



May 15, 2023

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file # 58989-1

City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, Ontario L4B 3P4

Attention: Sarah Mowder, Planner II -
Subdivisions

Dear Ms. Mowder:

**Re: 162-182 Norfolk Avenue
Official Plan Amendment & Zoning By-law Amendment Applications
Application No.: OPA-23-0002 & ZBLA-23-0003
Public Meeting Agenda Item 3.2**

We are the solicitors for Surob Developments Limited ("Surob"), the owners of the property municipally known as 449 Major Mackenzie Drive East in the City of Richmond Hill (the "Site"). The Site is located on the south side of Major Mackenzie Drive East, directly to the north of 162-182 Norfolk Avenue (the "Subject Property").

Norfolk Development Inc. ("Norfolk") has filed Official Plan ("OPA") and Zoning By-law Amendment ("ZBA") applications (collectively, the "Applications") to facilitate the development of the Subject Property with two towers (14 and 16 storeys in height) connected by a 6-storey podium, containing a total of 406 dwelling units (the "Proposed Development"). The Subject Property is comprised of six residential lots, fronting onto Norfolk Avenue and located approximately 60m away from Major Mackenzie Drive East. Six single-detached dwellings are currently located on the Subject Property and are proposed to be demolished.

We understand that a Public Meeting will be held for the Applications on May 16, 2023. For the reasons that follow, we are writing to request that the City require a 12.5m tall building setback to the exterior edge of the balconies of North Tower Floors 8-14 of the Proposed Development. Surob is generally supportive of the Applications, provided that appropriate building and tower separation is maintained.

Brief Background

The City of Richmond Hill Official Plan (the "Official Plan") defines a high-rise building as a building or structure with a height of 9 storeys or greater. Policy 3.4.1.57 of the Official Plan states that high-rise buildings are to provide a separation distance of 25m between towers to

maintain appropriate light, view, and privacy conditions. Section 6.6.45 of the Richmond Hill Urban Design Guidelines notes that separation distances are to be measured from the closer of the exterior wall or exterior edge of balconies.

Further, under Section 4.5 of the Official Plan, the Subject Property is located within the Newkirk Local Development Area ("LDA"), which is intended to be a pedestrian-oriented centre in proximity to the Newkirk GO Transit station. Within the Newkirk LDA, the tallest buildings are to be directed to the Major Mackenzie Drive East frontage.

Surob has reviewed the proposal for the Subject Property and notes that the Proposed Development contemplates a 12.6m setback from the north property line shared with the Site to the exterior wall of North Tower Floor 7 of the Proposed Development. This north setback does not consider the exterior edge of the Floor 7 terraces. At North Tower Floors 8-14, the tower balconies cantilever over Floor 7. Floors 8-14 feature a north setback of 12.6m to the exterior wall and a north setback of approximately 10.8m to the exterior edge of the upper-level balconies.

Since the Site fronts onto Major Mackenzie Drive, it is anticipated that any future development will consist of a high-rise building with higher heights than the Subject Property. In order to ensure that future development is consistent with Official Plan policies, a separation distance of at least 25m is required between tall buildings. To achieve this 25m separation distance, the Proposed Development must be setback a minimum of 12.5m to the exterior edge of the North Tower upper-level balconies, so as not to unfairly constrain future development of the Site.

Surob is generally supportive of growth within the Newkirk LDA, however, proposals for future development in the surrounding areas should not negatively impact or impede development rights of existing owners.

Surob requests that Norfolk be required to incorporate a minimum tall building setback of 12.5m from the north property line to the exterior edge of balconies on North Tower Floors 8-14. Provided such setbacks are maintained, Surob is supportive of the Applications.

Please provide the undersigned with written notice of any decision respecting this matter.

Yours truly,

Cassels Brock & Blackwell LLP



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