

November 28th, 2023

Attention: Mayor and Members of Council, City of Richmond Hill

**Attention: Kelvin Kwan, MCIP, RPP
Commissioner, Planning and Infrastructure Department**

Attention: Mr. Gus Galanis, Director of Development Planning

Attention: Brian DeFreitas MCIP, RPP, Senior Planner

**Re: Input to the Approval of OPA 18.6 Village Local Centre (SRBPS.23.045)
City File No. MOPA-23-0001
Special Council Meeting – November 29, 2023**

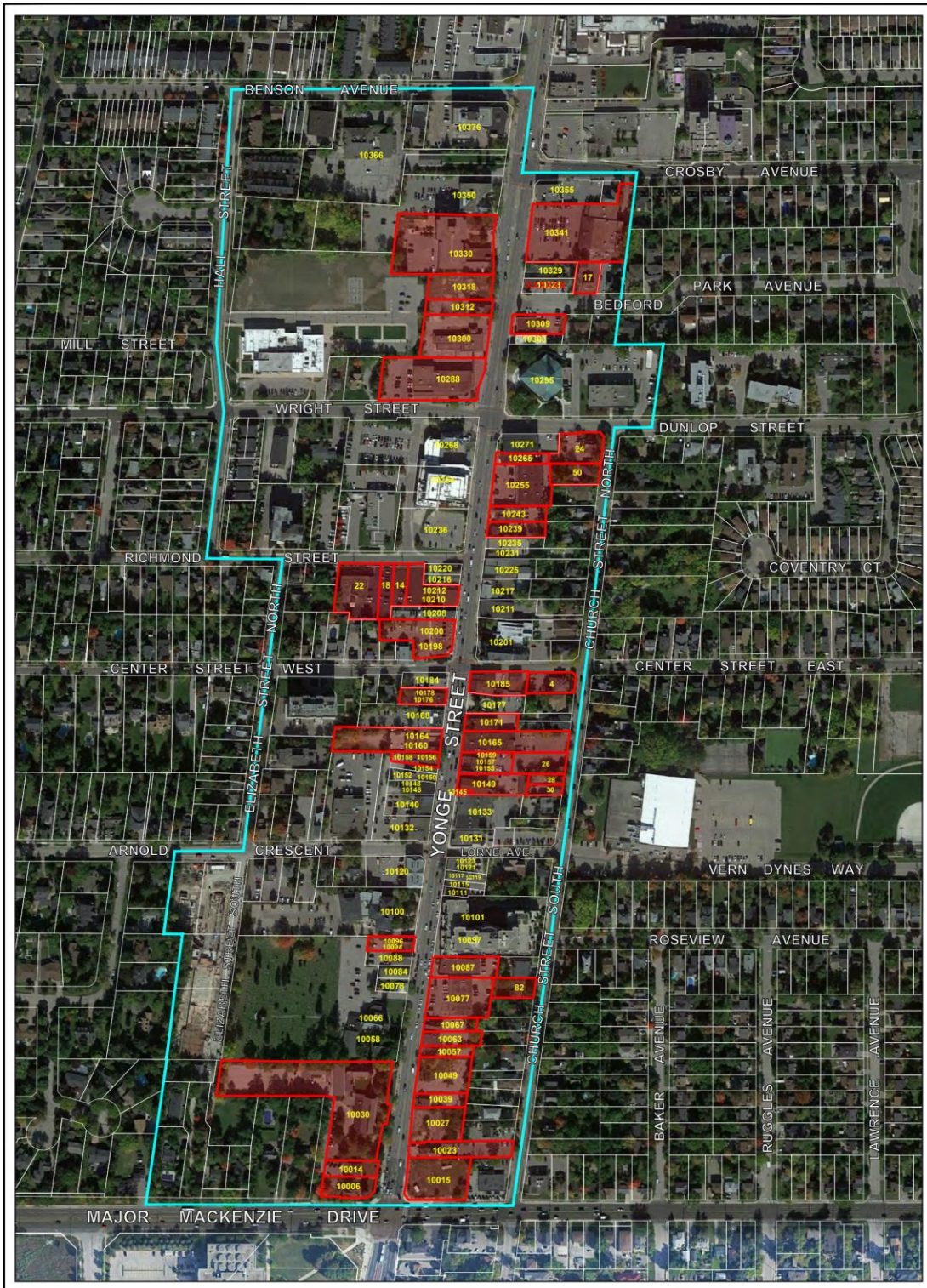
Greetings Mayor West, Members of Richmond Hill Council, Commissioner Kwan, Planning Director Galanis, and Senior Planning Staff:

Brutto Consulting is pleased to submit this letter on behalf of our client, the Downtown Richmond Hill Property Owners Group, who are the owners of properties within the area affected by OPA 18.6. Our client has been involved in this Official Plan update process since its inception and will continue to do so in order to assist the City of Richmond Hill in its deliberations on intensification of this cornerstone area of the City.

The subject properties are located on Yonge Street between Major Mackenzie Drive and Benson Avenue and are represented by 60 different owners, Refer to *Attachment 1: Site Context Aerial Map*.

The subject properties are currently occupied by low-rise buildings, and have a relatively flat topography, with no significant natural features on-site that would present any constraint to development. The sites are situated in the Downtown Local Center of Richmond Hill and are surrounded by similar low-rise commercial uses as well as some institutional uses. Sites on the east, southwest and south portion of Yonge Street back onto residential uses while properties on the northwest portion of Yonge Street back onto commercial uses. Many of the properties are serviced by existing ring roads which would ensure minimal impacts to Yonge Street by any future development. As seen in *Attachment 1*, sites to the east abut Church Street at the rear and sites to the west abut Hall Street and Elizabeth Street North. Additionally, the boundaries of OPA 18.6 naturally lend themselves to greater intensification as there are many opportunities for

heritage preservation and greater building heights and massing without impact to the surrounding low-density community. It should also be noted that there are current applications to intensify beyond the OPA 18.6 area.



Attachment 1: Sites Context Aerial Map

We have reviewed the proposed Official Plan Amendment 18.6 – Village Local Centre, and we are of the opinion that the maximum heights, densities, and angular plane requirements on the subject properties limit the feasibility of present and future development and are not consistent with provincial and regional policies.

The proposed Official Plan Amendment has captured a future area, Village Local Centre, within the Downtown Local Centre which is meant to be a mixed-use hub and a focus of intensification in Richmond Hill. This plan sets out several development requirements including maximum FSI. Refer to *Attachment 2: Proposed Yonge Street Density Allocation*.

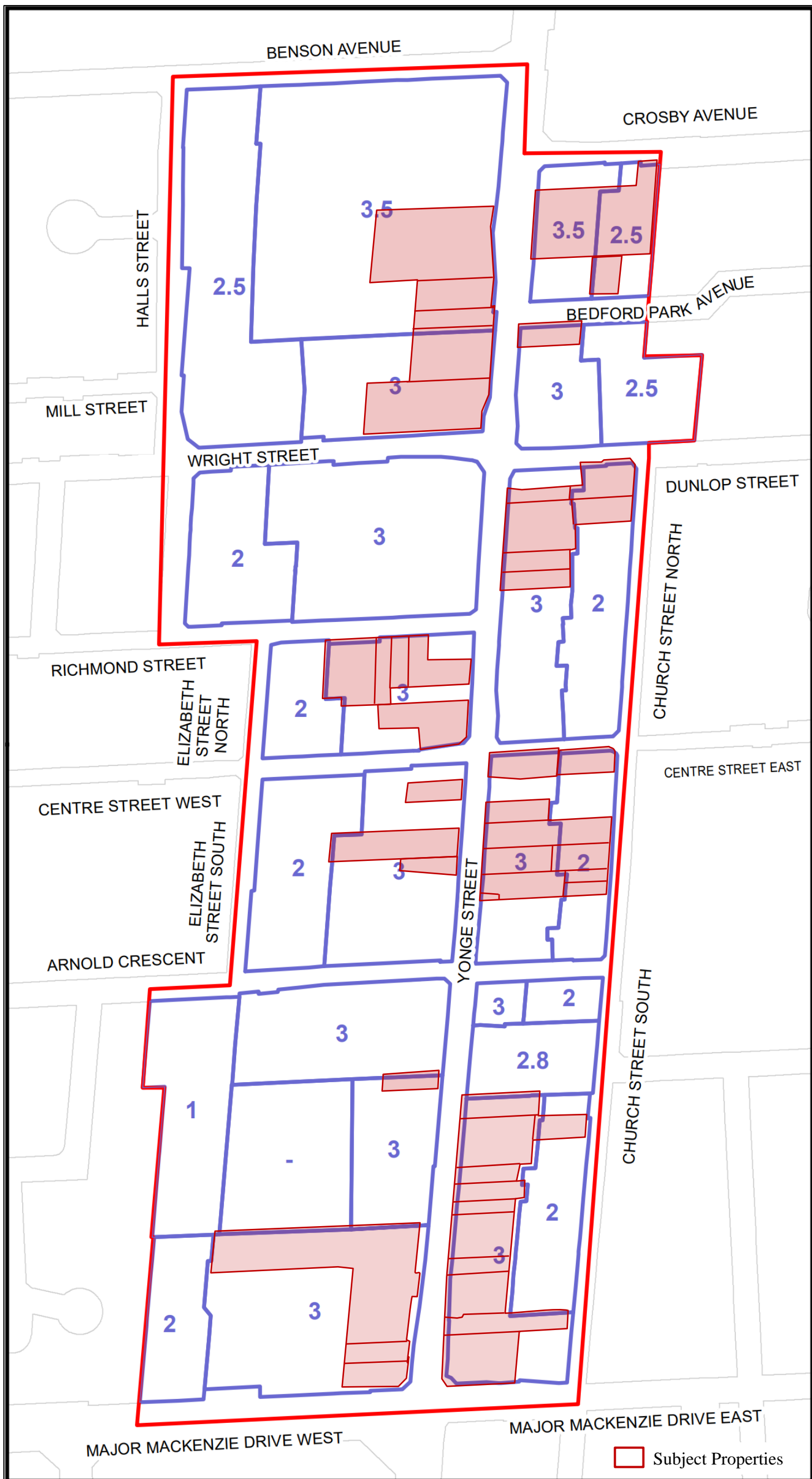
However, we question some specific elements of the proposed Official Plan Amendment as it pertains to the height, density and angular plane requirements allocated to our client's properties given provincial requirements and concerns with future growth.

The proposed Official Plan Amendment (18.6) for the Village Local Centre has been created to address matters such as the long-term planning vision, permitted land use, design elements, public realm, mix of land use, density of development, and adjustments to boundaries in the subject area. OPA 18.6 also amends the land use framework to designate the areas north and south of the site to be Regional Mixed-Use Corridors that would see the highest density of development.

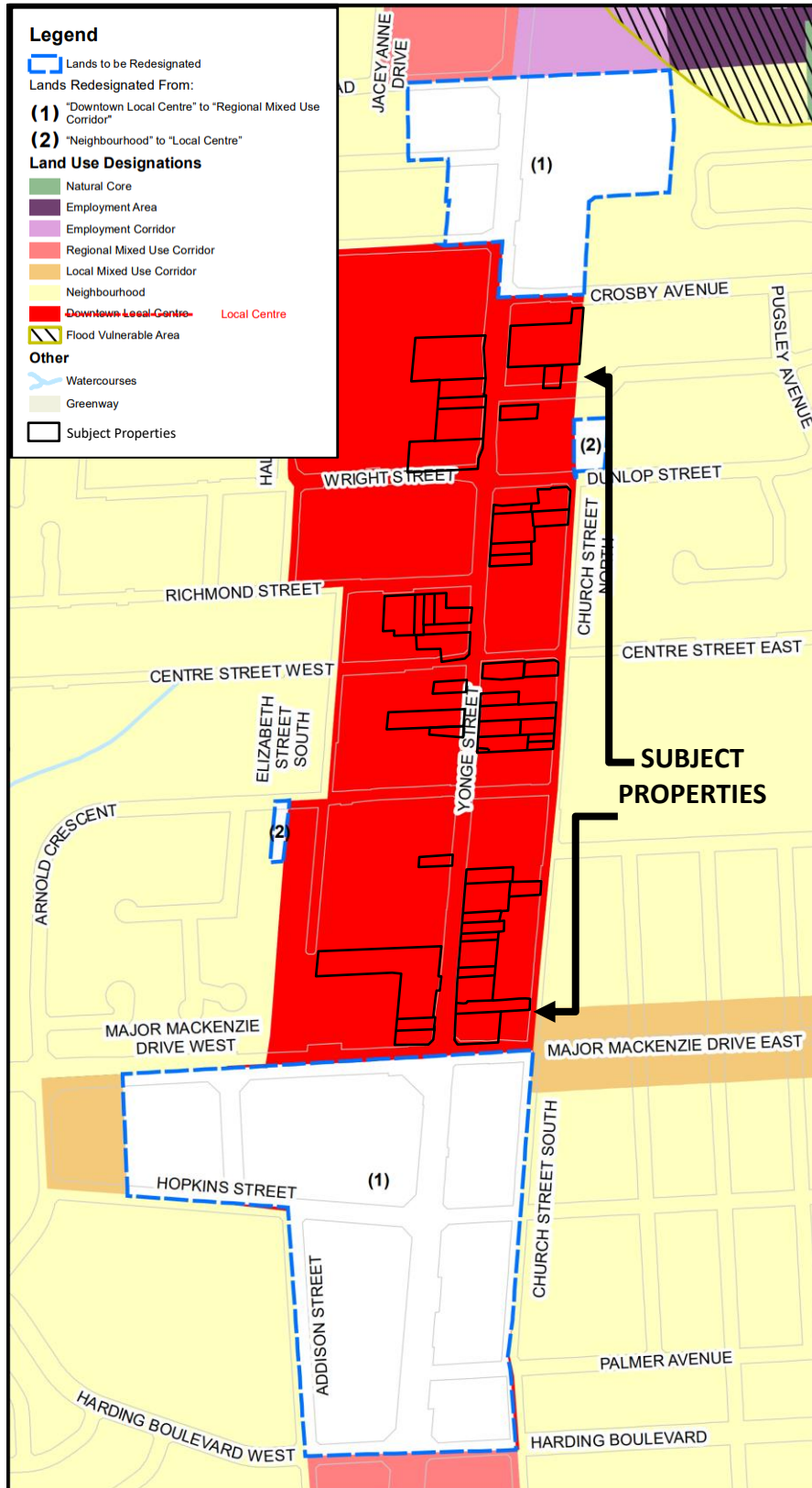
The Official Plan amendment imposes the following restrictions on height and density:

- (a) Maximum densities as outlined on *Attachment 2: Proposed Yonge Street Density Allocation*
- (b) Maximum height of up to 9 stories on sites south of Dunlop St. and Wright St.
- (c) Maximum height of up to 15 stories on sites north of Dunlop St. and Wright St.
- (d) For properties fronting Yonge Street, a 45-degree angular view plane projected from the adjacent property line on the opposite side of Yonge Street

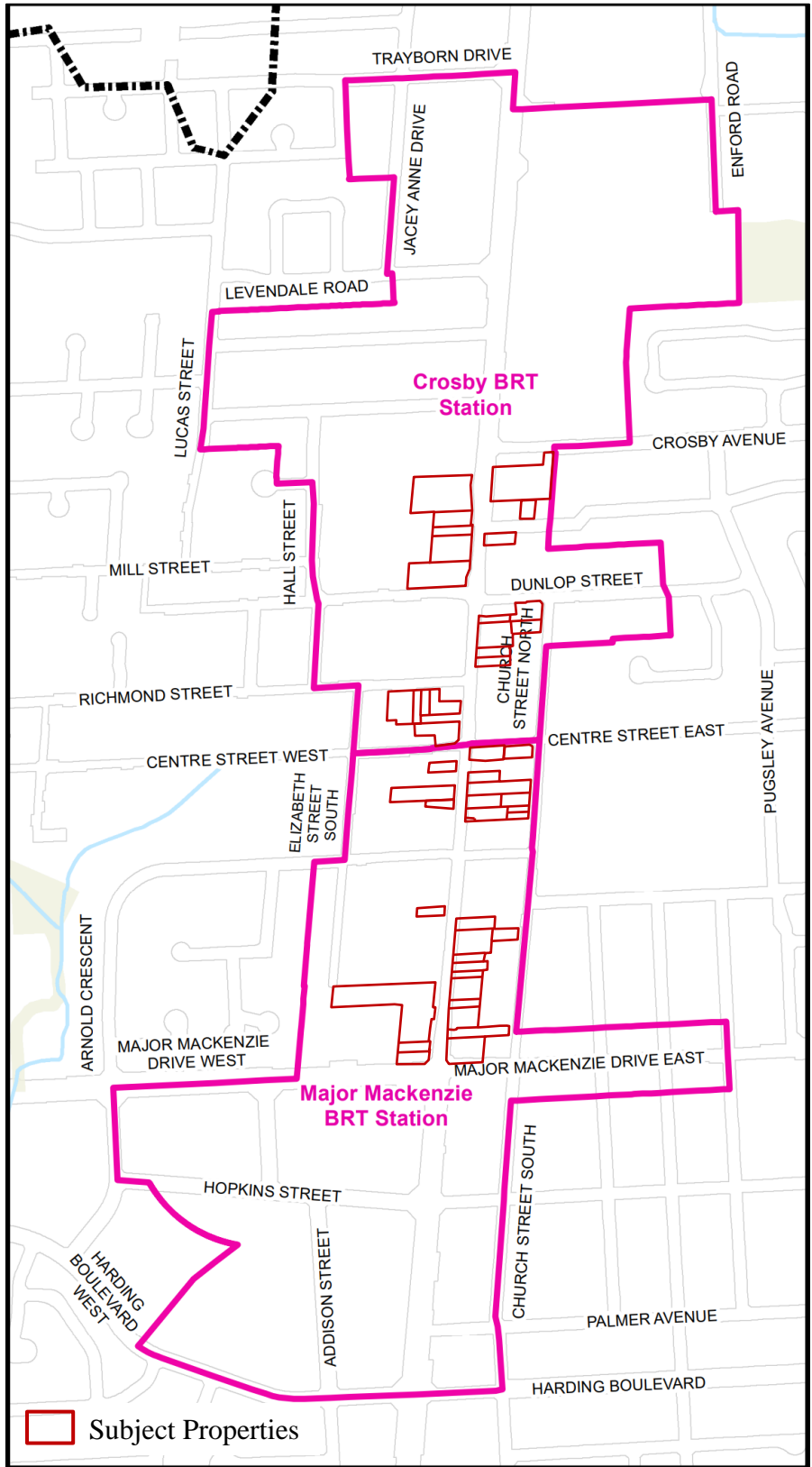
As such, there appears to be a disconnect in terms of the minimum intensification required in the growth plan and the ongoing housing crisis versus the intensification potential of each lot. This disconnect is felt most through the proposed maximum density, height and angular plane requirements. By all accounts, it is our opinion that any site within a major transit station area and proximity to a pivotal right-of-way such as Yonge Street should be able to achieve a minimum of 160 people and jobs per hectare with ease. Refer to *Attachment 4 – Protected Major Transit Station Areas* for reference.



Attachment 2: Proposed Yonge Street Density Allocation – OPA 18.6
 (Source: City of Richmond Hill, 2023)



**Attachment 3: Proposed and Existing Land Use Framework
 (Source: City of Richmond Hill, 2023)**



**Attachment 4: Protected Major Transit Station Areas – Village Local Centre
(Source: City of Richmond Hill, 2023)**

As illustrated in *Attachments 1 and 4*, our client's properties are well within the very core of both the Major Mackenzie Protected Major Transit Station Area and the Crosby Protected Major Transit Station Areas. Thus, properties within these boundaries should see higher, more dense development.

It is our professional opinion that the following guidelines would be more supportive of provincial and regional land use policies:

- (a) An increase in density from the proposed 3 and under to a minimum of 4 in the initial proposed areas;
- (b) An increase in density from the proposed 3.5 and under to a minimum of 5 for the proposed areas;
- (c) An expansion in the total number of stories from the proposed 9 to a range of 12-15 stories and from the proposed 15 to 20 stories; and,
- (d) Ensuring that angular plane restrictions do not unduly curtail the development of the total number of stories.

While these requests noted above are minor, they significantly increase the feasibility of the development and would allow OPA 18.6 to better align with provincial and regional growth policies.

The Provincial Policy Statement ("The PPS") under Section 1.1.3.5 requires that planning authorities establish and implement minimum targets for intensification and redevelopment within existing built-up areas based on local conditions. The PPS encourages transit-supportive intensification in areas with existing rapid transit facilities and intends to allocate higher densities closest to transit infrastructure and services in order to promote active transportation and reduce automobile dependency.

In addition, the Growth Plan for the Greater Golden Horseshoe ("The Growth Plan") under Section 1.2.1 prioritizes intensification and higher densities in strategic growth areas making efficient use of land and infrastructure to support transit viability. Section 2.2.1.2(c) further provides that growth will be focused within locations with existing or planned higher order transit facilities. This section also identifies MTSA's as sites where a density of 160 jobs and people should be observed as a minimum target. In *Appendix D* of OPA 18.6 it is stated that the proposed amendments align with this policy in order to achieve and exceed the target over the long term. It is our opinion that by not considering the unique shape and configuration of each lot combined with the proposed density, height, and angular plane restrictions the proposed OPA 18.6 results in redevelopment/intensification that achieves less than the province's growth target.

While the intention of the OPA aligns with provincial policy, the maximums proposed do not align with 160 jobs and people per hectare being a minimum requirement: limiting the feasibility of development in the area. As such, slightly adjusting the maximum densities and heights as previously outlined will ensure that future development can accommodate growth greater than or equal to 160 jobs and people per hectare.

Furthermore, the York Region Official Plan under section 4.1.3(a) states that strategic growth centres should “attract the majority of development with densities (highest to lowest) based on the following hierarchy:

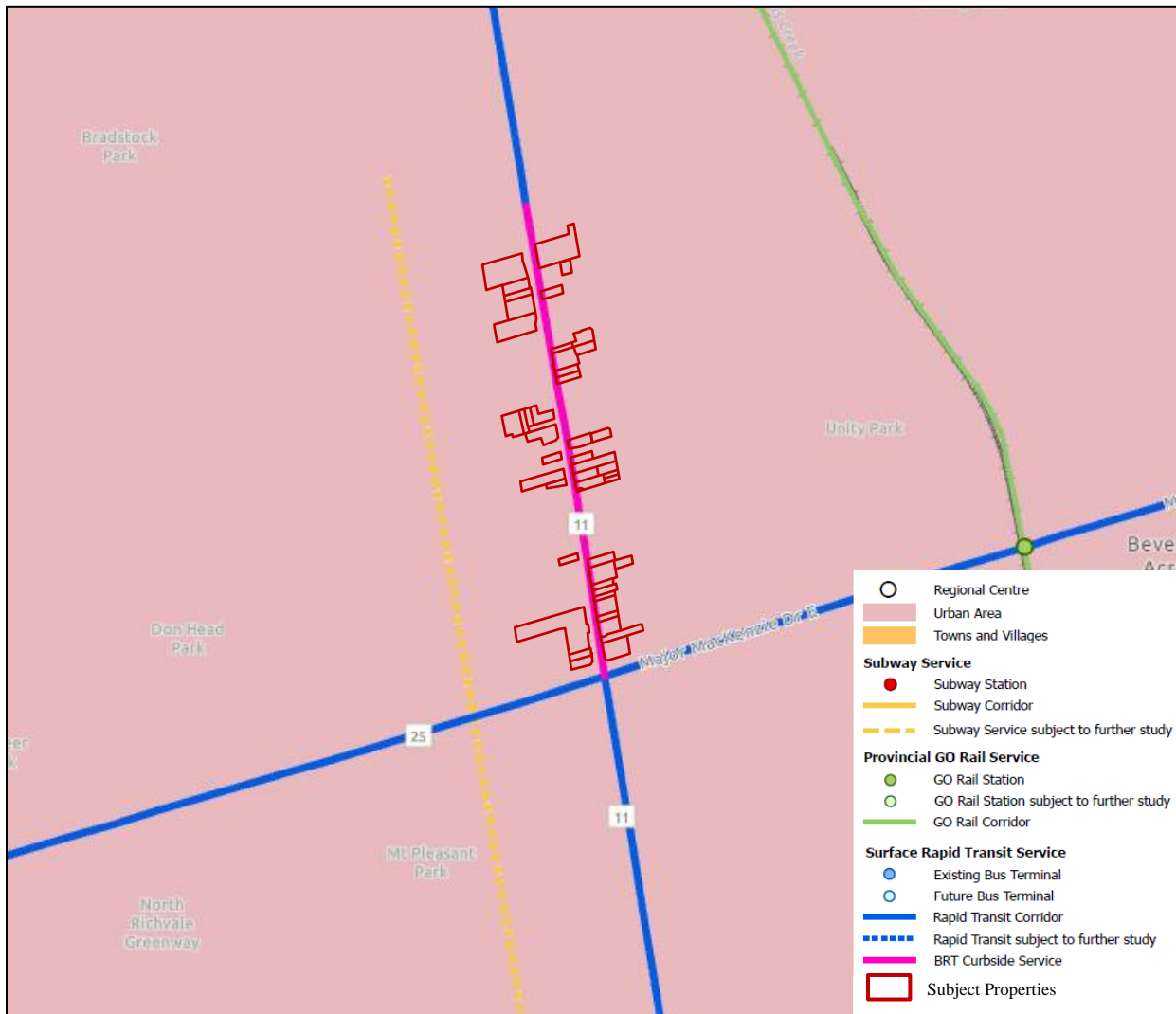
- i. Regional Centres
- ii. Subway station major transit station areas
- iii. Other major transit station areas
- iv. Regional Corridors outside of major transit station areas
- v. Local centres and corridors”

While currently the subject area is third on the priority list, additional regional policies are important when determining the intensification appropriate to the subject properties. Section 4.4.14 states that Rapid transit corridors identified in Map 10 should be planned to support higher density development and improve access to multi-modal transit facilities over the long-term. Attachment 5 identifies the subject area as a rapid transit corridor (*See Attachment 5 – Map 10 Rapid Transit Networks*).

Section 4.4 recognizes that the highest density and scale of development will occur in the Regional Centres and around subway stations. Map 10 of the York Region Official Plan has identified the portion of Yonge Street between Major Mackenzie and Benson Ave as subject to study for additional subway stations (*See Attachment 5 – Map 10 Rapid Transit Networks*). Although no proposed subway stations currently exist in the subject area, ensuring growth aligned with that of an area proximate to a subway station will allow future developments to efficiently serve the area in the long-term.

In addition, the Richmond Hill Official Plan section 4.3.1.2 10(a) currently speaks to the importance of maintaining significant views to the Church Spires. Like the proposed Official Plan Amendment, the Official Plan implements a 45-degree angular plane from the opposite side of Yonge Street to a property. When the area was designated for low-rise uses the above noted policy restriction made sense, however, it is our opinion that this angular plane guideline may be outdated considering the need to meet the provincial and regional growth targets. These concerns have been echoed by many others as shown in Appendix C of OPA 18.6.

To increase the supply of affordable housing, development needs to first be feasible. The “wedding cake” design that is often a result of angular plane requirements significantly increases costs associated with building construction and maintenance. Removing angular plane requirements could increase the feasibility of mass timber construction therefore lowering the cost of development, increasing the efficiency, and ultimately getting well designed affordable housing to the market faster. Using setbacks, podium design guidelines and a requirement for a viewplane analysis, the heritage views can still be maintained while limiting any impacts to height.



**Attachment 5: Map 10 Rapid Transit Networks
(Source: York Region, 2023)**

OPA 18.6 has good intentions to protect the character of the village, however, the way in which it chooses to protect it does not accurately reflect its central location. While the historic character of the area is low-rise, low-density that is more reflective of population density over time rather than the character of an area itself. As such, maintaining a village character need not always be achieved by limiting the height and density in an area. Having said that, we reiterate, the revisions we seek are nominal and would not detract from the village character, our recommendations would simply mean more people living in the village and enhancing its economic viability as it pertains to commercial uses. Through strategic urban design, heritage views and village character can be maintained while minimally impacting future development.

Firstly, the podiums should maintain similar design features and materiality to the existing buildings to accentuate them. These techniques, when properly enforced, ensure that any development will minimally impact the character of the area.

Furthermore, new buildings can be setback strategically as to frame key views to the church spires. This strategy can be used to increase building efficiency by eliminating tiered design. Tiered design results in increased building costs, higher consumption of energy which translates to higher costs for the end user and ultimately works against efforts to fix the housing crisis. Additionally, setting back the buildings reduces any visual impact on Yonge Street, enhancing the public realm. Eliminating angular plane requirements, when done properly, poses no threat to key views and positively affects affordability of newly developed units.

Alternative urban design guidelines can also limit impacts to built form while enhancing the public realm, key views, and village character in the area. As such, the proposed increase in density and height should have no impact on the area's ability to maintain its "village" character. Through proper and effective urban design techniques Richmond Hill can maintain the intent of the OPA without constraining development beyond feasibility.

Overall, we consider that the projected height of a maximum of 9 storeys south and 15 storeys north of Dunlop St will limit the highest and best use of the Subject Sites and not make use of the provincial and municipal intensification policies noted above. The site is also well served by existing rapid transit routes (and potentially a future subway development) that connect to the City of Toronto and other areas of the City of Richmond Hill.

Our clients' properties and the surrounding area of OPA 18.6 have excellent accessibility, which is somewhat unique in the City of Richmond Hill. Yonge Street is the longest street in Ontario, with connections from Downtown Toronto to Thunder

Bay, the Gardiner Expressway, the 401, the 407, and the 400; it is one of the most pivotal right-of-ways in the province. The importance of this accessibility to current and future residents of Richmond Hill is understated by the current restrictions. Additionally, the subject area includes Major Mackenzie Drive, another rapid transit corridor. As such, ensuring an ample supply of housing and jobs in this area is essential to the growth of Richmond Hill.

It is also important to note that permitting mixed-use buildings with a height of 20 storeys will not affect surrounding land uses as the properties will be able to implement such heights adjacent to properties designated as Local or Regional Centre. It is not logical that the regional centres to the north and south of the Subject Area should be allowed more intensification when our client's properties see the same proximity to adjacent neighborhoods, transit, and amenities. Additionally, the many intersecting constraints to building height do not properly align with provincial growth targets and limit the feasibility of any development on the subject properties. If landowners are unable to economically redevelop their properties (resulting from OPA 18.6 in its current iteration) the very special downtown core, Village in the City, will continue to deteriorate as is currently occurring.

In conclusion, we opine that it would be appropriate to designate the Subject Properties for slightly greater intensification. Buildings in the realm of 3-4 FSI, 12-20 stories, and with setbacks rather than an angular plane would be appropriate from a land use perspective and would maintain heritage views. As noted, our suggested revisions would aid in addressing the current the current housing crisis and assist in meeting Provincial and Regional intensification targets for the City of Richmond Hill.

We would like to thank the City of Richmond Hill for the opportunity of inputting to the Official Plan Amendment 18.6 – Village Local Centre process. We look forward to our continued involvement in this important undertaking. If you have any questions in respect of our submission, please do not hesitate to reach out to us.

Yours truly,



Claudio Brutto, MCIP, RPP

President, Brutto Planning Consultant Ltd.
113 Miranda Ave, Toronto, ON MB6 3W8
Mobile (416) 453-6197