



Staff Report for Special Council Meeting

Date of Meeting: June 27, 2022

Report Number: SRPI.22.076

Department: Planning and Infrastructure

Division: Policy Planning

**Subject: SRPI.22.076 – Request for Approval – OPA
18.4 Neighbourhoods (City File No. D01-
22003)**

Purpose:

A request for approval concerning a municipally-initiated Official Plan Amendment (OPA) affecting lands within the “Neighbourhood” designation, pursuant to the City’s 2010 Official Plan (OP). OPA 18.4 updates the “Neighbourhood” policies of the OP to address several key directions contained in the Key Directions Report and responds to the recommendations provided in the Affordable Housing Strategy endorsed by Council. Collectively, the proposed modifications seek to expand opportunities for missing-middle housing (“gentle density”), and to facilitate the creation of “15-minute” communities across the City’s settlement areas.

Recommendation(s):

- a) That Staff Report SRPI.22.076 be received;
- b) That Council adopt Official Plan Amendment 18.4 (attached to SRPI.22.076 as Appendix 1), and that the City’s Official Plan be amended in accordance with the modifications set out in OPA 18.4; and
- c) That following adoption of Official Plan Amendment 18.4 by City Council, a copy of the amendment be forwarded to York Region as the approval authority for consideration and approval.

Contact Person:

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Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, Interim City Manager

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All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Executive Summary:

Official Plan Amendment (OPA) 18.4 is one of two amendments that comprise the Batch 1 amendments of the City's Official Plan Update (OP Update) project. OPA 18.4 updates policies pertaining to the "Neighbourhood" designation. It addresses several key directions recommended through the City's [Key Directions Report](#), which were endorsed by Council in February 2022. As it relates to Neighbourhoods, these key directions seek to facilitate the creation of "15-minute" complete communities across the City's settlement areas, while promoting policy direction respecting neighbourhood character and distinguishing features. The amendment also introduces new policies and permissions for "gentle density" within neighbourhoods by enabling a greater mix of housing options. An overview of the policy changes proposed in OPA 18.4 is available in Staff Report [SRPI.22.055](#).

Public consultation has formed an important part of the formulation of OPA 18.4 and of the OP Update project overall. Following the release of the draft OPA on April 7th, 2022, a statutory open house and council public meeting were held on April 26th and May 18th, 2022 respectively. In addition, City staff also met with two residents associations, school boards, and extended meeting invitations to the development industry, Indigenous communities, and prescribed bodies. In total, the City received 12 written submissions in response to OPA 18.4 from the general public, government agencies, and landowners during the public comment period.

As a result of the feedback received, several changes are proposed to OPA 18.4 from the previous version presented to Council at the public meeting on May 18, 2022. The revised OPA is appended to this staff report as Appendix 1. Some of the recommended changes are minor and technical in nature, while others are recommended by City Staff in response to the public input and feedback received. By way of summary, the changes include:

- Removing reference to arterial streets as it relates to private secondary and elementary schools; this revision addresses redundancy where reference to location criteria is already made, and also allows flexibility for private schools to occur along streets within Centres and Corridors regardless of street classification;
- Adding a new modification to remove reference to collector streets for public elementary schools; this revision would allow public schools to be located anywhere within a Centre or Corridor, irrespective of street classification;
- Minor revisions to the preamble wording of Section 4.9 of the OP; this revision responds to public feedback which expressed strong support for existing wording in the OP to be carried forward wherein reference to development within neighbourhoods being a "good fit" is made;

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- Removing reference to “triplexes” and “fourplexes” in the policies related to medium density residential uses; this revision removes redundancy were reference to these terms already exist in the definitions of Chapter 7 of the Plan;
- Minor changes to the wording of the proposed policy respecting medium density residential uses in areas adjacent to Centres and Corridors; This revision responds to public feedback which sought clarification on the wording for medium density residential uses on lands adjacent to areas designated Centre or Corridor;
- Minor revisions to proposed Appendix 9, Priority Infill Areas. This Appendix is provided for information only, and is not an operative part of the Official Plan. The revisions recognize the historic boundaries of infill areas, while identifying the balance of lands where infill is likely still possible; and
- Recommended policy direction to enable the conversion of existing single- and semi-detached dwellings for “multi-tached” housing, anywhere within Neighbourhoods. This permission would enable this type of housing at the Official Plan level but would need to be implemented through new zoning provisions for this housing type prior to them being permitted on an as of right basis.

The aforementioned modifications amend the land use and design policies of the Official Plan which are being recommended to Council for adoption. Overall, OPA 18.4 is consistent with the policies of the Provincial Policy Statement 2020, and conforms to the relevant provincial plans (including the Growth Plan 2020, the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan). The amendment also conforms to the York Region 2010 Official Plan, and is in keeping with the proposed policy framework under the York Region Official Plan update being advanced through the Region’s municipal comprehensive review.

The subsequent sections of this report elaborate on the aforementioned updates and changes to OPA 18.4 which are recommended to Council for adoption in response to the input and feedback received from the public and prescribed bodies. In addition, the staff report also responds to the comments and concerns that were raised respecting certain policies and themes in OPA 18.4 which did not result in the need for further changes to the policies. In this regard, City Staff have provided a summary of the concerns raised, followed by a response with supporting rationale.

Location:

Official Plan Amendment (OPA) 18.4 applies city-wide and correlates to all areas of the City that are designated “Neighbourhood”, pursuant to Schedule A2 (Land Use) of the City’s Official Plan.

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Background:

OPA 18.4 was considered at a statutory Open House and Council Public Meeting as prescribed by the Planning Act on April 26, 2022 and May 18, 2022 respectively. A copy of the extract of the statutory Council Public Meeting is attached to this report as Appendix 2. At the Council Public Meeting, Council received staff report SRPI.22.055 for information purposes and directed that all comments on the proposed official plan amendment be referred back to staff. Since the release of the draft OPA on April 7, 2022, comments and concerns were expressed by Members of Council and the public respecting the proposed modifications under OPA 18.4. This feedback is summarized in the subsequent sections of this report alongside proposed changes to the amendment. Appendix 4 provides a fulsome synopsis of what was heard during the consultation engagement.

Impetus for the OPA

OPA 18.4 implements several important key directions that are outlined in the [Key Directions Report](#) which are applicable to neighbourhoods. These key directions principally respond to the desire to create complete communities, by diversifying the City's housing mix and affordability, supporting neighbourhood commercial and community uses, and balancing the interests and desire to respect distinguishing features of neighbourhoods.

The City's 2010 Official Plan identifies "complete community" as one of several guiding principles of the Plan. The Plan defines a complete community as one that provides opportunities for people to live, work, shop and play, and which offers access to infrastructure and amenities in well-designed, pedestrian oriented places. Complete communities are developed at a human scale; they provide a range of housing options including affordable housing, and have distinguishing features that make them unique. Complete communities also have strong access to public transit, walking, and cycling as viable alternatives to the private automobile. These overarching principles underpin the proposed modifications that are being recommended under OPA 18.4. A full description of the OPA is provided in staff report [SRPI.22.055](#).

Updates and Responses to Comments Received:

The City has received written and verbal comments regarding the proposed modifications under OPA 18.4. At the time of writing, a total of 12 written submissions have been received from the public, stakeholders, and public agencies. Some of this correspondence was submitted to the City's Official Plan Update e-mail address in advance of the Council Public Meeting, while several submissions formed part of the public record on the May 18th Council Public Meeting agenda (refer to Appendix 2).

Staff have assessed the written and oral comments using the pillars for the OP Update as outlined in the Key Directions Report. The assessment has led to several minor changes and refinements to the April 7th, 2022 draft version of OPA 18.4, most of which are generally minor and technical in nature (refer to Appendix 3). With respect to the

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feedback received, Appendix 4 contains the Phase 3 What We Heard Report, which provides a fulsome overview of comments received in relation to OPA 18.4, as well as answers to many questions posed during the consultation process.

Overall, the comments received on OPA 18.4 were mostly positive, and highlight general support for the proposed policy direction. This includes support for the modifications regarding expanded permissions for home occupations, live-work units and neighbourhood commercial sites and community uses. However, Staff note that some comments, while raising concerns with the proposed policy framework, did not precipitate the need for any further changes to the OPA. This context is described with rationale in the subsequent section of this report entitled “Response to Feedback Received with no Changes to OPA”, which has warranted additional response from City Staff for the benefit of Council and the general public.

Proposed Changes to the OPA

The following section identifies comments received on OPA 18.4 by major theme with supporting planning rationale which has resulted in additional refinements to the OPA.

Neighbourhood Character

Modifications to Section 4.9.2 of the Official Plan, as set out in OPA 18.4, seek to address the key directions provided in the [Key Directions Report](#) regarding neighbourhood character and distinguishing features of neighborhoods¹. In terms of character, it is important to note that policy 7.1 (23) of the Official Plan defines character as follows: “the aggregate of the features including the attributes that comprise the physical, natural and social dimensions of a particular place, area or neighbourhood.” OPA 18.4 builds on this definition, and attempts to provide further direction on how character is addressed within the Neighbourhood designation.

In the feedback obtained, there was general support for the proposed policies regarding neighbourhood character, including the expanded list of criterion that seek to address the physical characteristics and features of neighborhoods. However, residents did express some concerns with the application of the policies set out in Section 4.9.2 of the OP concerning Neighbourhood design, and with the proposed modifications to the preamble wording of the neighborhood designation section (Section 4.9 of the OP).

With respect to the preamble, a comment was raised respecting a reference to “development being a good fit within the physical context and character of the surrounding area”. As proposed under the April 7, 2022 release of the draft OPA, the reference to “good fit” in the preamble was removed. The modifications to policy 4.9.2(4) as proposed under OPA 18.4 were expected to be relied upon to direct for compatible development within neighbourhoods. Nevertheless, Staff heard from residents that this reference is of particular importance to them, and should remain within the preamble wording to Section 4.9. When paired with the policies of Section

¹ Refer to Section 2.1.2.1.3 of the Key Directions Report, pg.12, <https://www.richmondhill.ca/en/shared-content/resources/documents/City-Plan-2041-Key-Directions-Report.pdf>

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4.9.2, this preamble wording serves to collectively apply to applications within neighbourhoods that require a rezoning, and/or where relief from the Zoning By-law is requested to the Committee of Adjustment. In such instances, the policies are applied and relied upon to ensure that new development within neighbourhoods is compatible with surrounding areas. Staff do not take issue with the aforementioned preamble reference to “good fit” remaining in the Official Plan. Accordingly, Staff are recommending that only minor modifications to the preamble paragraph be made to better express the purpose of infill development, rather than deleting and replacing the preamble paragraph as had been drafted in the April 7th version of the OPA (see revised preamble in Section 2.2.4.1 of the OPA in Appendix 1).

With respect to Policy 4.9.2(4), Staff note that OPA 18.4 also proposes modifications to address neighbourhood character and design. Among other matters, the proposed changes include an expanded list of criteria that proponents of development must consider when responding to character and distinguishing features. The expanded list carries forward some of the existing criteria in the OP, but also includes new references to other important physical features including: parks and public building sites; the size and configuration of lots; the location, design and elevations relative to building grades; the setbacks of buildings from the street; and consideration of other physical elements including mature trees, landscaping and greenspace features which also contribute to the physical characteristics of a neighbourhood.

Medium Density Residential Development

Residents provided comments on the proposed policies respecting medium density residential development. In the comments, concerns were raised with the prospect of medium density development affecting neighbourhood character. These concerns primarily relate to the proposed modifications which seek to: (1) expand opportunities for medium density development within priority infill areas (refer to Sections 2.2.4.7, 2.2.4.11 and 2.2.4.12 of the OPA); and (2), enable medium density development to occur on lands adjacent to the network of centres or corridors (refer to Section 2.2.4.13(iii) of the OPA).

In response, Staff note that while OPA 18.4 adds more flexibility for medium density residential development within neighbourhoods, these enabling policies already exist within the Plan. To that end, OPA 18.4 carries forward existing permissions which enable medium density development to occur within neighbourhoods subject to locational criteria; but instead of requiring a municipally initiated study, the policy now permits an applicant led study to inform a Council decision on the appropriateness of medium density development in a particular location. Furthermore, the amendment builds on these existing policies and proposes to add new policy direction allowing medium density to occur along a street where the lands proposed for development are adjacent to a centre or corridor. With respect to this permission, there were concerns expressed with the wording of this policy direction being misinterpreted. To that end, Staff are recommending a minor wording change to this policy, to make it clear that

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medium density development may be permitted on Neighbourhood designated sites that are adjacent to a centre or corridor.

Multi-tached Housing

Several concerns were raised by Members of Council and the public on this form of housing through the consultation process on OPA 18.4. The section of this report entitled “Concerns Respecting Multi-tached Housing” provides an overview of these concerns and the means by-which Staff expect them to be addressed and mitigated. Based on those responses, and moreover the rationale and justification provided herein, Staff recommend that Council adopt the policy regarding multi-tached housing as drafted in OPA 18.4.

The concept of multi-tached housing, and the enabling permissions under OPA 18.4, represent the bulk of the comments received on the amendment. At the Open House, participants responded positively to the idea of multi-tached dwellings, and felt that it provided opportunities for individuals at all life stages (including seniors and young adults) to continue living in their current community. In addition, participants responded positively to the concept upon receiving information about how multi-tached housing can benefit homeowners and renters, and how it can serve to address the problem of “missing middle” housing.

For some context, it should be noted that public consultation on multi-tached housing has been taking place since 2020 when City Staff introduced this concept through the Affordable Housing Strategy background work. Working group meetings took place with stakeholders involved in the provision of affordable housing and this concept was proposed and discussed in a public open house associated with the Strategy. The concept of multi-tached housing continued to be raised through workshops in May 2021 when discussing centres, and in the fall of 2021 when discussing key directions for the Official Plan update. Furthermore, Staff elaborated on the principles and objectives of multi-tached housing during the Open House for OPA 18.4 and during the inaugural meeting of the Affordable Housing Strategy Implementation Committee.

Through the OPA 18.4 consultation, Staff identified four possible options for where and how multi-tached housing could be permitted. Based on the public response to date, Staff recommend that Council adopt the policy proposed in the draft OPA 18.4 which would enable the conversion of existing single- and semi-detached dwellings for multi-tached housing, anywhere in the Neighbourhood.

This enabling permission is recommended by Staff, as it:

- (a) addresses the immediate need to provide housing for the City’s residents that is affordable, while supporting homeowner(s) and/or tenants of this housing type;
- (b) responds to the concerns raised regarding neighbourhood character, as significant changes to the outward appearance of an existing single- or semi-detached dwelling that is being converted are not anticipated;

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- (c) Indirectly responds to land speculation concerns, given that there is not a particular area that is specifically targeted for this form of housing (thereby potentially driving up land value in that area) and the decision to partition an existing home is in the hands of each individual homeowner;
- (d) does not conflict with other policies of the OP wherein new multiple unit dwellings in the form of triplex, quadraplex, walk-up apartments, etc. may be permitted in the designated greenfield areas and areas approved for medium density development;
- (e) will need to be enabled through new zoning provisions for this housing type, prior to them being permitted on an as of right basis, to ensure that logistical matters related to parking, for example, are addressed;
- (f) precludes the permission for multi-tached housing in areas that are located in a floodplain or other hazardous lands, even if the lands are designated Neighbourhood;
- (g) does not permit this form of housing on lands designated Oak Ridges Moraine Countryside, Natural Linkage, or Natural Core, or within the Greenbelt Plan, even if an existing house is permitted on those lands; and
- (h) Represents a fair and equitable approach to the implementation of multi-tached housing which does not indirectly disenfranchise residents based on targeted geography or size of home.

Priority Infill Areas Mapping

Several minor adjustments have been made to the proposed new Appendix 9, Priority Infill Areas. This Appendix is provided for information only, and is not an operative part of the Official Plan. The changes simply recognize the historic boundaries of infill areas, while identifying the balance of lands where infill is likely still possible. The “potential infill areas” that were identified on the draft map are now combined with the other infill areas that do not yet have a completed study.

Response to Feedback Received with no Changes to the OPA

The following section provides a synopsis and staff response of the key concerns that were heard through the consultation on OPA 18.4 by major theme, but for which no further policy changes to the OPA are proposed.

Concerns Respecting Neighbourhood Character

Staff met with members of two residents associations and reviewed correspondence submitted by these groups and members of the public on this theme. A number of concerns respecting the general nature of neighbourhood character and how it is addressed via the Official Plan were raised as noted below.

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Size and Scale of Homes

Residents noted concerns with the size and scale of residential housing developments occurring within neighbourhoods. In that regard, residents are concerned with the development of large, single-detached homes (e.g. “monster homes”) being built that do not, in their opinion, fit the character of neighbourhoods.

With respect to the public’s comments regarding large homes, Staff note that applicants who propose development within neighbourhoods are required to meet all applicable development standards set out in the City’s existing Zoning By-laws (e.g. setbacks, height, coverage, frontage, etc.). Development is required to adhere to these development standards which vary throughout the City. In addition, the City has numerous zoning by-laws in effect that were enacted in the early 1990’s to curb the development of large homes. These by-laws apply to certain areas of the City, but not all, (e.g. refer to Zoning By-laws 371-90, 372-90, 373-90, 374-90, 212-92) and regulate the maximum size of dwelling that can be built as-of-right. Through the comprehensive Zoning By-law Review, the City is working on developing a new Zoning By-law which, among other matters, is looking to update and modernize its development standards while introducing provisions that will provide direction for compatible development within neighbourhoods. To assist with the development of the comprehensive zoning by-law, the corresponding proposed policy direction is set out in Section 2.2.5.8 of the OPA. This section modifies the design policies specific to the Neighbourhood designation, and provides direction for when developing zoning by-laws and evaluating development applications, consideration must be given to physical characteristics of the site and area to ensure that development is context sensitive and compatible with adjacent and surrounding areas. These policies are simultaneously trying to address unique features that matter to residents, while promoting change and development in a manner that is context-sensitive.

Predominant and Prevailing Building Types

OPA 18.4 proposes to amend Section 4.9.2(4) of the Official Plan. As noted earlier, these modifications address neighbourhood character and design, and expand on the list of criteria that proponents of development must consider when responding to character and distinguishing features. Through this modification, reference to “predominant building forms and types” is proposed to be deleted.

Staff note that the public expressed some caution with the removal of this reference. However, in formulating the amendment City Staff found this reference to be unnecessarily restrictive to neighbourhood development and therefore recommend that it be removed from the Official Plan. The current wording could be interpreted as precluding certain dwelling types within neighbourhoods, or used as planning grounds to conclude that certain types of residential development are inappropriate, particularly if what is being proposed is not similar to, or does not resemble, the predominant or prevailing types of dwellings that exist in the surrounding area. For instance, the development of a two-storey semi-detached dwelling along a street where the predominant building type is single-storey bungalows could be interpreted under the

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current OP policies as being out of character with prevailing housing types. Accordingly, OPA 18.4 proposes to remove this reference from the OP to promote diversity in the City's housing stock, and no change is proposed to the policy as presented in the April 7th draft.

While the aforementioned example may be perceived as a minor issue, in Staff's opinion it is a matter of unintended consequence and could pose a significant challenge to the City's attempts to diversify its housing stock, which is predominantly comprised of single-detached dwellings. Despite this change, Staff note that the remaining policy criteria in this section received support from the public, and are generally consistent with the existing criteria in the OP which is proposed to be carried forward. This criteria continues to be relevant and appropriate in the application of neighbourhood development. In Staff's opinion, the revised policies of this Section provide better clarity and certainty regarding the preservation of neighborhood character and provide appropriate criteria for the evaluation of development to ensure compatibility with adjacent and surrounding areas.

Concerns Respecting Impacts from Medium Density Development

Comments were received requesting that minimum requirements be included in the Official Plan to mitigate impacts of medium density development on low density development through the application of angular view plane and setbacks. In response, Staff note that there continues to be policies in the Official Plan that provide maximum height limits and design direction within the Neighbourhood designation which would apply to medium density. The use of angular view plane is intended to control the height of mid- and high-rise buildings, it is not effective in the case of low-rise ground-oriented buildings where the height is limited to three or, in the case of development on an arterial street, four storeys. Finally, with respect to setbacks Staff note that this level of detail is generally not appropriate for an Official Plan and should be left to Zoning By-laws as the appropriate regulatory tool to regulate development standards. Accordingly, no further changes to the OPA are proposed in response to the comments raised.

Concerns Respecting Multi-tached Housing

Throughout the consultation on OPA 18.4, a few cautionary concerns were raised by Members of Council and the public on this form of housing as it relates to: noise, parking and refuse collection, lodging homes, the location size and scale of multi-tached housing, and impacts on neighbourhood character, short term rentals and land speculation. Staff's response to these concerns are noted below.

Noise, Parking and Refuse Collection

Parking, waste and noise associated with multi-tached housing is expected to be addressed through the Zoning By-law and the City's Municipal Code similar to how such requirements and complaints are addressed respecting Additional Residential Units (ARU's) and any other form of housing. With respect to parking, by-way of the implementing zoning by-law consultation for multi-tached housing, City Staff will work to strike the right balance with respect to ensuring that parking does not become an issue

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with respect to this form of housing. This by-law will be supported by the City's Parking Strategy, which is currently under development.

Lodging Homes

Some commenters questioned the difference between multi-tached housing and lodging homes. A lodging house (or "rooming house") generally refers to a building, or a portion of a building, that contains units which share kitchen and/or sanitary facilities, and as such, these units do not operate as independent, self-contained units. In contrast, a multi-tached house refers to a single-detached or semi-detached house with 3 or more dwelling units, where such dwelling units operate as self-contained housekeeping units (i.e., where food preparation and sanitary facilities are provided for the exclusive use of the occupant(s) of the unit).

Location, Size and Scale

The City's consultation process for OPA 18.4 sought feedback on several options to consider permissions for multi-tached housing. This included considering broad permissions to allow for this form of housing city-wide, or limiting it to certain geographic areas of the City.

While the City did receive some support from residents to allow multi-tached housing as-of-right on a city-wide basis, there was also interest expressed in limiting multi-tached housing to specific locations within the City. The City also received comments suggesting that policies be included in the amendment to limit the size of house and/or number of dwellings in an area that could be converted for multi-tached housing. In response to those suggestions/comments, Staff note that aside from health (i.e. sufficient access to sewer and water) and safety issues (i.e. flooding or erosion hazards), no supporting planning rationale to restrict multi-tached housing on a geographic-basis and/or limit the number of them within a given area has been provided.

Suggestions were also made to limit the number of units within a single multi-tached building. In response, Staff note that the number of dwelling units that can potentially be yielded from multi-tached housing is likely to be dependent on several factors, that when applied collectively, will inherently limit the number of units that could be established. Utilizing building envelopes for single- and semi-detached dwellings that have historically been developed as single-unit dwellings to accommodate additional units will require dwellings with a sizeable amount of available gross floor area. The building code also prescribes minimum floor space sizes for additional residential units². These minimum requirements are expected to limit floor space further and may also serve to temper the amount of units that can be established. Finally, parking standards in the Zoning By-law are also expected to have some impact on dwelling unit yield, where there is a requirement to provide parking for each unit.

² <https://www.ontario.ca/page/add-second-unit-your-house>

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Neighbourhood Character, Short-Term Rentals and Housing Speculation

Examples of existing multi-tached housing demonstrate that they can integrate harmoniously into the existing neighbourhood and that they can be compatible with surrounding development. The proposed policy to permit multi-tached dwellings requires that current standards set out in the existing Zoning By-laws as they relate to setbacks, lot coverage, landscaping, and height ascribed to single- or semi-detached houses, would apply to a multi-tached dwelling. Since all of these elements would be consistent with current zoning standards in effect today, the look and feel of the City's neighbourhoods are not expected to significantly change by the proposed permissions for multi-tached housing introduced under OPA 18.4.

With respect to short-term rentals (i.e., providing Airbnb units rather than permanent housing), presently there is very little data available to indicate that multi-tached housing units would yield an increase in short term rentals, and, if so, create issues for neighbouring properties. To address concerns with short-term rentals, the City is investigating short-term rental accommodations and is seeking input from residents through the Zone Richmond Hill process.

With respect to housing speculation, on March 30, 2022, the Province expanded the Non Resident Speculation Tax (NRST) rate from 15% to 20% province-wide in an effort to combat real estate speculation related to housing³. The NRST applies in addition to the general Land Transfer Tax (LTT) in Ontario and applies to lands conveyed to foreign entities. According to the Provincial Government, the NRST is intended to strengthen efforts to deter non-resident investors from speculating on Ontario's housing market, while helping to make home ownership more attainable for residents.

Concerns Respecting Priority Infill Area Mapping

With respecting to priority infill areas, concerns were raised respecting the lack of clarity regarding the role of these areas in the Official Plan. To that end, the term "priority" in the OP denotes the City's interest in ensuring that development within infill areas takes place in an orderly fashion and is kept in pace with the delivery of required infrastructure. Historically, infilling has occurred within the City by way of comprehensive backlot plans of subdivision, and reflect areas where patterns of infill development have become well-established and which have progressed incrementally over the course of several decades. In some cases, areas with well-established patterns of infill development reflect locations that have undergone comprehensive review and study. In other instances, they are areas where infill continues to occur and progress in a piecemeal fashion through individual lot severances (consents), with no comprehensive study to guide it. Given this unique context, the proposed Appendix 9 in relation to OPA 18.4 identifies priority infill areas which are characterized as lands that are best suited to accommodate infill either due to their historic infill context, or in recognition of the fact

³ <https://www.ontario.ca/document/land-transfer-tax/non-resident-speculation-tax>

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that they have a Council approved study to guide their development. Accordingly, no further changes to the priority infill area policies are proposed.

With respect to mapping, Appendix 9 also identifies areas that City Staff believe to be well suited for infill development, but subject to further study. While staff are not proposing to add any other infill sites to this map at this time, it should be noted that, in accordance with the policies of the OP and the proposed OPA, a proponent is not precluded from seeking Council approval of new infill areas. A proponent may identify a new infill area, and through Council approval of a concept plan, that area can also be recognized on the infill map without amendment to the Plan, given that appendices are for information purposes, and not are not operative parts of the Official Plan.

Comments from External Agencies and Prescribed Bodies

Request for comments on OPA 18.4 were circulated to external agencies and prescribed bodies as required by the Planning Act. The City received no objections to OPA 18.4 from prescribed bodies. Below is a summary of the comments received.

Region of York

The Region of York has reviewed OPA 18.4 and supports the proposed changes to the Official Plan. A copy of the Region's letter is attached to this report as Appendix 5.

Public School Boards

City Staff met with the York Region District School Board and the York Catholic District on separate occasions in early May 2022. The School Boards provided written and oral comments on OPA 18.4. In their correspondence, they indicated general support for OPA 18.4, and noted that the amendment would not create any immediate changes to school boundaries or the need for additional school site requirements. In the future, when data on the implementation of additional residential units are available, the boards expect to further review the impacts of ARU's on pupil enrollment based on trends elicited from the data.

The City did not receive comments from the French-speaking school boards.

Other Prescribed Bodies

Other prescribed bodies such as the Toronto and Region Conservation Authority, Infrastructure Ontario, Metrolinx and Hydro One Network Inc. provided comments on OPA 18.4. The TRCA indicated general support for the proposed amendment, and in particular, the policies which seek to increase housing options and improve housing affordability. In that regard, the TRCA has recommended that housing policies which support growth and development should also continue take into consideration natural hazards management, natural heritage protection, and protection of human health. Accordingly, the TRCA has requested that with respect to multi-tached housing, reference to the provisions of Policy 3.1.5(5) should continue to be included to require that intensification is prohibited within hazardous lands and sites. This policy reference

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is included the policies respecting multi-tached housing, as set out in the proposed amendment being recommended to Council.

In addition, the TRCA cited general support for the provisions respecting live-work units, but noted concerns regarding areas with historical planning decisions that may have resulted in the construction of buildings on lands zoned for commercial or retail uses in areas with natural hazards. In that regard, the authority is concerned that permitting live-work units within these areas as of right may result in an increased risk to human health due to the inclusion of residential permissions. In response, Staff note that the policies of Section 3.2.2.3 of the Official Plan respecting Natural Hazards will continue to apply to all development within the City, including live-work units.

Infrastructure Ontario cited no concerns with OPA 18.4, and Metrolinx requested clarification of the policies respecting Priority Infill Areas in light of the lands at 188 Centres Street East. These lands are owned by Metrolinx and are identified in the amendment as part of a Priority Infill Area under Appendix 9. Staff note that under the proposed amendment, the lands at 188 Centre Street East would be categorized as an area without a Council approved study. Accordingly, the policies of Section 4.9.1.1 of the OP, as proposed to be amended, would apply requiring that any proposal for medium density require the approval a concept plan by Council.

Planning Analysis:

The City's land use planning framework is subject to the provisions of the *Planning Act*, and must be consistent with the policies of the Provincial Policy Statement 2020. It must also conform to the applicable provisions set out under other Provincial Plans which supplement the PPS, including A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020 (Growth Plan), the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan (ORMCP). The ORMCP overlaps the majority of the areas subject to the Greenbelt Plan in Richmond Hill, and in such cases, the provisions of the ORMCP prevail. Given that OPA 18.4 does not contain any policies that apply to the Protected Countryside or urban river valley system of the Greenbelt Plan, the planning analysis in this section does not cover the Greenbelt Plan.

In addition to provincial policies, the City's OP is also subject to the York Region Official Plan (ROP). The Region is undertaking a Municipal Comprehensive Review of the ROP which began in 2015. An updated version of the draft ROP was released on May 19, 2022 for consultation at a statutory meeting of Regional Council⁴. At the time of writing, an updated ROP has not been adopted by Regional Council.

As Council is aware, in March 2022 City Staff reviewed the proposed draft Regional Official Plan and shared Council's endorsed comments with the Region. This staff report

⁴ Refer to Agenda Item F.2.1 – Draft Regional Official Plan Consultation Update and Statutory Public Meeting, Special Committee of the Whole Meeting May 19, 2022, [Draft Regional Official Plan Consultation Update and Statutory Public Meeting - Special Meeting of Committee of the Whole - May 19, 2022 \(escribemeetings.com\)](#)

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was prepared in advance of Regional Council considering and adopting a final ROP. On that basis, the planning analysis for OPA 18.4 relies on the Region's in-force 2010 Official Plan to assess conformity with the Region's policies. Notwithstanding that at the time of writing a final ROP has yet to be approved, City Staff have also extended their assessment of OPA 18.4 to include a review of the latest draft ROP policies. Through this assessment, Staff conclude that the proposed policy modifications to the City's Official Plan under OPA 18.4 do not conflict with the draft ROP.

The following planning analysis demonstrates how OPA 18.4 is consistent with the PPS 2020, and conforms to the applicable Provincial Plans and the York Region 2010 Official Plan. For reference, this analysis presents conformity with the provincial and regional policies by grouping overarching policy themes that transcend these policy documents. A detailed table outlining provincial and regional policies applicable to OPA 18.4 and how the amendment conforms to those policies is set out in Appendix 6.

Complete Communities

The PPS 2020 supports building strong healthy communities by using land efficiently, and by promoting efficient land use and development patterns that lead to live-able, healthy and resilient communities which are sustained by, among other matters, accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons) and by ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The Growth Plan builds on this aforementioned direction by identifying the achievement of complete communities as one of the Plan's guiding principles. In that regard, the Growth Plan indicates that its policies are focused on accommodating growth in complete communities, which are directed primarily to settlement areas. Settlement areas are to be well designed to meet people's needs for daily living throughout their lifetime by providing access to a mix of jobs, a range of land uses and by providing access to housing which accommodates a range of incomes and household sizes. This direction is further supported by the York Region Official Plan which includes strong policy direction for the development of complete communities. The Region's policies acknowledge that communities require a variety of services to provide structure for the creation of healthy, liveable places, and encourages the nine local-area municipalities to work with the Region in planning for their development.

The Growth Plan also references the term "compact built form" throughout its policies, which is defined as a land use pattern that encourages the efficient use of land, and which promotes walkable neighbourhoods that have access to a mix of land uses all within one area. These areas are also expected to be well-served by transit further reducing the need for infrastructure. The ROP implements this direction by requiring municipalities to adopt land use and site design policies that promote sustainable modes of transportation, including walking, cycling and transit. OPA 18.4 implements

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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.

Housing and Residential Intensification

The PPS 2020 focuses growth and development within urban settlement areas, and recognizes that land must be managed carefully to ensure development is able to meet the needs of current and future populations. To that end, planning authorities are encouraged to permit and facilitate a range of housing options, including new development through residential intensification so as to better respond to current and future housing needs. The term ‘housing options’ refers to a range of housing types, arrangements, and/or forms which can be accommodated through a variety of means including, residential intensification of a property, and through conversion or expansion of existing residential buildings to create new residential units. The policies of the PPS clearly require planning authorities to provide for an appropriate range and mix of housing options and densities, to meet projected market-based and affordable housing needs in a regional market area.

The Growth Plan builds on the policy direction of the PPS by requiring upper- and single-tier municipalities, in consultation with lower-tier municipalities, to identify a diverse range and mix of housing options. This can be achieved through additional residential units and other examples of affordable housing to meet current and projected needs. To that end, municipalities are directed to diversify their housing stock and consider the use of available tools to accommodate a diverse range of household sizes and incomes. The ORMCP identifies settlement areas as existing communities that are planned by municipalities to reflect the needs and values of communities as set out in municipal official plans. To that end, the policies of the ORMCP direct settlement areas to be the focus for the development of complete communities which provide residents with convenient access to a mix of employment, local services and a full range of housing options. These provincial policies collectively underpin the importance of providing housing options, with a full mix and range of housing types and affordability as core elements of achieving complete communities.

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The York Region Official Plan conforms to the provincial policies, and highlights that housing is a key component which contributes to quality of life and the creation of complete communities. In that regard, local municipalities are required by the ROP to permit a full mix and range of housing types, lot sizes and unit sizes in local municipal official plans, including affordable housing for low- and moderate income households and households with special needs. It also encourages building design that will facilitate subsequent conversions to provide additional housing units, such as additional residential units (e.g. secondary suites). In addition, the ROP recognizes that local infill development is a form of intensification, and directs municipalities to identify a role for local infill as part of municipal intensification strategies. OPA 18.4 conforms to this direction by establishing policies for infill development throughout neighbourhoods, and highlights areas of opportunity for infill development which are deemed in the amendment as “priority infill areas”

Overall, the policies of OPA 18.4 are consistent with the aforementioned provincial and regional policy direction respecting housing and intensification. The amendment proposes modifications to the Official Plan which expand permissions for gentle density and missing middle housing, including medium density residential uses within neighbourhoods. These modifications would allow medium density to occur on lands that are adjacent to the centres and corridors designation, in addition to where they are already permitted by the Official Plan (i.e. along arterial, collector and local streets, subject to specific criteria), and introduces permissions for “multi-tached” housing within neighbourhoods. The policies respond to the Provincial and Regional policy direction which direct municipalities to provide for a full mix and range of housing options, including affordable housing so as to support low- and moderate-income households. Moreover, the amendment supports the Goals of the City’s Affordable Housing Strategy which directs the City to include policies in the Official Plan to enable multi-tached housing as means of introducing gentle density. It should be noted that the Implementation Committee for the Affordable Housing Strategy held its inaugural meeting on May 10, 2022 and they are supportive of multi-tached housing introduced through OPA 18.4.

Lastly, OPA 18.4 implements the policies of the Growth Plan which encourages intensification throughout built-up areas to be designed in a manner that supports the achievement of complete communities. The Growth Plan acknowledges that municipalities are growing and intensifying at different paces than one another based on local context. To that end, OPA 18.4 includes permissions that aim to balance growth with the need for context sensitive development in a manner that responds to the Richmond Hill context. The policies facilitate medium density development and promote infill development within neighbourhoods by requiring concept plans that are to be approved by Council to ensure that development appropriately responds to the surrounding local context. The policies allow for Concept Plans to occur in advance of, or concurrent with, a proposal for infill or medium density residential development and require that they be developed to address specific criteria.

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Economic Competitiveness and Development

The PPS 2020 highlights the importance of economic competitiveness and promoting economic development by providing for a range and mix of employment, and through encouraging compact, mixed use development to make communities more live-able. The Growth Plan and Regional OP echo this direction and include policies directing for economic competitiveness by integrating and aligning land use planning and economic development goals to retain and attract investment. For instance, the Growth Plan directs for retail to be supported through compact built form, and encourages the integration of retail with other service uses to support the achievement of complete communities. Similarly, the policies of the ROP encourage entrepreneurship, and encourages investment through a diversity of employment opportunities.

The policies of OPA 18.4 conform to the aforementioned policy direction respecting economic development and competitiveness by expanding opportunities for home occupations and live-work units to locate within neighbourhoods along arterial streets. In addition, the policies enable more flexible permissions for neighbourhood commercial uses to locate along arterial streets, no longer limiting them at intersections, and relaxes locational criteria for community uses including public and private schools to locate on public streets. Collectively, these permissions provide more opportunities within the City to support economic growth and increase jobs. The applicable provincial and regional policies which correspond to economic competitiveness and how OPA 18.4 implements this direction are set out in Appendix 6.

Official Plan Update Pillars

As noted in the Key Directions Report, policy and mapping updates to the City's Official Plan are to be undertaken to address the four pillars of the update process. The four pillars include: Growing our Economy, Design Excellence, Green and Sustainable, Protect and Enhance. These pillars are explained in Section 1.3 of the Key Directions Report. OPA 18.4 addresses these pillars as follows:

The recommended policy modifications that expand opportunities for home occupations, enable permissions for neighbourhood commercial uses and live-work units as-of-right along arterial streets, and the relaxing of locational criteria for community uses provides more employment opportunities within the City, which supports economic growth.

The recommended modifications which seek to provide guidance for neighbourhood design that is context-sensitive in terms of physical, social, cultural and economic qualities supports the desire for design excellence in the City.

With respect to the Green and Sustainable pillar, the recommend modifications which enable gentle density and a greater mix of uses along arterial streets in the Neighbourhood designation supports the City's objective of protecting natural and rural areas from development, and creating more compact, complete communities where services and amenities can be accessed via active modes of travel.

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And finally, the recommended policy modifications that reinforce the need to recognize distinguishing features of Neighbourhoods, which can include a combination of physical, social, economic or cultural qualities, and ensuring that significant development enhances those features, addresses the Protect and Enhance pillar.

Public Consultation:

A “What We Heard Report” was prepared by LURA consulting which highlights feedback received on OPA’s 18.3 and 18.4 through the consultation process that was undertaken for the Batch 1 OPA’s. The What We Heard report represents a fulsome summary of the feedback received on the proposed amendments during the consultation engagement events, and is attached to this staff report as Appendix 4. It provides a high level overview of the feedback and concerns which have been expanded on in the earlier sections of this Staff Report. Staff note that comments respecting OPA 18.3 are summarized under separate cover in staff report SRPI.22.075 which is also being considered for adoption by Council at today’s meeting.

Below is a summary of the consultation engagements and notification associated with the development and formulation of OPA 18.4.

Engagement

As noted at the May 18th, 2022 Council Public Meeting, Staff have employed various methods to consult with the public and stakeholders on OPA 18.4 as follows:

- March 8th to 31st, 2022 - “Take a Walk and Win” Contest. This engagement challenged residents to take a 15-minute walk from their homes to observe local features and amenities, prompting residents to think about elements that make up a “complete community”. More than 200 residents completed the associated online survey for a chance to win 1 of 6 prizes (\$25 gift cards);;
- April 7th, 2022 – Release of Draft OPA 18.4 Documents and associated prescribed materials. These documents were posted on the Official Plan Update website, and notification about this information and related Open House and this meeting was shared with the public through various means, including: print ads in the Liberal, digital advertisements, social media notices, email notifications, Curbex signs, LED postings at City buildings, and posters within City facilities;
- April 20th, 2022 – two short videos on OPA 18.3 and 18.4 were posted on the Official Plan Update website. The videos provided a general overview of the proposed amendments in plain language.
- April 21st, 2022 – Meeting with representatives of the Mayvern Area Residents Association. At this meeting, Staff met with representatives of the Mayvern Area Residents Association to discuss feedback, provide responses to concerns raised by members of the association, and to give input on the proposed modifications introduced under OPA’s 18.3 and 18.4;

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- April 26th, 2022 – Statutory Public Open House. The Open House was held under the statutory requirements of the Planning Act and provided an overview of the proposed intent and policies under OPAs 18.3 and 18.4. A summary of the Questions and Answers and comments received at the open house are summarized in Appendix 4 to this staff report (refer to “Phase 3 - What We Heard Report”);
- May 5th and May 11th, 2022 – Meetings with York Region Public and Catholic schoolboards, respectively. At these meetings, staff met with schoolboard representatives to discuss the proposed modifications under OPA 18.4 and to seek feedback on the proposed modifications;
- May 12th, 2022 – Meeting with representatives of the Village Core Residents Association. At this meeting, Staff met with representatives of the Village Core Residents Association to discuss comments and concerns respecting OPA’s 18.3 and 18.4, and to provide clarification on the intent and application of the proposed policies; and
- May 18th, 2022 – Statutory Council Public Meeting. The Council Public Meeting was held pursuant to the statutory requirements of the Planning Act, and provided Council and members of the public and stakeholders to provide input on the proposed amendment, and to make deputations to Council.
- June 1, 2022 – staff met with York Region staff to discuss the OPAs and their relationship to the in effect and draft York Region Official Plan.

In addition to the foregoing, Staff note that while invitations were extended to Indigenous communities, other stakeholders (including BILD), and prescribed bodies; no other meetings were requested.

Notification

OPA 18.4 has been developed in accordance with Section 17 and 26 of the *Planning Act*. The *Planning Act* requires public consultation on the proposed amendment to be conducted through at least one public meeting with a minimum of 37-days notice issued beforehand. The statutory open house and council public meeting pursuant to the Planning Act took place on April 26, 2022 and on May 18, 2022 respectively. Notice for these events was issued on April 7, 2022 through the City’s website, social media, and the Liberal newspaper, and re-issued on April 14, 2022.

Notice for today’s meeting respecting adoption of proposed Official Plan Amendment 18.4 has been provided to all those persons who formally requested to the City Clerk to be notified of a decision made by Council with respect to the proposed amendment, as well as to people on the OP Update notification list and to people who have subscribed to the OP Update webpage.

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Next Steps:

The City is required to provide written notice of the adoption of the proposed amendment in the manner prescribed under the Planning Act within 15 days after the day of adoption. Notice is to be provided in a prescribed manner and to each person or public body that filed with the City Clerk a request to be notified of adoption. In addition, other persons or public bodies are also to be notified as prescribed by the Planning Act.

Additionally, the OPA and its associated record will be provided to the Region who is responsible for issuing approval of the Council adopted amendment. As the approval authority for municipal official plan amendments, the Region has the authority to approve, modify and approve, or refuse Council's decision to adopt an official plan amendment. The Region will then issue notice of its decision. There is a 20-day period within which the Region's decision on the official plan amendment can be appealed to the Ontario Land Tribunal; should there not be an appeal, the OPA will come into force.

City Staff will also continue to work on the City's OP Update project following the adoption of OPA 18.4, with public consultation on Batch 2 OPAs expected to be held in late Fall 2022.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications. The approval of the updated OP policies will require changes to the City's zoning by-law, which is presently under review and for which a separate workplan and budget is established.

Relationship to Council's Strategic Priorities 2020-2022:

The update of the City's Official Plan is identified as a Council Priority. OPA 18.4 as proposed supports Council's Strategic Priority areas by increasing housing choice and affordability, and by promoting diversity, equity and inclusion respecting the City's housing options. The OPA also balances growth and green by promoting responsible economic intensification and prosperity through the proposed policies which enable flexibility in home occupations, live-work units and neighbourhood commercial uses within neighbourhoods.

Climate Change Considerations:

The proposed modifications under OPA 18.4 provide for more compact complete communities. The Community Energy and Emissions Plan does advocate for compact complete communities in order to protect natural and rural areas which are important for carbon sequestration, and to support the use of active transportation, thereby reducing GHG emissions resulting from private automobile use.

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Conclusion:

OPA 18.4 is one of two official plan amendments that are being considered by Council for adoption at this meeting. Alongside OPA 18.3 which is addressed in staff report SRPI.22.075, this amendment comprises the first batch of Phase 3 amendments that will update the City's Official Plan to 2041. OPA 18.4 responds to concepts noted in the Key Directions Report related to Urban Structure and Employment from a neighbourhoods perspective, and provides an appropriate policy framework which addresses the concept of "15 minute" complete communities by introducing permissions for "gentle density" within the Neighbourhood designation, and by including policy direction which responds to distinguishing features of neighbourhoods.

The recommended policies under OPA 18.4 are set out in Appendix 1 to this report. The amendment is consistent with the Provincial Policy Statement (2020), and conforms to provincial policies set out in the Provincial Plans, including a Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and the Oak Ridges Moraine Conservation Plan (2017). The recommended policy framework set out in the amendment reflects appropriate permissions for land use and built form within Neighbourhoods that fit within the local context, and includes policies that seek to respond to the evolving character of neighbourhoods by ensuring development is compatible and context sensitive. Accordingly, for the reasons set out in this report, City Staff recommend that Council adopt OPA 18.4 as set out in Appendix 1.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix 1 – Official Plan Amendment (OPA) 18.4
- Appendix 2 – Council Extract – May 18th, 2022 Council Public Meeting
- Appendix 3 – Proposed Changes to the April 7, 2022 version of OPA 18.4 in Track-Changes
- Appendix 4 – Phase 3 Engagement Summary Prepared by LURA Consulting
- Appendix 5 – York Region Letter dated June 6, 2022 RE: OPA 18.4
- Appendix 6 – Provincial Plan and Regional Official Plan Conformity Analysis Table

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Report Approval Details

Document Title:	SRPI.22.076 - Request for Approval - OPA 18.4 Neighbourhoods.docx
Attachments:	<ul style="list-style-type: none">- Appendix 1 to SRPI.22.076_OPA 18.4-AODA.pdf- Appendix 2 to SRPI.22.076_Council Extract_May 18th Council Public Meeting-AODA.pdf- Appendix 3 to SRPI.22.076_Proposed Changes to the April 7, 2022 Version of OPA 18.4 in Track Changes-AODA.pdf- Appendix 4 to SRPI.22.076_Phase 3 - Engagement Summary FINAL-AODA.pdf- Appendix 5 to SRPI.22.076_York Region Letter dated June 6, 2022-AODA.pdf- Appendix 6 to SRPI.22.076_Provincial Conformity Table-AODA.pdf
Final Approval Date:	Jun 13, 2022

This report and all of its attachments were approved and signed as outlined below:

Patrick Lee - Jun 11, 2022 - 10:43 AM

Kelvin Kwan - Jun 13, 2022 - 8:51 AM

Darlene Joslin - Jun 13, 2022 - 1:23 PM