



ADAM LAYTON, MCIP, RPP
alayton@goldberggroup.ca
(416) 322-6364 EXT. 2101

March 25, 2025

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

Attn: Mayor West and Members of City Council

Dear Mayor West:

**Re: Response to Draft Comprehensive Zoning By-law (Centres & Corridors)
13572 and 13586 Bayview Avenue
2747883 Ontario Inc. and 2753502 Ontario Inc.**

Goldberg Group acts on behalf of 2747883 Ontario Inc. and 2753502 Ontario Inc., collectively the 'owner' of the properties described 'Part of Lot 1, Registered Plan 200', and municipally known as 13572 and 13586 Bayview Avenue (the 'subject property'). The subject property is located on the west side of Bayview Avenue, approximately 95 meters north of Snively Avenue.

The subject property has previously been subject to applications to amend the City of Richmond Hill Official Plan and Zoning By-law to permit the redevelopment of the subject property with an 8-storey apartment building (City Files: D01-20003 and D02-20009). At its meeting of July 6, 2022, City of Richmond Hill Council accepted the recommendations of Staff to adopt Amendment No. 36 to the City of Richmond Hill Official Plan (OPA 36), and to re-zone the lands to the *Multiple Residential One (RM1)* Zone with site specific development standards. A Site Plan Control application (SPA) was also submitted to the City, and deemed complete as of July 29, 2022 as City File D06-22047.

A further application to amend the Official Plan has recently been provided to the City, and was deemed complete as of January 13, 2025 as City File OPA-24-0009.

As of the date of this letter, the amending Zoning By-law has been approved in principle, however is not yet in force and effect as the implementing instrument is to be brought forward for enactment by Council upon the resolution of the remaining technical matters related to the SPA.

We have reviewed the February 2025 draft of the draft Comprehensive Zoning By-law (the "CZBL"). While we acknowledge that specific Zone classifications and standards are being enacted for the *Centres and Corridors* at the present time, we request clarification as to whether the following Sections of the CZBL are intended to apply across the City in the fullness of time:

- Administration (Section 1);
- General Regulations (Section 3); and

- Parking/Loading Regulations (Section 10).

Subject to the response to the above, we provide the following comments on behalf of our Client:

Section 1.12: Transition

Subsections 1.12.2, through **1.12.7** provide that only past approvals, including for minor variance, consent, site plan, heritage, or draft plans of subdivision/condominium approvals or decisions are recognized back to April 5, 2012.

Notwithstanding this, there appear to be no transition provisions to recognize previous Zoning approvals through a Council decision or from an approval administered by the OLT. Without such a transition provision we are concerned that site specific exemptions the previous zoning would not be recognized.

We suggest that relying on the status of a site plan control application is not sufficient to protect for appropriate transition in this regard, particularly given the status of the subject property wherein a Zoning Amendment has been approved in principle but is not yet in force and effect.

Section 3.2: Mechanical Equipment and Penthouses

Taller buildings may require telescoping building maintenance units, which may extend beyond 6-metres above a roof during operation. Would this 'in operation' height be considered for the purposes of **Regulation 3.2(a)**?

We also suggest that subsection **3.2(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.

We also request confirmation that rooftop access for maintenance, or leading to an amenity space, will continue to not constitute a '**storey**'.

Section 3.3: Amenity Space

We request that a similar regulation to **3.2(a)** be included with respect to amenity space located on the rooftop of a building. In our opinion, an indoor amenity space connected to a mechanical penthouse, and which provides access to an outdoor amenity space on the rooftop should not be considered a 'storey' and should be excluded from the calculation of 'building height'.

We also suggest that the minimum number of units requiring amenity space should be increased to 40 dwelling units, with a decreasing amount over 200 units.

Section 3.4: Projections

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

- Canopies associated with all building types should be able to extend to a property line abutting a street or private lane;

- The proposed encroachment of 1.1m for exterior steps including landing is not sufficient. We suggest this should be increased to at least 1.5 metres;
- Subsection (b) is overly complex, and does not seem to consider the potential requirements of code, noise, or wind protection for mid-rise or high-rise buildings;
- We question the rationale for the provisions of Subsection (c); and
- We suggest that additional provisions are required for intake/exhaust vents, and 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 3.5: Separation

We suggest that the proposed separation distances are too large, and would not result in efficient use of urban lands. Alternatively, the Ontario Building Code already provides separation requirements for walls with unprotected openings, which would serve as an appropriate separation distance for the podium of mid- or high-rise buildings.

Section 3.7: Building Unit Mix

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.

Section 3.9.1: Home Occupations

We question the rationale behind several of the development standards related to Home Occupations outlined in Subsection (1), including the following:

- **Subsection (i):** We suggest this requirement requires greater clarification as to what is considered a “typical” vehicle employed in residential deliveries? We understand that the intent of this provision is likely to avoid large trucks entering into residential areas, however suggest that this may be out of the control of an operator of a home business.
- **Subsection (j):** We question why a home business could not operation with a small number of employees (i.e. 1 or 2)?

Section 3.9 Short Term Accommodation

Many Apartment Buildings often include ‘guest’ suites for visitors as a common element amenity. We suggest clarification is required to explicitly outline that such suites would not be considered as a ‘**short term accommodation**’ for the purposes of the CZBL.

Section 3.15: Provisions for Decks and Porches

With respect to **Subsections (a)(i)**, and **(b)**, we suggest that the requirement that a porch not be closer to a side lot line than the main building or beyond a side main wall may result in the need for relief in the case of side lot lines that are not parallel (i.e. pie shaped lots). This has been our experience with similar standards in other municipalities with similar provisions.

We suggest a side yard setback be provided instead of alignment with the wall of a dwelling to allow flexibility in the design and construction of decks and porches.

Section 3.17: Reserve

We suggest that any reserves should be considered part of the lot for the purposes of calculating setbacks and lot area to allow the efficient use of urban lands.

Section 10.5: Daylighting Triangles

Please clarify if vegetation, landscape elements, or street furniture would be considered 'encroachment' or 'obstruction' for the purposes of this Regulation.

Section 10.7: Automobile Parking Space Provisions

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).

We suggest that **Regulation 10.7.1(5)** requires revision, as there may be situations where a 'parking structure' may need to be located above 'established grade' in locations outside of the specific Zones outlined in **Regulation 10.7.1(6)**. In this instance, we suggest permission should be provided within the CZBL to avoid the need to seek relief while protecting for an appropriate interface with the public realm.

We suggest that permission to obstruct a parking space for the purposes of permitting a wall mounted bicycle parking space should be considered and included in **Regulation 10.7.2** to further expand the provision of bicycle parking opportunities within mid- and high-rise buildings.

Relief is required from the provisions of **Regulation 10.7.3(1)(b)** for the proposed development of the subject property. The need for above grade parking on this property has been long established, and every effort has been made to preserve an 'active' at grade frontage along the public realm through the proposed development.

Section 10.10: Bicycle Parking Space Regulations

It is our experience that stacked bicycle parking spaces often have lesser width and clearance than those indicated in **Table 10.10A**. We suggest that the standards be relaxed to avoid potential need for relief.

Table 10.10C, Special Provision 1 requires all visitor bicycle parking to be located at established grade or on the ground floor of a building. We suggest that this should be relaxed to allow visitor bicycle parking below or above grade as needed. Requiring extra levels for parking is expensive and if unsuitable space for vehicle parking is available at other levels, there should be an opportunity to utilize these areas for bike parking to maximize the potential bicycle parking provision within a building.

Section 10.11: Loading Space Provisions

For the purposes of interpreting Regulation **10.11.1(4)**, please clarify that the driveway approach to a loading space, or the staging area abutting a space do not need to maintain

an overhead clearance of 6.5 metres, and that only the loading space itself is required to do so.

Section 10.13: Electric Vehicle and Electric Bicycle Provision

We request clarification as to whether the City will be introducing incentive programs to offset the additional costs of providing the required '**Electric Vehicle Ready Parking Space**' to ensure that the ability to provide same does not come at the expense of general attainability or affordability of dwelling units within an apartment building.

Definition of 'Hard' Landscaping

We suggest that parking, loading, or driveway areas treated with permeable pavers or other means to permit stormwater infiltration should be considered as '**hard landscaping**'.

Conclusion

In addition to the above technical comments, we note that a preliminary draft of the CZBL was only released for public review prior to the Council Public Meeting on February 25, 2025. Now, a further updated draft has been released, and is proposed for approval only 22 days following the Public Meeting, with only 7 calendar days to review.

On this basis, we feel it is only prudent for the City to defer approval of the CZBL until greater time has been provided to allow for detailed review of the potential impacts of the Regulations on existing and potential development. In doing so, there would also be more time for meaningful consultation directly with stakeholders.

This could potentially avoid delays in the implementation of the CZBL due to appeals, as well as the need to amend the CZBL in the near future to rectify oversights or unforeseen issues.

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.

If you have any questions or require additional information, please do not hesitate to contact the undersigned at ext. 2101.

Yours truly,

GOLDBERG GROUP



Adam Layton, MCIP, RPP

cc. 2747883 Ontario Inc.
2753502 Ontario Inc.
Mr. Gus Galanis
Ms. Deborah Gianetta
Mr. Salvatore Aiello