retail space that may serve a specific community may be located in areas that are not necessarily identified as a neighbourhood commercial site. Further after the passage “There is adequate commercial and/or retail space in adjacent” the words “areas or” should be added.

- *That Section 4.9.1.3 Neighbourhood Commercial be amended as follows:
That Policy 4.9.2(4) be deleted and replaced with the following text:
4) Development will respect the character and distinguishing features of neighbourhoods and shall be context-sensitive and compatible with adjacent and surrounding areas with respect to the following:
a) Patterns of streets, blocks, and lanes;
b) Parks and public building sites;
c) Size and configuration of lots;
d) Massing, including consideration of height, scale, density, and dwelling type(s) of nearby residential properties;
e) Location, design, and elevations relative to the grade of driveways and garages;
f) Setbacks of buildings from the street or streets;
g) Pattern of front, rear, and side yard setbacks and landscaped open space areas;
h) Preservation of mature trees and of landscape or greenspace features that contribute to the physical character of the neighbourhood; and
i) Conservation of heritage buildings, structures, and landscapes.*

Where development is subject to an infill plan, tertiary plan or concept plan, the criteria as set out in an infill plan, tertiary plan or concept plan approved by Council shall also apply.

Comment: We suggest further clarity is required regarding what aspects of a building design are of concern with respect to (e). We would also request clarification with regard to whether there is a difference between the need for a 'Concept Plan', referred to in earlier sections, and a 'concept plan' referred to in this section.

- **That Section 7.2 Definitions be amended as follows:**

Comment: We suggest the following additional definitions are required:

- 'Concept Plan'
- 'Floor Space Index (FSI)', specifically to confirm that lands conveyed for road widening are to be included in the lot area for the purposes of calculating FSI, and environmental lands are excluded from the calculation.

Generally, we feel that the Amendments should endeavor to provide greater clarity with respect to how proposals are to be assessed, and the nature of studies/reports required to support redevelopment. We feel that the overarching intent should be to ensure that there is sufficient flexibility to allow new and innovative uses and built form to be established without the need to further amend the Official Plan.

We thank City Staff for their effort in preparing these amendments. Please contact the undersigned if you require clarification on any comments provided. We request to be circulated on all future reporting or decisions made with respect to these matters.

Yours truly,

Adam Layton, RPP, MCIP

Joanna Fast, RPP, MCIP

cc. City Clerk

Schedule 'A'

Owner	Municipal Address
2747883 Ontario Inc.	13572 Bayview Avenue
2753502 Ontario Inc.	13586 Bayview Avenue
Ms. Lishu Cui	36, 24, 12 Beech Avenue & 319 Harris Avenue
Laurier Homes (Richmond Hill) Limited	44, 48, 54, and 60 Arnold Crescent
Bellegate Developments Ltd.	109 Benson Avenue
1000162801 Ontario Corp.	2, 6 and 8 Bond Crescent and 8, 10, 12, 14, 16 and 18 Bostwick Crescent
Neuhaus Developments Ltd.	220 King Road
2814845 Ontario Inc.	96 Church St. South
Marina Shcolyar	94 Church St. South
2824364 Ontario Inc.	18 Arnold Cres.
Eleonora Krimus	70 Arnold Cres.
Marina Shcolyar	136 Arnold Cres.
2864249 Ontario Inc.	9212 Yonge St
Lior Krimus	25 Naughton Dr.
Eleonora Krimus	29 Naughton Dr.
Eleonora and Dmitri Krimus	31 Naughton Dr.
Gil Shcolyar	20 Bedford Park Ave.
Maria Shcolyar	16 Centre St. West
Gil Shcolyar	20 Centre St. West
Gil Shcolyar	34 Roseview Ave.
Gil Shcolyar	27 Church St S.
Gil and Maria Shcolyar	35 Church St. S.
Malvina Shkolyar	39 Church St. S.
Maria Shcolyar	52 Dunlop St.
Marina Shcolyar	56 Dunlop St.
Marina Shcolyar	44 Bond Crescent
2814845 Ontario Inc.	96 Church St. South
Marina Shcolyar	94 Church St. South
Inspired Estate Inc.	11 Harris Avenue
Yongehurst Developments Inc.	8, 10, 12, and 14 Yongehurst Road
Yonge Ridge Developments Inc.	13351 and 13359 Yonge Street
Gostern Holding Limited Eleanora Schwartz Harry Goldlist Dawill Investments Ltd. J. Rapoport Investments Limited Max Stern Investments Limited Mary Rapoport	'0' North Lake Road Legally Described as: 'PCL 10-1, SEC C169; LTS 10, 11 & 13, PL 169, PT 1 65R10449 EXCEPT PT 1 65R11990; S/T LT394890 PARTIALLY RELEASED BY LT421120' PIN: 03209-0323
King East Developments Inc.	31A, 33, 35, and 52 Puccini Drive

	19, 21 and 25 Poplar Drive 428, 438, 446, 456, 490, and 500 King Road 1, 3, 5, 9 and the rear of 7 and 11 Toscanini Road 1, 3, 4, 4A, 4B, 5, 5A, 6, 7, and 8 Aida Place
Countrywide Homes (Jefferson) Inc.	307 Harris Avenue
Countrywide Homes (Jefferson) Inc. and Giuseppina Brunetto	30 Beech Avenue 211, 223, 235, 251, 273, 291 and 305 Jefferson Sideroad 196, 210, 226, 234, 246, 260, 276, and 288 Harris Avenue
2628908 Ontario Ltd.	9593 Bathurst Street
Oak Ridge King Residence Ltd.	220 King Road
Sabah Yusuf	172 King Road
2559985 Ontario Ltd	7 Poplar Drive
2821678 Ontario Limited	11 McCachen Street
2646558 Ontario Ltd.	15 and 17 McCachen Street
2559116 Ontario Limited	30 Muirhead Crescent
2459887 Ontario Inc.	40 Stouffville Road
2716221 Ontario Limited	50 Stouffville Road
2699656 Ontario Limited	60 Stouffville Road
1000107611 Ontario Inc.	74 Stouffville Road
Neuhaus Stouffville Holdings LP	59, 67, and 79 Muirhead Crescent
Sabah Yusuf	108 Stouffville Road
Country Wide (Jefferson) Inc.	363 Jefferson Sideroad 48 and 60 Beech Avenue
Mon Sheong Foundation	11283 and 11211 Yonge Street
Carval Homes (Shaver) Inc.	1 Parker Avenue 2 and 4 Shaver Street 234, 238, 246, and 254 King Road
Mr. Afshin Parker	313 Harris Avenue
Marie and Eugenio Sturino (beneficial)	83 Elm Grove Avenue
Domenic and Daniela Marie Sorbara (beneficial)	85 Elm Grove Avenue