



March 14, 2025

Mayor and Members of Council  
The Corporation of the City of Richmond Hill  
225 East Beaver Creek Road  
Richmond Hill, Ontario, L4B 3P4

TODD TRUELLE  
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(416) 322-6364 EXT. 2103

Dear Mayor and Members of Council:

**Re: Comprehensive Zoning By-law Project (Centres and Corridors) Response  
152, 160, 166, 172, 178 Major Mackenzie Drive East and 123 Ruggles Avenue  
2575563 Ontario Inc.**

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Goldberg Group is submitting this letter on behalf of 2575563 Ontario Inc. ("257"), the Owner of the property legally described as 'Lots 57, 58, 59, 86, 87 and 88 Registered Plan 1883', and municipally known as 152, 160, 166, 172, 178 Major Mckenzie Drive East and 123 Ruggles Avenue (the 'subject lands').

The subject lands are located on the north side of Major Mackenzie Drive and east of Yonge Street between Ruggles Avenue and Lawrence Avenue. The subject lands are subject to planning applications for a Zoning By-law Amendment application (D02-19017) and a Site Plan Approval application (D06-20040). While the Site Plan application has yet to be finalized, the zoning for the subject lands was approved through By-law 76-24 that was enacted on June 19, 2024, by City Council. The approved By-law 76-24 introduced site specific standards in order to permit the development of 35 back-to-back townhomes on the subject lands.

The purpose of this correspondence is twofold.

Firstly, this letter sets out our opinion and 257's submission that the February 25, 2025, CZBL will affect the approval received through By-law 76-24 in the following manner:

- The zoning standards table 4.1E provides standard that are not consistent with the approved zoning;
- The repeal of By-law 66-71 and amending by-law 76-24 as they apply to the subject lands would require the development to comply with the CZBL standards that are inconsistent with the previous approval.

It is our position that the previous zoning approval must continue to be recognized for the subject land and in order to satisfactorily recognize the approval, the subject lands should either be excluded from the CZBL, permitting By-law 76-24 to continue to apply the approved zoning standards, or provide a site specific exception that recognizes the approved

standards. Should the subject lands be removed from the CZBL, it is imperative that Zoning By-law 66-71, as amended, must not be repealed and must remain in force and effect in respect of the subject lands.

Secondly, this letter provides some general comments and concerns on the content of the draft CZBL to be considered by the Committee of the Whole on March 19, 2025.

### **BY-LAW PROCESS AND SPECIFIC CONCERNS REGARDING PREVIOUS APPROVAL**

With respect to process and timing, it is our opinion and the owners' submission that the timing of the *Centres and Corridors* portion of the CZBL is premature given that the City has not yet updated its 2010 RHOP for these areas of the City. Accordingly, we suggest that the approval of a new zoning framework for the *Centres and Corridors* should not be considered until such time as the updated RHOP framework is in effect to ensure that it is consistent with the Provincial Planning Statement (2024) and the York Region Official Plan (2022).

On this basis, it is recommended that it would be more appropriate for the CZBL to first be established for those areas of the City for which the RHOP has been updated – such as the *Neighbourhood* designation for which the policy framework of Official Plan Amendment No. 18.3 is in force and effect – and deferred for those areas that have not yet been updated in the RHOP.

Once the development potential of the *Centres and Corridors* has been comprehensively reviewed by the City in light of the significant policy advancements that have occurred since the RHOP was adopted 15 years ago, the CZBL can similarly be updated for those areas. To update the zoning before the RHOP policies is not in keeping with the legislative regime or the established planning hierarchy.

In any event, the site-specific ZBA for the subject lands must remain in force and effect regardless of whether or not the City enacts the new CZBL.

Key site-specific regulations that would affect the subject lands include Section 1.12 – Transition and the zoning Standards Table 4.1C and E.

### **Schedules**

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The subject lands are zoned LMU-COR on Schedule A9-2. Schedule B9-2 identifies a maximum density of 1.5 FSI and Schedule C9.2 identifies a maximum height of 4 storeys. The schedules reflect the density and height permissions found in By-law 76-24 and are acceptable.

### **Section 1.12: Transition**

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The transition provisions in subsection 1.12.6.2 of the draft CZBL apply if a site plan application has been deemed complete prior to the effective date of the CZBL. In the case

of the subject lands, a complete site plan application has been submitted, and it is our understanding that the previous zoning approval would therefore formally be recognized and transitioned into the new CZBL. Please confirm that this is the case.

Without proper transition provisions or the inclusion of site specific exceptions we are concerned that the previously approved zoning standards in By-law 76-24 are not carried forward in the CZBL and that compliance with the standards identified in Table 41.E will impact the approved developments ability to be constructed as approved. Should the City enact the new CZBL without addressing this issue through recognition of the approved zoning standards, 257 will have no choice but to appeal.

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#### **Table 4.1C: Centre and Corridors Zone Standards and Special Provisions**

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The applicable zoning category for the subject lands is Local Mixed Use Corridor (LMU-COR). Accordingly, we provide the following concerns related to the proposed zoning standards set out in Table 4.1E for the LMU-COR Zone as they apply to the subject lands and approved By-law 76-24:

- The minimum front yard setback within Table 4.1 E is 3.0 m while By-law 76-24 is 2.0 m.

#### **GENERAL COMMENTS**

It is understood that the Administration (Section 1), General Regulations (Section 3), and Parking/Loading Regulations (Section 10) contained in the draft are intended to apply to the entire City. On this basis, we provide the following general comments on behalf of the Owner as follows:

#### **Schedules**

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Updated schedules provided in the February 25, 2025, draft By-law are a vast improvement over those previously provided. However, based on the status of the RHOP update, we maintain that all height and density schedules are premature until the Centres and Corridors policies of the RHOP are approved.

#### **Section 3.2: Mechanical Equipment and Penthouses**

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We suggest subsection (d) should permit mechanical equipment without a setback where architectural screening is provided in a manner that forms part of the architectural expression of the building.

#### **Section 3.4: Projections**

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We provide the following suggestions with respect to the Permitted Projections/Encroachments:

- Canopies associated with any building should be able to extend to a property line abutting a street;
- The proposed encroachment of 1.1m for steps including landing is not sufficient. We suggest the wording should simply read “No closer than 0.3 metres to a property line”;
- There does not appear to be a provision for privacy screens between outdoor patios, balconies, and/or terraces; and
- We suggest that additional provisions are required for landscape planters and request that permission be provided to allow the encroachment of these features into any yard to within 0.3m of a property line

### **Section 3.6: Soft Landscaping**

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Section 3.6b) requires a minimum of 45% of the front yard or flankage yard to be soft landscaping. Although the provisions allow for the inclusion of porches to be included in the calculation of soft landscaping, there is no recognition of garbage areas, walkways etc. that would not be considered soft landscaping as per the by-law definition and accordingly

### **Section 3.7: Building Unit Mix**

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Similar to Section 3.3, we suggest that any requirement outlining a minimum provision of 3-bedroom units should be increased to 40 or more units.

### **Tables 41.C and 4.1E: Centre and Corridors Zone Standards and Special Provisions**

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Table 4.1C provides standards for the LMU-COR zone for “Low Rise Buildings” (LRB) which is limited to lot frontage, minimum front yard setback, minimum flankage yard setback, minimum setbacks to CNR and TCPL as well as maximum first storey height.

Table 4.1E provides standards for “Ground-Related Residential Standards” and includes standards relating to lot coverage, side and rear yard setbacks and re-iterates the front and flankage yard requirements.

With the approval of By-law 76-24, site specific zoning standards were approved that are not reflected in either Table 41.C or 4.1E and not identified as a site specific exception. Should the portion of By-law 66-71, as amended by By-law 76-24, be repealed for the subject lands, the approved zoning appears to revert to the CZBL to which the approved development would not comply.

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## Section 10.0: Parking and Loading Regulations

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We support the inclusion of permission to provide a proportion of required parking spaces as 'compact' parking spaces, however request clarification as to whether both Type A and Type B compact spaces are permitted within a single development project (i.e. accounting for 50% of required parking spaces).

The subject lands are within Parking Strategy Area 1 ("PSA 1") that requires a minimum parking standard of 0 spaces per unit to a maximum of 2 spaces per unit. Visitor parking appears to only apply to Apartment Dwelling, Block Residential Dwelling and Stacked Townhouse Dwelling. Please confirm that a back-to-back dwelling does not require visitor parking spaces.

Section 10.5 respecting Daylight Triangles identifies that they must be free of any encroachment or obstruction. In the past, these Daylight Triangle have been transferred unencumbered to the Region or the City. Is there a consideration that Daylight Triangles be provided as easements as opposed to transfers that would permit below grade parking structures to utilize the lands below a daylight triangle to provide regularity in shape and increased functionality of below grade parking structures?

It is our experience that stacked bicycle parking spaces often have lower standards than those indicated in Table 10.10.1. We suggest that the standards be relaxed to avoid the potential need for relief. Additionally, we suggest that permission should be provided to allow a wall mounted bicycle parking space to encroach into the vertical clearance of a vehicular parking space to further expand the provision of bicycle parking opportunities within all building types.

We note that Section 10.13 relating to EV parking spaces has been introduced into the By-law. The requirements for 1.0 space per dwelling unit to be provided as "Electric Vehicle Ready" imposes new standards on a development previously approved. Two of the residential spaces required under the approved zoning are located in the driveway and will be difficult to provide weather protected EV charging. We would request that the EV parking standards be only applicable to new applications filed after the date of approval of the CZBL.

## Conclusion

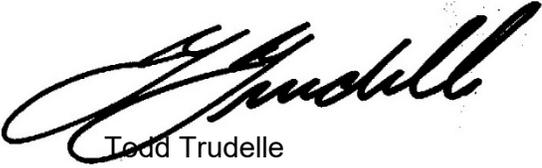
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We welcome the opportunity to meet with City Staff to discuss the above comments and concerns, and request to be notified of any further activity or reporting on this matter. The recognition of existing zoning approvals is a concern that has not been clearly addressed with the transition standards of the CZBL. It is imperative that the CZBL clearly recognizes and implements existing approvals within a Council adopted version.

If you have any questions or require additional information, please do not hesitate to contact the undersigned at ext. 2103.

Yours truly,

**GOLDBERG GROUP**



Todd Trudelle  
Associate

cc. 2575563 Ontario Inc.  
Sal Aiello, City of Richmond Hill