



Corporate Services

June 6, 2022

Brian DeFreitas MCIP, RPP
Senior Planner
Policy Division
Planning & Regulatory Services Department
City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON, L4B 3P4

Dear Brian DeFreitas,

**Re: Proposed Official Plan Amendment
City of Richmond Hill
City File No.: D01-22003 (OPA 18.4)
York Region File No.: LOPA.22.R.0028**

This is in response to your circulation and request for comments for the above-captioned municipally initiated Official Plan Amendment (OPA).

OPA 18.4 updates the in-force Richmond Hill Official Plan by updating the policies of the Neighbourhood land use designation to facilitate the creation of "15-minute" communities across the City's settlement areas, as well as policies regarding housing mix and affordability, neighbourhood commercial uses, and balancing the interests and desire to respect distinguishing features of neighbourhoods.

Regional staff notes that this Amendment is one of the many pending amendments that will update the Richmond Hill Official Plan to conform with current provincial policy documents and the Region's new Official Plan. OPA 18.4 can proceed ahead of an approved new York Region Official Plan because OPA 18.4 contains high level policies that conform with the in force 2010 York Region Official Plan and does not rely on the Region's new Official Plan to be in effect.

When the new York Region Official Plan is approved, subsequent local Richmond Hill conformity Amendments will need to extend the planning horizon to 2051, in conformity with the provincial A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, and with the new York Region Official Plan.

As local Official Plans are required to conform to the upper-tier Official Plan (Regional Official Plan) and appreciating draft ROP policies and mapping can change right up until approval, a decision by a local municipality to adopt a plan, or part of a plan, in advance of approval of the

updated ROP may cause conformity issues, potentially resulting in additional modifications. Further, Section 34.1 of the *Planning Act* may impact the Region's ability to approve some Official Plan Amendments. Section 34.1 provides:

- 34.1 Despite subsection (34), an approval authority shall not approve any part of a lower-tier municipality's plan if the plan or any part of it does not, in the approval authority's opinion, conform with,
- (a) the upper-tier municipality's official plan;
 - (b) a new official plan of the upper-tier municipality that was adopted before the 120th day after the lower-tier municipality adopted its plan, but is not yet in effect; or
 - (c) a revision of the upper-tier municipality's official plan that was adopted in accordance with section 26, before the 120th day after the lower-tier municipality adopted its plan, but is not yet in effect.

Given the above concerns, we strongly recommend and continue to encourage municipalities to adopt their new/updated Official Plans after the ROP has been approved by the Province and demonstrate conformity at that time.

Purpose and Intent of OPA 18.4

OPA 18.4 contains policy modifications intended to provide additional clarity and certainty respecting home occupations and home-based businesses within neighbourhoods, as well as adding clarity respecting permissions for live-work units. This conforms with Regional Official Plan policy 4.1.11, which promotes permitting live-work units where appropriate.

The Amendment proposes to expand policy permissions for new neighbourhood commercial uses to occur on lands that have frontage onto an arterial street, thereby no longer limiting them only to locations at intersections. The Amendment also introduces policy criteria when assessing development applications converting neighbourhood commercial sites to exclusively for residential land uses. These policies conform with the Regional Official Plan's Section 4.4 – Planning for Retail. The Regional Plan encourages retail to be accessible by pedestrians and cyclists and be integrated into communities.

OPA 18.4 contains policies that further refine and provide clarity on priority infill areas within Neighbourhoods and new policies addressing "Gentle Density" and the "missing middle" built forms. OPA 18.4 also adds new permissions for additional residential units in single- and semi-detached housing which would result in permitting more than 2 units within these dwellings. These policies conform with the Regional Official Plan's Section 3.5 – Housing Our Residents, specifically, conforms with policy 3.5.18. Policy 3.5.18 supports the provision additional housing units.

OPA 18.4 proposes to amend policies related to Neighbourhood Design, to address distinguishing features and neighborhood character. Proposed developments will be required to consider the physical aspects of the community, including but not limited to, patterns of streets, blocks and buildings, the size and configuration of lots including setbacks and yards, mature trees and landscaping, and consider the height, scale and density of nearby dwelling types to ensure compatibility of future development with the surrounding area. This suite of policies conforms with Section 5.2 – Sustainable Cities, Sustainable Communities of the Regional Official Plan. Communities should be planned with the highest standard of urban design, which provides pedestrian scale, safety, comfort, accessibility and connectivity. Development should complement the character of existing areas and fosters each community's unique sense of place (policy 5.2.8).

Conformity with the York Region Official Plan

The upper tier York Region Official Plan provides broad policies directions, directing local Official Plans to provide greater detailed policies that are reflective of local socio-economic, cultural and natural heritage systems. Generally, OPA 18.4 proposes policy modifications and additions that refine, clarify and strengthens Richmond Hill's city building efforts and conforms with the current 2010 Regional Official Plan.

In accordance with Section 26(6) of the *Planning Act*, conformity Amendments cannot be exempt from approval. York Region will retain the approval authority for all conformity Amendments. Subsequent substantive conformity Official Plan Amendments need to await approval of the new Regional Official Plan. Substantive Official Plan Amendments to bring the Local Official Plans into conformity with the new Regional Official Plan will also be subject to Regional Council approval. The Region continues to encourage a comprehensive approach to conformity and may present future substantive Official Plan Amendments together for a Regional Council decision given that Richmond Hill is proposing a series of conformity Official Plan Amendments.

Please contact Augustine Ko, Senior Planner, at 1-877-464-9675, ext. 71524 or at augustine.ko@york.ca should you have any questions or require further assistance.

Sincerely,



Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning and Development Services