

From: jeffrey@landplanlaw.com <jeffrey@landplanlaw.com>

Sent: Sunday, June 26, 2022 11:20 PM

To: Clerks Richmondhill <clerks@richmondhill.ca>

Cc: Mike Manett <mplanning@rogers.com>

Subject: Submission on behalf of NEC 11005 Yonge Street SRPI.22.075 &.SRPI.22.076 Fw: City Plan 2041: Notice of the Special Council Meeting and Staff Reports

Dear Mayor West and Members of Council

I am counsel to the Owner of the above noted lands, and have been involved with the City's OP processes including multiple OMB/LPAT and OLT hearings since 2009.

I share the Region's concern that the process of bringing forward a series of amendments to the City's OP - and of the type and magnitude proposed - **detracts from a comprehensive approach** to the official plan conformity exercise. This is a flawed approach for a plan that has not been fulfilled in its 1st 10 years.

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

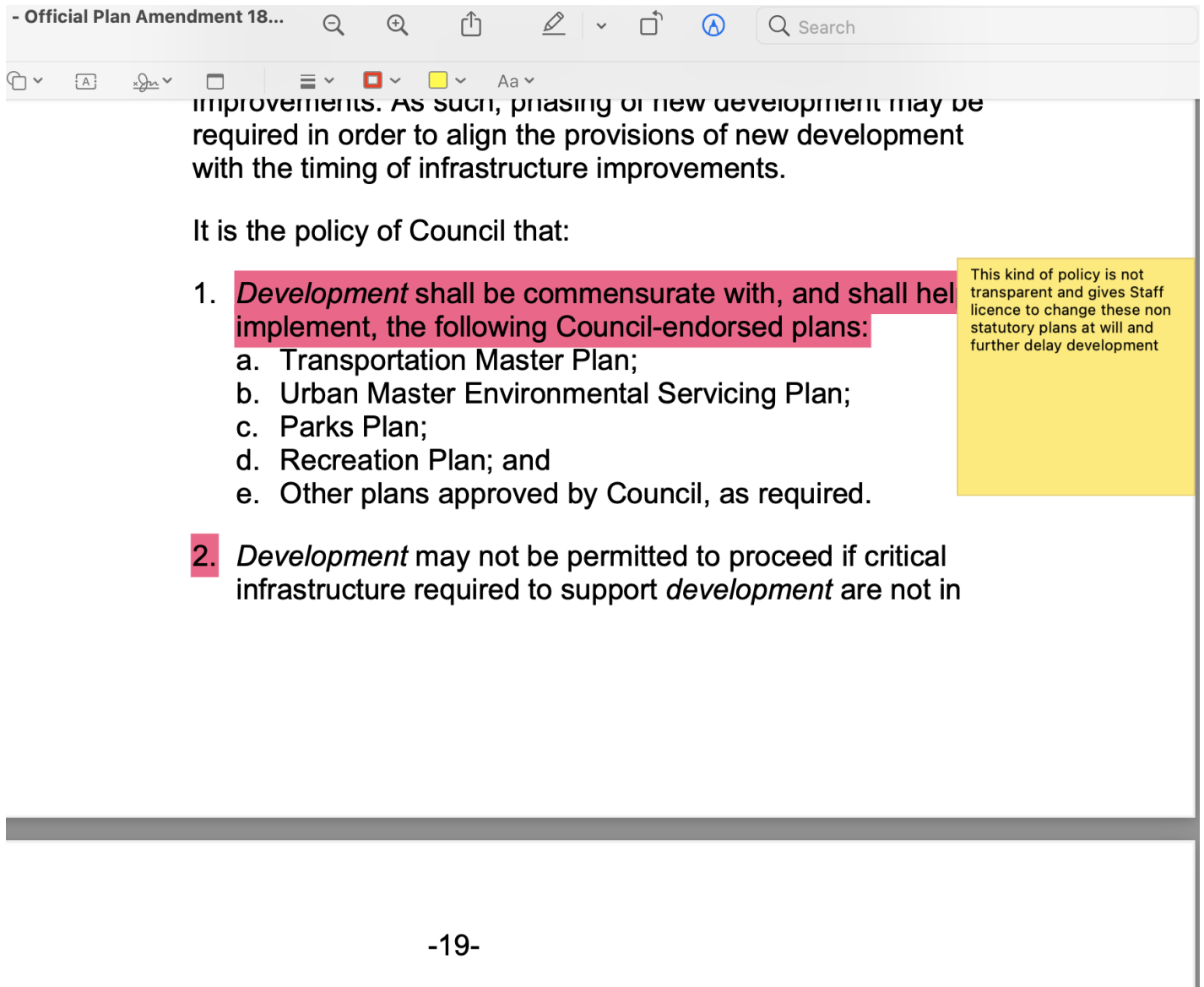
YORK-#13933811-v5-OPA_18_4_YR_June_2022_Comments

[SRPI.22.075 – Request for Approval – Official Plan Amendment \(OPA\) 18.3 Vision and City Structure - City File D01-22003 - \(Proposed By-law 81-22\)](#) (Item 3.1).

Many of the proposed amendments found in draft OPA 18.3 do not add clarity but rather introduce further unnecessary words into ineffective planning policies.

Some policies remain offensive as they provide for non statutory documents to be included in OP requirements while others continue a pattern of over regulation of land use which produces no new housing starts. This is a fact in Richmond Hill.

Without explaining the failures of the current plan, staff propose to simply wash them away through a series of new amendments with more fancy words.



The screenshot shows a document editor window titled "- Official Plan Amendment 18...". The document content includes the following text:

improvements. As such, phrasing 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 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**

A yellow callout box on the right side of the document contains the following text:

This kind of policy is not transparent and gives Staff licence to change these non statutory plans at will and further delay development

The proposed amendments are not supported by any technical study. Indeed in many cases, City studies remain incomplete including the stratification study. Despite being incomplete, Staff propose a cumbersome policy.

The policy below is therefore premature and only serves to delay development.

intersections, right-of-way transitions, utilities, cycling and pedestrian facilities, grading/cuts and fills and/or sightlines.

iii. By adding a new policy 3.5.5 (3) with the following text:

Despite 3.5.5 (1) and (2), a stratified public right-of-way or public access easement over private property may be considered by the City in lieu of conveying an unencumbered publicly owned and operated right-of-way in the City's *centres and corridors*, provided the function and form of the stratified public right-of-way or public access easement is the same as a public right-of-way.

- a. A proposal to stratify a public right-of-way or to provide a public access easement over private property must demonstrate to the satisfaction of the City:
- i. the conveyance of lands to the City for an unencumbered public right-of-way would adversely affect the developability of a site, and all other *development* options or alternative right-of-way standards cannot be suitably accommodated;
 - ii. the City's ability to operate, service, maintain, and replace infrastructure, services and utilities within lands that are subject to the stratified right-of-way or public access easement over private property is not impeded;
 - iii. the right-of-way maintains functionality and is designed and constructed in accordance with Provincial regulations, the City's Standards and Specifications Manual and the Building Code;
 - iv. the design of the right-of-way is subject to the urban design policies of Section 3.4.1 of this Plan and the applicable functional street classification standards; and

The current council should not adopt these amendments but should await the outcome of the municipal election.

[SRPI.22.076 – Request for Approval – Official Plan Amendment \(OPA\) 18.4 Neighbourhoods - City File D01-22003 - \(Proposed By-law 82-22\)](#) (Item 3.2).

The Staff report for this OPA states...focuses on the 15 minute complete community.

We do not envision such a community every coming into existence in Richmond Hill, certainly not without **promoting zero car households**... i.e. households that do not own or use an automobile. We do not accept staff's definition or explanation of the term housing options. This should be corrected. Indeed unlike the draft ROP, the word housing options does not appear in the draft OPA.



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this policy direction through its proposed policy framework which addresses the principles of a “15-minute community”.

The foundation of OPA 18.4 is the promotion and development of the “15-minute” complete community, which is one of the five guiding principles of the Official Plan. This concept represents a conscious approach to neighbourhood planning that would result in access to a variety of amenities, services and features and functions within a 15-minute walk (5-minute bike ride) from one’s home. Accordingly, OPA 18.4 promotes this objective through its proposed policy direction which broadens permissions for home occupations to enable more residents to “work from neighbourhood”, clarifies that live-work units can locate along arterial streets within neighbourhoods, and by expanding permissions for community uses such as public and private schools and neighborhood commercial sites to locate close to where residents live by reducing prescriptive locational requirements for these uses. In that regard, the applicable provincial and regional policies which correspond to complete communities and how OPA 18.4 implements this direction is set out in Appendix 6.

There is nothing in the proposed policies that promotes **a 15-minute community**, let alone a complete community. Staff have not been able to promote these items since 2009. Staff do not promote zero car households.

Please provide me with notice of any decision taken on these matters.

Thank you.

Jeffrey E Streisfield, BA LLB MES
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----- Forwarded Message -----

From: OPUupdate <opupdate@richmondhill.ca>

Sent: Tuesday, June 21, 2022, 10:42:41 a.m. EDT

Subject: City Plan 2041: Notice of the Special Council Meeting and Staff Reports

Hello,

Thank you to everyone who provided us with feedback regarding the proposed amendments. We take all of your comments and suggestions into consideration as we continue to plan ahead for the Official Plan.

Here is the most recent update that we would like to share with you all:

On June 27th, 2022, the City of Richmond Hill staff will bring forward for consideration the two Official Plan Amendments related to the Official Plan Update at the upcoming [Special Council Public Meeting](#). For more information, please click the links below to view the two staff reports that will be presented at this meeting.

- [SRPI.22.075 – Request for Approval – Official Plan Amendment \(OPA\) 18.3 Vision and City Structure - City File D01-22003 - \(Proposed By-law 81-22\)](#) (Item 3.1).
- [SRPI.22.076 – Request for Approval – Official Plan Amendment \(OPA\) 18.4 Neighbourhoods - City File D01-22003 - \(Proposed By-law 82-22\)](#) (Item 3.2).

Additionally, you can view previous updates of these proposed amendments by visiting OPUpdate/RichmondHill.ca.

Once again, thank you for your continued involvement in City Plan 2041!

On behalf of the Official Plan Update Team.

