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3200 HIGHWAY 7 • VAUGHAN, ON • L4K 5Z5
T 905 326 6400 • F 905 326 0783

- Sent via email -

July 21, 2023

Chun Chu MCIP, RPP
Senior Planner – Policy Planning
Planning and Infrastructure Department
City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, Ontario L4B 3P4

RE: Review of City of Richmond Hill's Draft OPA 18.5 – Yonge & Carrville/16th Avenue KDA

Dear Ms. Chu

South Hill Shopping Centres ("SmartCentres") is the owner of the approximately 26-ac property the comprises the northeast quadrant of the Yonge Street and Carrville/16th Avenue Key Development Area ("KDA"). We have monitored and actively participated in the City's process to update the City of Richmond Hill's Official Plan and Secondary Plan for the KDA.

We write to provide comments on Amendment 18.5 to the Richmond Hill Official Plan and greatly appreciate the City's commitment consultation and reviewing our feedback.

We hope you find our feedback insightful and please do not hesitate to reach out to the undersigned. We look forward to discussing this matter in the near future.

Sincerely,

Mark Resnick, MCIP RPP
Senior Director, Development

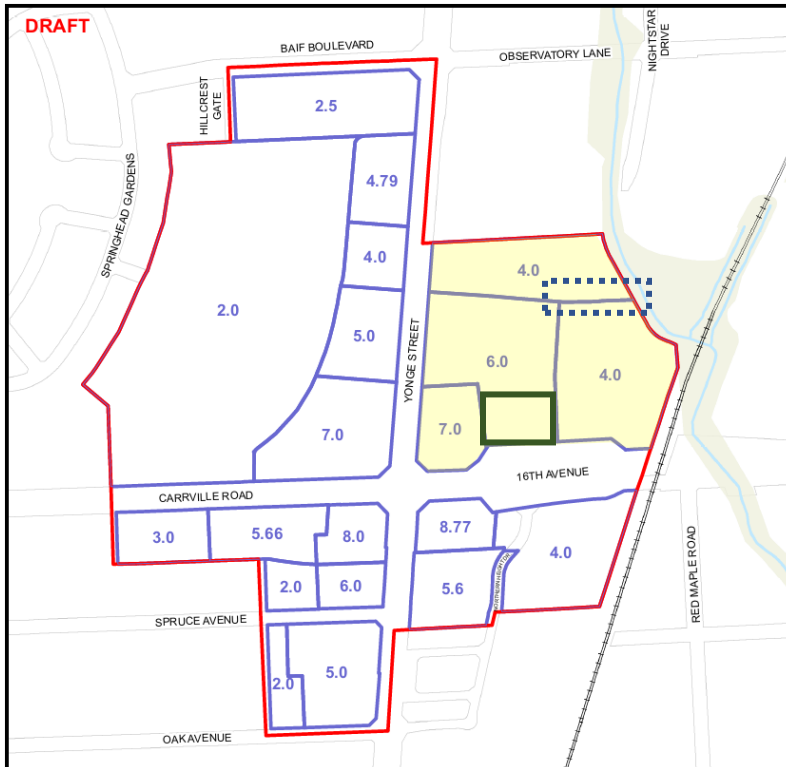
OPA 18.5 PROPOSED CHANGES	COMMENT
<p>1.3 Basis</p> <p>Presently, the Official Plan provides a minimum affordable housing target of 35% of new housing in Key Development Areas. Through a subsequent OPA related to the City’s Official Plan Update process, the City may update its affordable housing targets and definitions to further implement the ROP direction for affordable housing as noted above.</p>	<p>The language in the proposed policy does not accurately characterize Policy 3.1.5(2) of the Official Plan which states “Within the Richmond Hill Centre and the KDAs, a <u>minimum 35%</u> of new housing <u>shall be affordable</u>, offering a range of affordability for low and moderate income households.”. In our view this language states that provision of 35% affordable housing is <u>mandated</u> and not just a <u>target</u>.</p> <p>With the passing of Bill 23, the Province of Ontario established the Inclusionary Zoning (“IZ”) framework to facilitate the delivery of affordable housing. We are not aware of other policy mechanisms to <u>mandate</u> affordable housing.</p> <p>IZ can only be implemented in areas that have been designated as a Protected Major Transit Station Area or have a Development Permit System in place. Prior to adopting IZ policies in an Official Plan an assessment report must be completed to assess the demographics, incomes, housing supply, housing type, impacts on IZ on land value among other considerations.</p> <p>In light of the IZ framework for delivery of affordable housing it is unclear to us why the Official Plan and Amendments to the Official Plan maintain and reference a minimum <u>requirement</u> of 35%. Further, it is our understanding the Province currently has a proposal to limit IZ to a maximum 5% by way of regulation under the Planning Act. IZ sets a limit on the number of affordable housing units that can be required to a maximum of 5%.</p> <p>We seek clarification from staff how they will be addressing affordable housing and if any subsequent OPAs or updates to the Affordable housing targets and definitions are currently planned.</p>
<p>Schedule A2 Land Use is amended as shown on Schedule 1 to this amendment by:</p> <p>a) re-designating lands shown as (1) from “Neighbourhood” to “Key Development Area” and</p> <p>b) re-designating lands shown as (2) from “Regional Mixed Use Corridor” to “Key Development Area.”</p>	<p>The boundaries of the KDA are being adjusted to add additional lands within the limits of the KDA. The added lands are located on the west side of Yonge Street to the north and south of the current boundary. We do not have a concern with the proposed boundary adjustment but are seeking confirmation from staff that the increased land area of the KDA has been appropriately supported with additional planned population and density.</p> <p>Put another way, we are seeking confirmation that the increase in the land area of the KDA is not diluting the densities that would have been achievable were the same planned population spread over the current KDA boundary.</p>

4.4.2.1 Mix of Land Use	
<p>2(b),(c),(e)</p> <p>b “...development shall provide commercial, retail, or community uses at grade along arterial, collector, and local roads as shown on Schedule C2 (Public Realm)”</p> <p>c – “Development along the market promenade shall provide retail and commercial uses at grade...”</p> <p>e – Retail, Commercial or community uses are required to front onto existing or planned public parks or urban plazas”</p>	<p>We support the principle of a encouraging a mix of lands uses and ways to animate and activate the public realm including locating commercial or community uses on roads and public spaces but discourage a one size fits all approach.</p> <p>From our read of these policies, the combined effect is to essentially require retail, commercial, or community uses at grade for every building. Further, frontages along public parks or urban plazas are restricted to retail and commercial uses. This policy wording does not align with the rationale provided by staff that Policy 2e “is added to encourage non-residential uses to front onto to open spaces to animate them. It is acknowledged that this animation is highly desirable within the KDA, however, <u>some flexibility in the application of this policy is warranted.</u>”</p> <p>We agree with the rationale that flexibility is warranted however the current policy wording does not provide the intended flexibility. We request that the policy language for Policies 2 (b), (c), (e);</p> <ol style="list-style-type: none"> 1) be reviewed in conjunction with Schedule C2 to better focus ‘required’ retail and commercial uses along market promenade and other key areas. 2) be revised to provide the flexibility described in the rationale. We suggest revised language that replaces “shall” and “required” with “encouraged”. 3) see related comment below on Policy 4.4.2.3 (11c)
4.4.2.3 PUBLIC REALM	
<p>Public Streets</p> <p>1. Proponents of development shall implement the street network and active transportation network as conceptually shown on Schedule C2 (Public Realm), to support a fine-grained street network along with more connections for cyclists and pedestrians</p>	<p>The policy is under the heading “Public Streets” which suggests that all streets must be public. We do not agree that every new street in the KDA as conceptually identified on Schedule C2 needs to be a public street.</p> <p>We seek confirmation from staff that private streets are also permitted.</p>
<p>Active Transportation Connections</p> <p>Open Space 11c</p>	<p>The language for this policy more closely aligns to the rationale provided and discussed above for Policy 4.4.2.1(2e) by not “requiring” Retail, Commercial or community uses to front the park.</p> <p>These related policies should be applied consistently with consistent language.</p>

Schedules

3. The maximum site density for development within the Yonge Street and Carville/16th Avenue KDA is shown on Schedule C1 (Density Allocation).

Schedule C1 Map



* Highlighted Yellow – South Hill Shopping Centre Lands

* Green Outline – Proposed Phase 1 Development

South Hill Shopping Centre

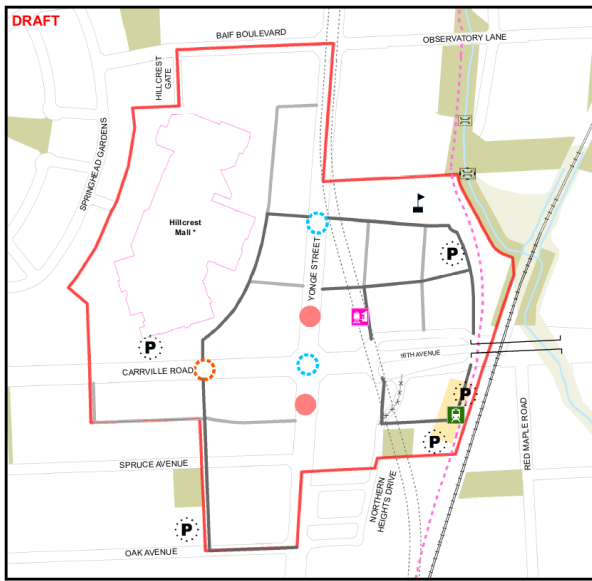
1. The north and east density parcels are both identified at a maximum FSI of 4. These two blocks are separated as indicated by the blue dashed area. We seek clarification on necessity to separate the parcels in place of one large parcel.

2. As staff are well aware, a phase 1 development proposal located in the area outlined in green is currently under review. The proposed FSI for phase 1 is 8.84. It is our opinion that the phase 1 development should be identified as its own density parcel at the higher FSI of 8.84 in the secondary plan mapping. This is consistent with other active or approved developments in the KDA south of 16th identified at FSI of 8 and 8.77. The FSI of 6 density can apply to the balance of this area.

3. As a prominent location within Richmond Hill, this area is planned to have the second highest growth after downtown, and we believe higher densities can be supported. Under the York Region Official Plan the Property is located within Protected Major Transit Station 39, and higher order transit including a potential TTC Subway station.

Our vision for the Property, as reflected in the Master Plan submitted with our development proposal, is to have the main intersection support high rise towers that may reach 50+ storeys; Yonge Street and 16th Avenue to have increased densities representative of being high order roads; and the densities to begin transitioning lower when progressing towards the interior of the site where the plazas, retail shops and parks will create a vibrant community.

Schedule C2 Map



- The location of the planned park on the property would in our view be better located along the east limit of the property. This location provides for a linear park and/or neighbourhood park that;
- 1) connects to the park system to the north creating pedestrian connections and integration to the surrounding community,
 - 2) provides opportunity to have park adjacent to future school
 - 3) can incorporate the adjacent natural features of the German Mills Creek and future connection to Bridgeview Park
 - 4) Schedules C2 & C3 locate a planned trail which should be part of a linear park
 - 5) aligns to the 2022 Parks Plan

Additionally, we seek confirmation from staff that sufficient flexibility is built into the Secondary Plan to locate planned parks without the need for amendment to the plan.