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P-3420

June 19, 2023

The City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, Ontario
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Sent by Email: clerks@Richmondhill.ca

Attn: Hon. Mayor West & Members of Council

**Re: Proposed Official Plan Amendment 18.6 to the Richmond Hill Official Plan Village Local Centre May 11, 2023 (the "Proposed OPA")
Kingsmen Major Mackenzie Inc., Martin Abramian, Harry Harakh, and David Lancaster (collectively the "Major Mackenzie Landowners' Group")
52, 58, 60, 66, 74 and 76 Major Mackenzie Drive West**

Hon. Mayor West & Members of Council,

KLM Planning Partners have been retained by the above noted owners collectively the Major Mackenzie Landowners' Group who own lands municipally known as 52, 58, 60, 66, 74 and 76 Major Mackenzie Drive West which consists of approximately .75 ha (1.84 acres) as shown on the attached Figure 1 (the "Subject Lands"). This letter is to provide comments on the Proposed OPA.

We have reviewed with our client the Proposed OPA. In general, we are concerned that the Proposed OPA will not enable the Subject Lands to develop to their full potential with respect to density and height given the Subject Lands location, opportunities, and lack of constraints. We believe that greater density than 2.0 and 3.0 FSI and greater heights than a maximum of 9 stories as proposed within the Proposed OPA can be achieved for the Subject Lands in terms of supporting transit, the efficient use of land, services and community facilities without undue impact on the planned function of the Village Local Centre.

It should be noted that the Subject Lands are more directly related to Major Mackenzie Drive and the lands proposed to be removed from the Downtown Local Centre and redesignated as Regional Mixed-Use Corridor in the Proposed OPA. The Subject Lands front onto Major Mackenzie Drive and are not directly oriented to the Local Centre that is focused along Yonge Street north of Major Mackenzie Drive. This unique attribute, together with the combined lot depth, minimal interface with low rise residential, no requirements for protecting angular planes on Yonge Street to preserve views of church spires and other architectural features of

the Village allows the Subject Lands to play a greater supportive role to both existing and planned transit and the revitalization of the historic downtown due to proximity and connections to the heart of the Local Centre that provides an opportunity to maximizing intensification adjacent to the proposed Regional Mixed Use Corridor without undermining the planned function of the Local Centre.

The Subject Lands are within Protected Major Transit Station Area 48 (“PMTSA 48”) and located adjacent to the Regional Corridor associated with Yonge Street as identified in the recently approved Region of York Official Plan (the “ROP”). The Subject lands are within a less than 5-minute walk of the associated station south of Major Mackenzie Drive. Major Mackenzie Drive is also identified as part of the Region’s planned Rapid Transit Corridor within the ROP. Major transit station areas and Regional Corridors within the ROP are identified as part of the Strategic Growth Areas as part of the intensification strategy of the Region.

The Key Guiding Principles of the ROP recognizes the importance of major transit station areas with respect to intensification and affordable housing. A minimum of 50% of residential development between 2021 to 2041, and 55% from 2041 to 2051 is to occur through intensification within the built-up area as well as a resident to job ratio of 2:1 focusing on Regional Centres and Corridors and major transit station areas and provision of a full range of housing types with a region-wide target of 25% of all new housing units being affordable to low and middle-income households and in addition, a minimum of 35% of all new housing units within Regional Centres and major transit station areas is to occur.

It is planned that the highest densities and the greatest mix of land uses are directed toward the four Regional Centres as well as existing and new subway stations and other major transit station areas while more limited density is directed to Regional Corridors between MTSA’s as well as Local Centres and Corridors. According to the ROP, *“These strategic locations are based on an intensification framework that recognizes that the highest density and scale of development will occur in the Regional Centres and around subway stations followed by major transit station areas and sections of Regional Corridors between MTSA’s. It is important to maintain this intensification hierarchy as it is these areas where water, wastewater and rapid transit infrastructure commitments have been made.”*

This hierarchy is further articulated in Section 4.1.3 of the Region’s Official Plan where it states in part that *“Strategic growth areas will attract the majority of development and contain a mix of uses, with densities (highest to lowest) based on the following hierarchy: i. Regional Centres ii. Subway station major transit station areas iii. Other major transit station areas iv. Regional Corridors outside of major transit station areas v. Local centres and corridors.”*

The Policies for Regional Corridors and Major Transit Station Areas supports that the most intensive uses within the Regional Corridors be within the major transit station areas and that the built form and scale of *development* within *major transit station areas* shall further support and implement the Regional *intensification* hierarchy outlined in policy 4.1.3 (noted above) in

accordance with the *intensification* level determined by the minimum density targets in Appendix 2 to the ROP.

Furthermore, the Region of York Official Plan sets out policies for secondary plans or other equivalent comprehensive planning studies and/or *development* contemplated within strategic growth areas and notably, while these requirements include Minimum density requirements and targets established by York Region and Minimum height and densities established by local municipalities, these criteria do not include provisions requiring maximum height and density requirements to be established within the local official plans, which are contained within the Proposed OPA.

Based on the foregoing policies of the ROP, we would respectfully request that the policies for the Proposed OPA not establish maximum density or height provisions for the Subject Lands within the major transit station area as this could result in unintended consequences which could limit the intensification and undermine the support of both transit and the revitalization of the historic downtown north of Major Mackenzie Drive.

Furthermore, there is an abundance of parks and community facilities in the immediate vicinity that support intensification and there is precedent on the south of Major Mackenzie Drive and along Yonge Street for higher density and heights that have been approved in the range of 15-21 stories and an FSI of 3.3 to 5.1 within the same major transit station which will also have an influence on the character.

We are also concerned that proposed policies 3.1.3 11. and 4.3.1 should be revised to ensure that density targets for major transit station areas within a Local Centre are minimums and that overall targets relate to overall density and will not be used to restrict density within a major transit station on a site-specific basis. There is no rationale for limiting scale or intensity on a site-specific basis for lands in the major transit station area to that which is less than the KDA's as the KDA's are physically well removed and visually imperceivable from the Local Centre or Subject Lands.

Furthermore, to ensure that heights of greater than 9 stories can occur on the Subject Lands, we would request that built form also allow High-Rise as defined in the existing Official Plan.

Policies to address maximum height and density are best dealt with through policies that can ensure that appropriate transition is achieved having regard for minimizing undue impact on sun/shadow taking into consideration local conditions and other policies that will ensure no adverse physical or functional impacts (ie. Servicing capacity, access and traffic capacity, provision of existing community facilities, on site amenity, parking, etc.).

We are also concerned that the means of addressing transition to existing low rise to proposed mid-rise forms continues to be a strict adherence to a 45-degree angular plane requirement which can result in inefficient buildings and the inefficient use of land that gives undue priority to a few existing single detached rear yards at the potential expense of more housing,

attainable and affordable housing and more complete communities. In our opinion, this is not necessary, and these provisions should be revised to rely on policies that establish minimum setbacks for base heights, associated stepping requirements together with sun/shade studies that take into account existing local conditions such as trees to be preserved on the low rise lands, which together will ensure there are no undue impacts on the existing low rise neighborhood's and that compatibility can be achieved.

The Subject Lands are integral to the future Elizabeth Street extension (or suitable alternatives (ie. private roads, private roads with the potential for cycling and pedestrian connections only, etc.) which provides an opportunity for the City and my client to work together to improve connectivity for the necessary modes of transportation and provide suitable access for development. Based on the principle of providing adequate access and connectivity, there may be other options that the City may find acceptable and therefore we would request that the proposed policies noted as Section 4.3.1.3 of the Proposed OPA contain sufficient flexibility to allow suitable alternatives including private driveways with public access and the potential for active transportation connections only to connect the existing Elizabeth Street to Major Mackenzie Drive. In addition, the requirement for sidewalks on both sides of new public streets within the Proposed OPA should not apply to the extension of Elizabeth Street should it become a public street as we understand the existing portion was designed to accommodate one sidewalk only.

We note that there are other site-specific exceptions within the Proposed OPA and given our unique circumstances, our concerns could be addressed by adding a further site specific section for the Subject Lands to add policies to address our concerns that will allow the details of maximum height and density together with details of the Elizabeth Street extension to be worked out with the City through future development applications.

We would like to thank the City for the opportunity to participate in this process and would request the opportunity to meet with the City Planning staff to review our concerns in advance of the Proposed OPA being finalized over the course of the summer.

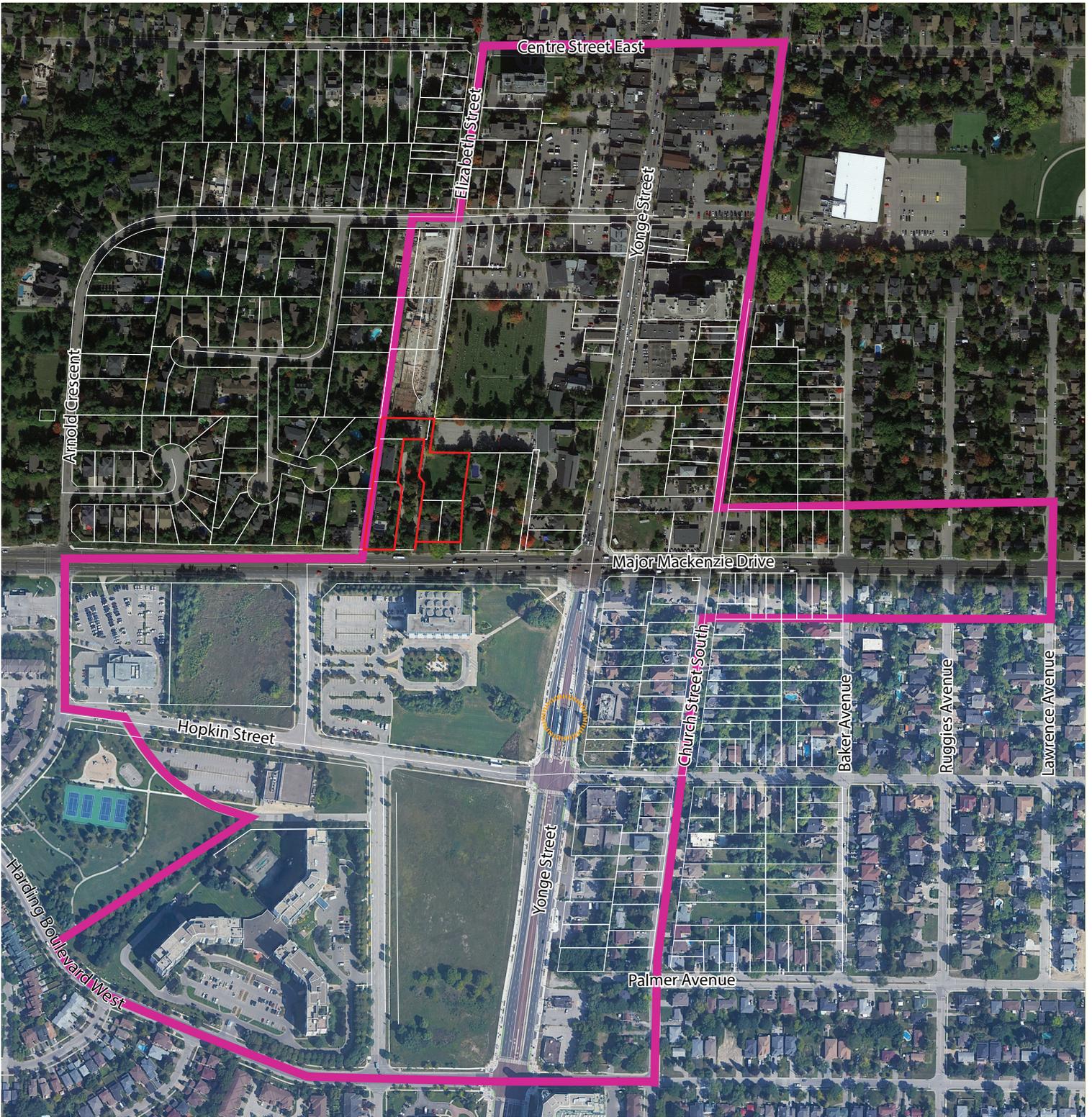
If there are any questions or concerns with our request, please don't hesitate to contact the undersigned.

Respectfully,

KLM PLANNING PARTNERS INC.

Mark Yarranton, B.E.S, MCIP, RPP.
Partner

cc: - Kelvin Kwan, City of Richmond Hill Commissioner, Planning and Infrastructure
Department
- Major Mackenzie Landowners' Group



Data Source: Imagery Date 04/2022

Figure 1
SUBJECT LANDS

LEGEND

- Subject Lands
- BRT Transit Station
- PMTSA 48 Major Mackenzie BRT Station Area

76, 74, 66, 58, 60 and 52
Major Mackenzie Drive West,
Richmond Hill, Ontario

DATE: JUNE 16, 2023

SCALE: NTS

