



## Staff Report for Committee of the Whole Meeting

**Date of Meeting:** November 15, 2023

**Report Number:** SRPBS.23.029

**Department:** Planning and Building Services

**Division:** Policy Planning

**Subject:** SRPBS.23.029 - Request for Approval - OPA  
18.7 Newkirk Local Centre (City File MOPA-23-0002)

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### Purpose:

A request for approval concerning a municipally-initiated Official Plan Amendment (OPA) that will update the Official Plan with area-specific policies (refer to Appendix A) to guide future development in the Newkirk Local Centre.

### Recommendation(s):

- a) That Staff Report SRPBS.23.029 be received;
- b) That Council adopt Official Plan Amendment 18.7 (attached to SRPBS.23.029 as Appendix A), and that the City's Official Plan be amended in accordance with the policy changes and modifications set out in OPA 18.7; and
- c) That following adoption of Official Plan Amendment 18.7 by City Council, a copy of the amendment be forwarded to York Region as the approval authority for consideration and approval.

### Contact Person:

Andrew Crawford, Policy Planner, phone number 905-771-5528

Brian DeFreitas, Acting Manager of Policy, phone number 905-771-5431

### Report Approval:

**Submitted by:** Kelvin Kwan, Commissioner of Planning and Business Services

**Approved by:** Darlene Joslin, City Manager

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) 18.7 is one of four area-specific amendments that form part of the Batch 2 amendments of the City's Official Plan Update (OP Update) project. This amendment redesignates the area surrounding the intersection of Major Mackenzie Drive East and Newkirk Road from a "Local Development Area" to a "Local Centre" and updates the Official Plan by including new area-specific policies for the Newkirk Local Centre. In addition, OPA 18.7 recommends modifications to existing policies of the Official Plan to ensure future planning for this area conforms with recent changes to Provincial and Regional policies and represents a comprehensive secondary plan for the Newkirk Local Centre area. The amendment implements many of the Key Directions from the [Key Directions Report](#), and addresses feedback received on the draft OPA. An overview of the policy changes proposed in OPA 18.7 is available in Staff Report [SRPI.23.068](#).

Extensive public consultation has occurred for this OPA and has taken place in tandem with the development of the recommended policy frameworks for the other three Centres that are being recommended to Council for adoption. Following the release of the draft OPA 18.7 on May 11th, 2023, a statutory open house under the *Planning Act* took place on June 7th, 2023 followed by a statutory public meeting which was held on June 20, 2023; beyond these, City staff also met with land owners and prescribed bodies on the proposed amendment. In total, the City received 36 written submissions that were in response to the four area-specific OPAs from the general public, government agencies, and landowners during the public comment period.

As a result of the feedback received, changes are proposed to OPA 18.7 from the previous draft version that was released for consultation in May 2023 and which was presented to Council at the statutory Council Public Meeting on June 20, 2023. A summary of these changes are shown in Appendix E to this report.

Overall, City staff note that the majority of the recommended changes to OPA 18.7 are technical and minor in nature, and do not propose substantial modifications to what was presented to Council at the June 20th CPM. Accordingly, the recommended changes to the OPA, as described in this staff report, are intended to provide additional clarity and certainty to the policy framework for the Newkirk Local Centre area to guide development within the Local Centre to 2051 and beyond.

In summary, the changes for OPA 18.7 consist of:

- Deletion of a policy respecting legal non-conforming existing uses;
- Modification of the side bar regarding the developable portion of the site area to clarify that hazard lands would not be included;
- Modification to remove the term "mid-rise" from the proposed building height policies;
- Minor rewording to simplify height limits for base buildings; and
- Clarification on the location and depiction of parks on OP schedules.

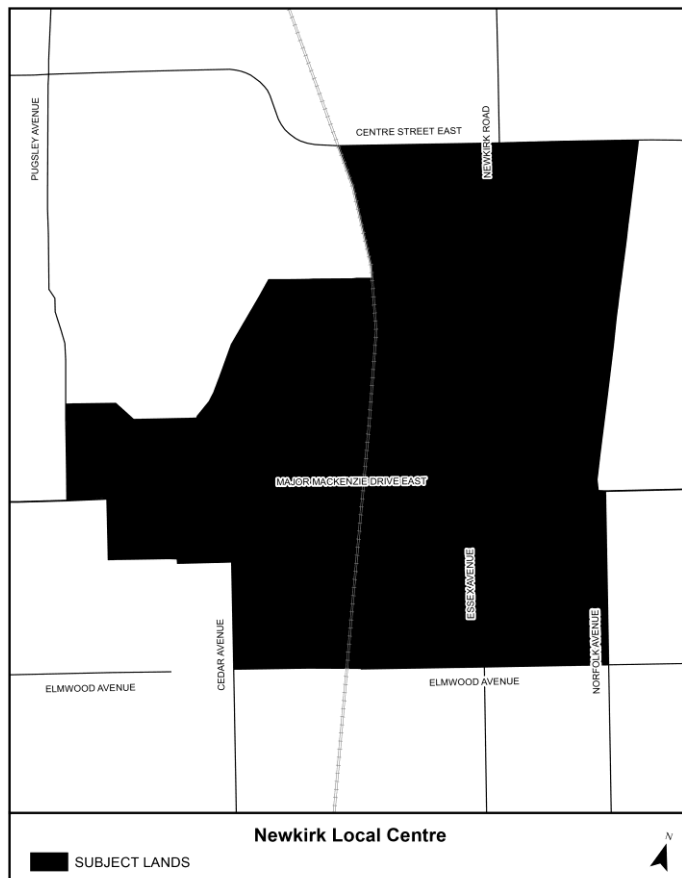
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The aforementioned modifications amend the land use and open space policies of the Official Plan for the Local Centre which are being recommended to Council for adoption. Overall, OPA 18.7 is consistent with the policies of the Provincial Policy Statement 2020, and conforms to the relevant provincial plans. The amendment also conforms to the York Region 2022 Official Plan which was approved by the Province in November 2022.

The subsequent sections of this report elaborate on the aforementioned updates and changes to OPA 18.7 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 18.7 which did not result in the need for further changes to the policies. In this regard, City staff have provided a summary of the issues raised, followed by a response with supporting rationale.

### Location:

Official Plan Amendment (OPA) 18.7 generally applies to the lands surrounding the intersection of Major Mackenzie Drive East and Newkirk Road. Below is a map displaying the lands subject to OPA 18.7. Should you require an alternative format, please call the contact person listed in this document.



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### Background:

OPA 18.7 is one of four centre-specific official plan amendments that have been developed as part of the City's Official Plan Update (OP Update). The three other centre-specific OPAs include: OPA 18.5 Yonge and Carrville/16<sup>th</sup> Ave Key Development Area (see SRPI.23.066), OPA 18.6 Village Local Centre (see SRPI.23.067), and OPA 18.8 Oak Ridges Local Centre (see SRPI.23.069). Together, these four centre-specific OPAs form the series of Batch 2 amendments to the City's Official Plan Update<sup>1</sup> and focus on providing area-specific policies to guide future development in emerging growth centres in the City. The four centre-specific OPAs have been developed in accordance with the directions set out in the Official Plan Update [Key Directions Report](#) (the "Key Directions Report").

In June 2022, Council adopted OPA 18.3 which updated the City Structure in the Official Plan. One of the changes made to the City Structure through OPA 18.3 was to redesignate the area around the Richmond Hill (Newkirk) GO Station from a Local Development Area to a Local Centre in recognition of the major transit station area centred around the Richmond Hill GO Station, and to reflect the conversion of employment lands south of Centre Street East. The development of this OPA has enabled the City to do more detailed secondary planning work to develop area-specific policies to guide future development, while identifying the need for future roads, parks, and infrastructure to serve the future population in the Local Centre.

On June 20, 2023 a statutory Council Public Meeting took place where Council considered the draft OPA 18.7 in accordance with the requirements of the *Planning Act*. At that meeting, Council received [Staff Report SRPI.23.068](#) for information purposes and directed that all comments on the proposed amendment be referred back to staff for consideration. The extract of this meeting is attached to this report as Appendix F.

### Impetus for the OPA:

OPA 18.7 aims to address matters that are important to the long-term planning of the Local Centre, including the vision for the area, permitted land uses, design elements, public realm, mix of land use, density of development, employment land conversion, and adjustments to land use designations in order to conform with the York Region Official Plan (2022) (ROP) and Provincial policies. The OPA implements the City Plan Key Directions endorsed by Council in February 2022, and supports the City's [Investment Attraction Strategy](#), [Affordable Housing Strategy](#), and [Parks Plan](#) which all have been approved by Council, and the Urban Master Environmental Servicing Plan and [Transportation Master Plan](#) which are currently in process. This proposed amendment intends to support economic development and job creation in the City. Furthermore, it also incorporates direction from the ROP regarding the delineation of protected major transit station areas in relation to the Local Centre.

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<sup>1</sup> For more details regarding the City's Official Plan Update, including copies of past staff reports, please see the city's webpage: [www.RichmondHill.ca/OPUpdate](http://www.RichmondHill.ca/OPUpdate)

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The [Key Directions Report](#) identified several key policy considerations applicable to the Newkirk Local Centre that were to be considered through the development of OPA 18.7. These directions relate to elevating the status of the area within the City's overall intensification hierarchy; converting employment lands; supporting development of a new community; updating land use compatibility policies; providing new, and maintaining existing affordable housing; and enhancing and providing connections to open spaces. In addition, the Key Directions Report also directed that policy and mapping updates to the City's Official Plan address the four pillars of the OP Update process. The four pillars include: Growing our Economy, Design Excellence, Green and Sustainable, Protect and Enhance. A full description of the proposed OPA and how the four pillars are addressed is described in the corresponding staff report that was presented to Council for information at the June 20, 2023 Council Public Meeting (see [Staff Report SRPI.23.068](#)).

### Summary of Comments Received:

Leading up to this Council meeting, OPAs 18.5, 18.6, 18.7 and 18.8 have been available for review and public comment for over 120 days. Since that time, the City has received written and verbal comments regarding the proposed modifications under OPA 18.7. At the time of writing this staff report, numerous written submissions have been received from the public, stakeholders, and public agencies in regards to draft OPA 18.7. The correspondence was submitted to the City's Official Plan Update e-mail address in advance of the Council Public Meeting and also through the Clerk that formed part of the public record on the June 20, 2023 Council Public Meeting.

City staff have reviewed, synthesized and assessed the written and verbal comments received on the OPA and have briefly summarized this feedback below. A more fulsome overview of the feedback obtained on OPA 18.7 is set out in Appendix C to this staff report. Through this review, staff are recommending additional modifications to the draft OPA in response to some of the feedback received.

### Key Feedback Received from the Public and Stakeholders

The City received the following comments and feedback on OPA 18.7 respecting the Newkirk Local Centre:

- Requests to expand the Local Centre boundary and include additional lands within the Local Centre designation;
- Requests to increase or decrease heights and/or density;
- Concern that the current level of transit service does not support the planned level of growth in the Local Centre;
- Support for high-quality urban design and gathering places;
- Requests for additional parkland within the Local Centre to support the increased number of residents;

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- Support for and agreement with the proposed policy direction to protect existing rental apartment buildings, and that stronger protections be enacted; and
- Requests to consider applying a 30 degree angular plane to accommodate transition from the adjacent Neighbourhood designation.

### **Key Feedback from External Agencies and Prescribed Bodies**

OPA 18.7 was circulated to external agencies and prescribed bodies as required by the *Planning Act* on May 11, 2023. Key messages from these agencies received on the Newkirk Local Centre are as follows:

- The City received responses from the following organizations with respect to OPA 18.7: York Region, TRCA, Metrolinx, York Region District School Board, York Catholic District School Board, Canadian National Railroad Company, Bell Canada, and TransCanada Pipelines Limited. It should be noted that none of the prescribed bodies objected to the proposed OPA.
- The City did not receive any comments from the Indigenous communities, nor did it receive comments from any neighbouring municipalities regarding OPA 18.7.
- The two York Region school boards provided comments and feedback on the proposed OPA. In meeting with representatives, York Catholic District School Board (YCDSB) did not raise any specific concerns with the proposed OPA, and noted that there is generally sufficient capacity in nearby schools to accommodate the proposed increase in population that would be generated by new development in the Local Centre. York Region District School Board (YRDSB) did not identify a need for a school site within the Local Centre based on the build-out population numbers in the proposed OPA; however, depending on the timing of new development, students may need to be accommodated at schools outside of the local community. The City did not receive feedback from the French school board, Conseil Scolaire Viamonde, with respect to OPA 18.7.
- York Region provided technical comments on OPA 18.7 regarding protected major transit station areas (PMTSAs), affordable housing, water and wastewater servicing, public health, transportation, and water resources. It should be noted that staff met with York Region on multiple occasions, and worked closely with Regional planning staff to address their comments.
- Toronto and Region Conservation Authority (TRCA) provided comments with respect to OPA 18.7. They identified that some lands in the proposed Local Centre designation are within the TRCA's regulated area of German Mills Creek, and that any proposed development or site alteration would be subject to the appropriate setbacks and buffers, and that safe access to and from sites containing hazardous lands would be a prerequisite to evaluating development potential. Evaluation of individual sites would be made at the time of a development application.

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### **Detailed Response to Comments Received:**

The following feedback and key themes were raised during public consultation on OPA 18.7. These themes are in addition to the overarching comments noted above; they represent important aspects of the proposed policy framework that are expected to have the most notable impacts on the future vision and planning for the Newkirk Local Centre over the long-term. In that regard, and based on a fulsome review of the feedback received, City staff are recommending that additional modifications to the policies and associated schedules of OPA 18.7 be approved by Council in response to the themes as follows. A full list of recommended modifications to OPA 18.7 is attached to this report as Appendix E.

#### **Proposed Changes to the OPA**

##### **Local Centre Boundary**

Concerns were raised with regards to how the proposed boundary of the Newkirk Local Centre does not align with the boundary of PMTSA #50 (Richmond Hill GO Station). To address this, Staff propose a modification to OPA 18.7 to remove one parcel in the western portion of the Local Centre (103 Pugsley Avenue) from the proposed Local Centre boundary. This parcel is currently designated as “Neighbourhood” in the OP, and it is recommended that it remain under that designation. At the time of the release of the draft OPA 18.7 in May 2023, this parcel was the only landholding within the Newkirk Local Centre boundary that was situated outside of PMTSA #50. Accordingly, the removal of this parcel would result in the Local Centre boundary aligning with the boundary of PMTSA #50. The parcel proposed to be removed currently contains Regional infrastructure, and did not have growth assigned to it, so its removal from the Local Centre designation will have minimal impact on the growth projections for the remainder of the Local Centre.

##### **Expansion of legal non-conforming uses**

Proposed policy 4.3.3.1(4) of OPA 18.7 relates to the expansion of existing uses that would become non-compliant with the policies under the new Local Centre designation following the approval of the amendment. This policy would primarily affect the existing employment uses in the Newkirk Business Park with the intent to allow businesses to continue to function (and expand if necessary) in the interim, and preferably with consideration to other community-building policies of the OPA. Upon further review, staff recognize that existing policies in Section 5.13 of the Official Plan already accomplish the intentions of proposed policy 4.3.3.1(4), and recommend deleting proposed policy 4.3.3.1(4) to reduce duplication in the OP.

##### **Height and Built Form Transition**

In response to a number of comments and submissions related to the heights proposed in OPA 18.7, staff undertook a review of the policies relating to height and built form transition. While it is recommended that the proposed heights in OPA 18.7 remain unchanged from what was identified in the draft OPA released in May 2023 (see section below for rationale), staff recognize that there is an opportunity to simplify the proposed

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policies surrounding height and built form transition in the Local Centre (refer to policy 4.3.3.1(11) (originally 4.3.3.1(12)), and bring them into greater alignment with both existing OP policies and the other Batch 2 OPAs. Sub-policies (b), (c), and (g) relate to the street wall, base building, and transition to abutting Neighbourhood lands; however, all three provide the same outcome, a maximum height of 3-4 storeys for the portion of the building closest to the street. In that regard, staff recommend rewording sub-policy (b) to focus on the height of the base building (podium), and deleting (c) and (g) to simplify the policies. With these modifications, all development in the Local Centre would continue to be subject to a maximum 4 storey base building, or 3 storeys for any properties that abut the Neighbourhood designation. Existing policy 3.4.1(59) of the OP and the City's Urban Design Guidelines are sufficient to regulate the height of the street wall, which will be considered at the time of a development application.

Additionally, policy 4.3.3.1(13) of the May 11<sup>th</sup> draft of the OPA was proposed to reinforce that the angular plane and other placemaking policies of the OP apply to limit the height of development, at levels potentially lower than the maximum. In the interest of simplifying the OP and minimizing repetition, staff recommend that this proposed policy be deleted from the final draft of OPA 18.7; however, its concept of maximum building height being limited by other policies would continue to apply.

### **Location of Parks and Open Spaces**

To provide additional clarity surrounding the public parks and open spaces proposed on Schedule G2 to OPA 18.7, staff recommend modifications to policies 4.3.3.3 (6) and (7) of the amendment to recognize that Schedule G2 does not show the exact boundary of proposed parkland, and that minor adjustments to their size and location would not require an OPA. This change also improves consistency with OPAs 18.5, 18.6 and 18.8.

### **Developable Portion of the Site Area**

A sidebar is proposed to be included next to policy 4.3.3.1(10) (originally 4.3.3.1(11)), which provides additional explanation and additional clarity regarding the calculation of density. Staff are also recommending proposed modifications to the wording in this sidebar, in order to provide additional clarity and reduce duplication by referring to terms already defined in the OP (such as *developable area* and *hazard lands*) where possible.

### **Response to Comments resulting in no additional Policy Changes to the OPA**

The following section provides responses to comments received on OPA 18.7, but for which no further policy change is proposed.

#### **Angular Plane**

Several comments were received regarding the application of angular plane and the angular plane policies applicable to lands within the Local Centre. The feedback received suggested applying a more aggressive 30 degree angular plane in order to lower building heights further on properties adjacent to the Neighbourhood designation.



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In response, staff undertook a detailed review of the City's angular plane policies set out in the Official Plan and how these policies align with other municipal land use planning approaches related to transition. Overall, staff found that the City's current policies are generally comparable to other municipal approaches and best practices regarding the application of angular plane. As the City continues to urbanize, staff will monitor how other urban jurisdictions apply transition policies in comparable neighbourhoods.

In light of the foregoing, Staff are not proposing changes to the City's angular plane policies including the provisions applicable to the Newkirk Local Centre. The City's Official Plan includes policies that are in addition to angular plane requirements to help regulate built form and transition to adjacent low density residential areas. When applied collectively, these policies help to achieve transition, without the need to apply aggressive angular plane requirements. These include policies in the City's OP and other development standards regarding built form, massing, at-grade treatments, height, exterior design, streetscape design, sun/shadow studies and wind control, human scale urban design, tower separation, compatibility, setbacks, and base building heights, and requiring urban design reports. The combination of these policies and development standards alongside the application of a 45 degree angular plane requirement helps to achieve built form transition. In addition, staff note that there are potential implications and unintended consequences associated with the application of aggressive angular plane requirements, such as 30 degrees compared to 45 degrees. Applying a more aggressive angular plane can reduce the number of potential units yielded by development which results in fewer people and jobs in the Centres. This difference may make redevelopment opportunities less attractive, and may also negatively impact the City's ability to achieve its housing and employment targets. In light of the foregoing, staff are not recommending any changes the City's angular plane policies, as set out in the Official Plan.

### **Height and Density**

Correspondence was received on behalf of 162-182 Norfolk Avenue, with a number of requests specific to their site, including: that base building height permissions be increased to 6 storeys; maximum building heights be increased to 16 storeys, and density be increased to a maximum of 5.4 FSI for their lands. Staff note that the subject properties are currently part of an active development application (including an Official Plan Amendment application). The site-specific building heights and densities being proposed for this site do not align with the permissions recommended under OPA 18.7. In this regard, the requested permissions would be more appropriately considered through the site-specific development applications.

Multiple deputations and correspondences discussed the appropriateness of the level of intensification proposed through OPA 18.7 given the existing level of transit service for the Newkirk Local Centre. It is important to recognize that the Official Plan, and the policies of OPA 18.7, will be guiding development out to 2051, and full buildout of the Newkirk Local Centre is likely to occur beyond this timeframe. Development that will be in place for the next 30+ years cannot be restricted solely by the level of transit service

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that operates today. Transit improvements have been identified for the Newkirk Local Centre, including a future bus rapid transit corridor along Major Mackenzie and two-way all day service on the Richmond Hill GO line. Additionally, population and job growth in the Newkirk Local Centre will create new ridership, and incentivize the improvement of transit service to the Local Centre. Staff have reviewed the proposed density for the Newkirk Local Centre, and continue to recommend this density as appropriate for the level of transit service proposed for the Local Centre over the long term.

### Parks and Open Spaces

Comments were received regarding the perception of limited parks and urban open spaces in OPA 18.7. As is noted in the Basis section of OPA 18.7, the proposed OPA is informed by and implements the planned parks outlined in the City's 2022 Parks Plan. Furthermore, as was noted in [Staff Report SRPI.23.018](#), which was received by Council at the January 30, 2023 Special Council Meeting, Bill 23, the *More Homes Built Faster Act, 2022* changed the *Planning Act* requirements for parkland dedication and cash-in-lieu to provide more certainty in parkland costs in order to facilitate housing development. The Bill 23 changes to the *Planning Act* reduced the amount of parkland/cash-in-lieu of parkland that municipalities are allowed to acquire as a community grows. These reductions specifically relate to areas with growing, intensified and largely vertical communities, for which new maximum parkland caps have been established.

Newkirk Local Centre is already well-served by existing parkland, as there are five public parks within a short walking distance of the Local Centre. In line with the 2022 Parks Plan, Schedule G2 of OPA 18.7 identifies a proposed expansion to Essex Parkette to accommodate population growth in the Local Centre. Beyond this, the policies of the amendment expect new development to contribute urban plazas. These privately-owned, publicly-accessible spaces will help contribute to the public realm and provide many of the benefits of public parks, such as providing gathering places and connections, acting as local landmarks and establishing an identity for the Local Centre.

The amount of planned parkland identified in OPA 18.7 implements the City's 2022 Parks Plan service level standard with respect to walking distance to parkland. It also provides the maximum amount of parkland possible in the Local Centre as a result of the Bill 23 legislative changes to the *Planning Act*.

### Groundwater

At the Open House and in other correspondence received, a number of local residents within and near the Local Centre commented on the presence of a high groundwater table in the area surrounding the Local Centre. In addition, concerns were raised regarding the impact of a high groundwater table on underground parking structures, including those within existing apartment buildings in the area. This feedback is relevant to the Newkirk Local Centre as some sites in the Local Centre will need to accommodate GO commuter parking in addition to providing parking spaces for residents, employees, and shoppers. Hydrogeological conditions within the Newkirk

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Local Centre and nearby areas will be evaluated through technical studies at the time of submission of a complete development application. These technical studies include, but are not limited to: hydrogeological studies, functional servicing reports, and supporting Geotechnical, Hydrogeological and Water Balance studies in accordance with Sections 5.3 and 5.25 of the Official Plan. As part of the built-form analysis conducted for OPA 18.7, scenarios were considered where above-ground parking would be required; this analysis demonstrated that it would be possible to accommodate parking in above-grade structures while still meeting the built-form policies such as height and density.

### **Traffic and Parking**

Comments and concerns were received regarding traffic in the area and across the City resulting from the growth proposed through the centre-specific OPAs. Both the Region and City are committed to closely monitoring traffic conditions to identify and implement mitigation measures as needed. As growth occurs, an increasing shift towards alternative modes of transportation, such as transit and active transportation, will be encouraged to help accommodate higher volumes of traffic. This approach not only alleviates congestion but also promotes sustainable and environmentally friendly commuting options. In terms of specific traffic safety concerns, residents can contact the City's Traffic Safety and Operations section to identify issues and address concerns.

With regards to parking spaces for commuters and residents/employees, OPA 18.7 does not set a specific rate for commuter parking spaces in the Official Plan; instead, provisions related to parking will be included in the Comprehensive Zoning By-law, with input sought from Metrolinx as it relates to commuter parking lands. Staff anticipate that the Richmond Hill GO Station will need to accommodate current and future users from the rest of the City and outside of the Local Centre, and some commuter parking spaces will need to be provided in future development. Creating a complete community (where amenities are available within walking distance of where people live/work) will reduce the need for residents/workers to drive everywhere. Convenient access to rapid transit also provides another option for residents/workers to be less dependent on cars.

### **Local Centre Boundary**

Correspondence was received on behalf of 150 Colbourne Avenue and 9960 Bayview Avenue, requesting their inclusion within the Newkirk Local Centre boundary and to be subject to similar height and density permissions as properties within the Local Centre designation. Staff note that the subject properties are a considerable distance (approximately 1km) from the intersection of Major Mackenzie Drive East and Newkirk Road, the centre of the Local Centre, and are outside of the boundary of PMTSA #50. The subject properties would not be considered to be within a walkable distance of the Richmond Hill GO Station (generally accepted as a 500 to 800 metres distance). Additionally, the subject lands are already included in the City's network of centres and corridors (150 Colbourne Avenue is designated Local Mixed Use Corridor and 9960 Bayview Avenue is designated Local Development Area). In that regard, these lands already benefit from permissions that allow for intensification. As such, staff are not

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recommending additional modifications to OPA 18.7 to redesignate these lands for inclusion within the Newkirk Local Centre designation.

Similarly, requests were received to include properties on Centre Street East located west of the CN railroad tracks. Similar to the above properties, the Centre Street East properties are located outside of the boundary of PMTSA #50, as designated in the York Region Official Plan. As such, these lands are not recommended to be included within the Newkirk Local Centre designation.

There are additional parcels within the boundary of PMTSA #50 that are outside of the proposed Local Centre designation. In order to focus growth closest to the GO Station, it is appropriate at this time to only include the lands closest to the GO Station within the Local Centre designation. Lands within PMTSA #50 that are outside of the Local Centre designation may have the ability to be redeveloped subject to the policies of the Neighbourhood designation, and their potential growth will contribute to the residents and jobs target for the overall PMTSA.

### **Protection for Affordable Housing**

Comments were received requesting additional protections for existing affordable rental apartment buildings within the Local Centre. Staff note that the OP already has policies in place that prevent the demolition or conversion of existing rental apartment units (see policy 3.1.5(4)). While the current OP policies would not prevent the replacement of existing rental units as part of new rental developments, staff will continue to explore whether updates to the existing OP policies are warranted through the forthcoming Housekeeping OPA, which will be addressed in the next phase of the City's OP Update process.

### **Planning Analysis:**

Under the Ontario land use planning framework, the City of Richmond Hill is subject to numerous policy documents and pieces of legislation, including the *Planning Act*, the Provincial Policy Statement, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan"), the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan ("ORMCP"), and the Parkway Belt West Plan. As Richmond Hill is a lower-tier municipality, it is also subject to the Regional Plan of its upper-tier municipality; in this case, the 2022 version of the York Region Official Plan.

City Staff have reviewed the relevant legislation as well as provincial and regional plans to confirm that OPA 18.7 conforms with the above documents. It is important to recognize that OPA 18.7 is one of multiple planned amendments which together form the City's Official Plan Update. While the policies of OPA 18.7 conform to provincial and regional plans, as noted in the Basis section of the OPA, full conformity with the York Region Official Plan shall be achieved through a combination of: (1) existing City-wide Official Plan policies; (2) area-specific policies contained in this Official Plan Amendment; and (3) future amendments to the Official Plan.

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The following sections summarize the relevant legislation, provincial and regional plans and policies that apply to OPA 18.7. More information may be found in Appendix D, which contains a table outlining relevant provincial and regional policies, and how the proposed OPA conforms to these policies.

### **Planning Act**

The *Planning Act* authorizes municipalities to identify and delineate the boundary of protected major transit station areas (PMTSAs), and to identify land uses and minimum and/or maximum density and/or heights of buildings or structures on lands within PMTSAs. Upon doing so, these matters are protected from appeals. As such, OPA 18.7 identifies the Newkirk Local Centre as an intensification area located within a PMTSA, which has been approved by the Province through its approval of the 2022 York Region Official Plan.

### **Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) includes policies which encourage compact, mixed-use development to support liveable and resilient communities while considering housing needs. Accordingly, OPA 18.7 directs higher density development within the Local Centre, and permits a range of both residential and non-residential development to support a mix of land uses.

The Provincial Policy Statement (2020) also includes policies related to employment areas and conversions. A significant portion of the Newkirk Local Centre was previously designated as employment lands under the 2010 Richmond Hill Official Plan. Through analysis completed as part of York Region's municipal comprehensive review, it was recommended that the portion of the Newkirk Business Park south of Centre Street East was not required for the City's employment purposes over the long term, in line with the requirements of the Provincial Policy Statement. A more detailed analysis of employment lands and conversion requests, including those pertaining to the Newkirk Business Park, is contained within [Staff Report SRPRS.20.003](#). OPA 18.7 completes the employment land conversion through the redesignation of the subject lands to a mixed-use designation.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

*A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)* includes policies which support the achievement of complete communities, and prioritizes Major Transit Station Areas (MTSAs) on priority transit corridors. Accordingly, OPA 18.7 plans for a complete community by integrating a mix of uses in a compact form that provides for amenities and services within a 15-minute walk or 5-minute bike ride.

### **York Region Official Plan (2022)**

The 2022 York Region Official Plan was approved by the Province in November 2022. It contains policies and mapping which identify the lands surrounding the Richmond Hill

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GO Station as Protected Major Transit Station Area (PMTSA) #50. PMTSA #50 has a prescribed minimum density target of 150 residents and jobs per hectare. The purpose of PMTSAs and the process of identifying them, as well as the City's input into that Regional process is documented in [Staff Report SRPRS.20.004](#).

To support the minimum prescribed density for the PMTSA's, the Regional Official Plan directs: (1) that the area support a mix of land uses to be identified in the City's Official Plan; (2) that the City provide direction regarding built form and scale of development to support and implement the Regional intensification hierarchy, (3) that the City consider identifying a residents to jobs ratio target to ensure live work opportunities and an appropriate balance of jobs to population, and (4) that the City provide affordable housing targets. Accordingly, OPA 18.7 identifies all of the Newkirk Local Centre as being located within PMTSA #50, and provides a target ratio of 7 residents to 3 jobs, which is intended to be achieved over the long term through the implementation of policies provided in the OP. Through a subsequent OPA, the City will update its affordable housing targets and definitions to further implement the ROP direction regarding affordable housing.

### Local Policy Context and Considerations

Section 3.1.3 of the Richmond Hill Official Plan (OP) outlines the City Structure, which depicts the physical makeup of the City over the long-term planning horizon. It also contains the intensification hierarchy, which clarifies the City's priorities for where new growth is to occur within the City. The area affected by OPA 18.7 is identified in the City Structure as a Local Centre, which according to the intensification hierarchy means it will accommodate intensification at a scale and intensity that is less than a Key Development Area (KDA), and greater than a Local Development Area (LDA). Local Centres are strategic growth areas, and will be important community focal points that will develop as revitalized, mixed-use centres with pedestrian-oriented, human-scaled main streets.

OPA 18.3 redesignated the area subject to OPA 18.7 from a LDA to a Local Centre. The policies of the proposed OPA are designed to supplement, and in some cases modify the existing LDA policies in order to provide a policy framework that will support development of the Newkirk area in line with its new position in the OP intensification hierarchy. The recommended policies of the OPA direct for this by employing modern approaches to city building and good planning principles. OPA 18.7 will also satisfy the secondary planning requirements of the OP for the Newkirk area, which are set out in Chapter 5 of the OP.

It is important to note that the policies contained within the proposed OPA are not stand-alone, and that these proposed policies are intended to work with and complement the existing policies of the OP. When considering the appropriateness of the proposed OPA to guide development within the Local Centre, the balance of the OP policies regarding City Vision, City Building, Implementation and Interpretation must also be taken into consideration and applied as necessary.

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### Public Consultation:

In addition to the consultation detailed in Staff Report SRPI.23.068, further engagement occurred and has been summarized in a report prepared by LURA Consulting entitled “Phase 3 Batch 2: What We Heard – Official Plan Amendments 18.5, 18.6, 18.7, and 18.8 Summary Report” (refer to Appendix C). The What We Heard report represents a summary of the feedback received on all four of the Batch 2 OPAs, including the Yonge Street and Carrville/16<sup>th</sup> Avenue Key Development Area, Village Local Centre, Newkirk Local Centre, and Oak Ridges Local Centre. The What We Heard Report provides a high level overview of the feedback and issues that were expanded on in the earlier sections of this staff report. Below is a summary of the engagement opportunities and notification associated with the development of OPA 18.7.

### Engagement

Staff conducted extensive consultation on OPA 18.7 using a variety of methods, as follows:

#### In-Person Open House

On June 7, 2023, the City hosted a combined public open house for the four Batch 2 OPAs. The event was held at the McConaghy Seniors' Centre, 10100 Yonge Street from 7:00 p.m. to 9:00 p.m. Open House attendees had the opportunity to review material presented on a series of display boards, ask questions to City staff, and provide comments on each of the four proposed OPAs.

The Open House was well attended. The City received 224 registrations for the Open House, and 166 participants attended the Open House event.

#### Council Public Meeting

A Council Public Meeting, pursuant to Section 26 (3) of the *Planning Act* was held on June 20, 2023 to notify the public and receive comments on the proposed Official Plan Amendments. Members of the public were invited to submit written comments before the meeting and provide oral delegations to Council during the meeting. Overall, 36 written comments were submitted, and 18 requests for oral delegations were received at the Council Public Meeting with respect to the four centre-specific OPAs. These submissions included other orders of government, regulatory agencies, property owners and/or their delegated representatives, community associations, individual residents/business owners, and other community members.

#### Stakeholder and Landowner Meetings

Stakeholder meetings with prescribed agencies (Metrolinx, York Region, Alectra, School Boards, and the Toronto and Region Conservation Authority) occurred in March 2023 to discuss the proposed OPA prior to the public release. Follow-up meetings with York Region planning staff occurred in June and September 2023 to discuss additional feedback received. A meeting with local landowners was held in April 2023 to inform the development of OPA 18.7.

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### Notification

OPA 18.7 has been initiated under 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 June 7, 2023 and on June 20, 2023 respectively. Notice for these events was issued on May 11, 2023 through the City's website, social media, and the Liberal newspaper, and re-issued on May 18, 2023.

Notice for today's meeting regarding the adoption of OPA 18.7 has been provided to all persons who formally requested to the City Clerk that they 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.

### Next Steps:

Following Council adoption of OPA 18.7, staff will provide Notice of Adoption to all prescribed bodies and those who have requested to be notified of Council's adoption.

Additionally, a copy of the OPA and its associated record will be provided to York Region, who is responsible for issuing approval of the Council adopted amendment. As the approval authority, the Region has the authority to approve, modify and approve, or refuse Council's decision to adopt an official plan amendment. Notification of the Region's decision will be issued to all prescribed bodies and to those who have requested notification. Following the 20-day appeal period, if there are no appeals, the amendment will come into force. In the meanwhile, staff will continue to work on the City's Official Plan Update, with public consultation on Batch 3 OPAs to be held in 2024.

### 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-Laws, which are presently under review and for which a separate workplan and budget is established.

### Relationship to Council's Strategic Priorities 2020-2022:

Updating the Official Plan is identified as a Council Priority. OPA 18.7 supports all four of Council's Strategic Priority areas by directing the majority of growth to strategic growth areas, particularly the Newkirk Local Centre. The proposed OPA also helps to create a strong sense of belonging by enhancing the public realm and creating new focal points and gathering places. With regards to getting around the City, the proposed OPA provides a location for development to take place next to an existing transit station, and calls for the implementation of new active transportation facilities, which helps provide transportation choices for residents and workers. Finally, the proposed OPA promotes fiscal responsibility by coordinating the secondary planning process with



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infrastructure planning through the Parks Plan, the Transportation Master Plan, the Urban Master Environmental Servicing Plan and other important City initiatives.

### **Climate Change Considerations:**

OPA 18.7 supports climate change mitigation and adaptation by promoting compact development and complete communities with higher density development and a mixed of uses. The OPA advocates for transit-oriented development and intensification around the existing Richmond Hill GO Station, and it provides for cycling and pedestrian facilities within the area. All of these measures will help decrease travel times and reliance on automotive vehicles while reducing greenhouse gas emissions.

### **Conclusion:**

The purpose of this report is to request that Council adopt OPA 18.7 for the Newkirk Local Centre. OPA 18.7 is a municipally-initiated Official Plan Amendment to the City's Official Plan (refer to Appendix A) which seeks to add or modify policies to the Official Plan surrounding the Newkirk Local Centre to address several key directions contained in the City Plan 2041 Key Directions Report, as endorsed by Council in February 2022. The OPA implements provincial and regional policy directions regarding complete communities and represents a city-building approach to intensification in a strategic growth area of the City. Adoption of this OPA will complete the secondary planning process for the Newkirk Local Centre and help guide development in this important centre.

### **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 A - Official Plan Amendment (OPA) 18.7 Newkirk Local Centre
- Appendix B - Implementing By-law
- Appendix C - Engagement Summary Report prepared by LURA ("What We Heard Report") Phase 3 Batch 2: What We Heard – Official Plan Amendments 18.5, 18.6, 18.7, and 18.8 Summary Report.
- Appendix D - Provincial and Regional Conformity Table
- Appendix E - Table of proposed changes to OPA
- Appendix F - Extract from the Council Public Meeting on June 20, 2023

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### Report Approval Details

Document Title:	SRPBS.23.029 - Request for Approval - OPA 18.7 Newkirk Local Centre.docx
Attachments:	<ul style="list-style-type: none"><li>- SRPBS.23.029 - Appendix A - Official Plan Amendment 18.7 Newkirk Local Centre-AODA.pdf</li><li>- SRPBS.23.029 - Appendix B - Implementing By-law-AODA.pdf</li><li>- SRPBS.23.029 - Appendix C - Phase 3 Batch 2 18.5-8 Engagement Feedback Summary-AODA.pdf</li><li>- SRPBS.23.029 - Appendix D - Provincial and Regional Conformity-AODA.pdf</li><li>- SRPBS.23.029 - Appendix E - Table of Proposed Changes-AODA.pdf</li><li>- SRPBS.23.029 - Appendix F - Council Public Meeting Extracts - June 20, 2023.pdf</li></ul>
Final Approval Date:	Oct 23, 2023

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

**Maria Flores - Oct 23, 2023 - 4:17 PM**

**Kelvin Kwan - Oct 23, 2023 - 4:47 PM**

**Darlene Joslin - Oct 23, 2023 - 5:26 PM**