

Email: clerks@richmondhill.ca

Mayor Barrow and Members of Council

Town of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON. L4B 3P4

Date: March 15, 2018

Re: Staff Report for Committee of the Whole Meeting – March 19, 2018

Zoning Bylaw Amendment Application for lands at 10027 Yonge Street

Town File DO6-14096

Dear Mayor Barrow and Members of Council:

I want to express my support the development project on 10027 Yonge Street, Richmondhill as such development will bring more businesses and people to this under-developed neighborhood in Richmondhill. This development provides new spaces for Offices, and Retail which are needed in downtown Richmondhill.

I have been also appeared on the OMB meeting hearing for the Secondary Plan on March 2, 2018, while numerous other landowners in downtown Richmondhill were also participated. This design is aligned with all other community members in downtown Richmondhill to provide pedestrian access at the back of property. So, it is very strange to find out that town staff want to decline such development proposal after so many years of processing time. I along with all other property owners in downtown Richmondhill are truly opposed to having a new vehicular lane in between of Yonge St. and Church St.

As this project preserve a heritage building which is in very poor condition now, and incorporate it to a very viable and live area, I believe this project can start process of revitalization of the village district which has been neglected by town is last 10 years. With its respect for heritage and by preserving the two story heritage site, we think it will set a high bar for future projects which will only improve our changing neighborhood.

I want to emphasize and ask the Council not to accept Staff's recommendation to reject this proposal and adopt a resolution in support of the proposal, and that the OMB be so advised.

Thank you very much to hear voices of residents and property owners in neighbourhood of downtown Richmondhill.

Mostafa Sharifpoor

10185 Yonge Street, Richmond Hill Ont.

Cc: Mr. **Tom Muench** Councilor Ward 2

From: Jeffrey @ LAND LAW
Sent: Thursday, March 15, 2018 6:57 PM
To: Lena Sampogna; Clerks Richmondhill; Stephen Huycke
Cc: Tom Muench; Neil Garbe
Subject: SRPRS.18.069 - Town File DO2 14029 10027 Yonge Street - Request to make deputation on March 19 COW (Submission 1)
Attachments: Transition Provision RH OP 7.1.33 .pdf

Dear Members of Council and COW:

I am the lawyer for the planning applicant and owner of the above noted lands. I wish to register to speak to this matter on March 19, along with the project heritage architect and urban designer, David Eckler from AREA.

On page 9 of the above referenced Staff Report, reference is made to Section 2.1 of the Planning Act. **Pursuant to section 2.1(1)(b) of the Planning Act, this email and attachment (together with additional communications to follow) are being provided to Council for its consideration in respect of the application.**

Status of Secondary Plan

On page 9 of the Staff Report, Staff state that "The Secondary Plan is currently under appeal at the Board". This statement is correct.

On March 2, 2018, the Board held a further pre hearing conference (OMB File 170619) at the Town's municipal offices. At that pre hearing, numerous landowners came forward seeking party status in the appeals in order to state their objection to the Secondary Plan. Most of those landowners own lands in the Village and Uptown Districts. They have signed a petition seeking to have the Board throw out the Secondary Plan because it is a non workable and non viable planning document. A copy of that petition was marked as Exhibit 2 to the Board's Secondary Plan appeal proceedings. Town Staff have a copy. A hard copy will be filed as part of this submission. Moreover, and to restate the obvious for all concerned, no purpose is served attempting to obtain approval of a secondary plan that is not supported by the landowners whose lands are needed to deliver the required revitalization and intensification.

We bring this to your attention because Staff's Recommendations are at odds with the local community and in direct conflict with Council's recent decision to adopt a Community Improvement Plan with a stated goal to "support new office development and downtown revitalization". We trust you can see just how foolish the Staff Recommendations are.

Staff Report/Recommendations are contradictory and incorrect

Further, the Staff Report, at page 9, contains statements that are both contradictory and incorrect. In the 3rd full paragraph on page 9, Staff state:

"On the basis of the most recent plans submitted to the Town, the applicant's current proposal is generally in keeping with the policies of the Plan and the Secondary Plan. However, the applicant's current development proposal *does not conform to the Policies of the Plan and the Secondary Plan with respect to built height and the linked system of Courtyards*" (emphasis added)

The Applicant takes issue with Staff's opinions and analysis that the application does not conform for the following reasons:

1. There is no requirement to conform to the Secondary Plan since it is under appeal to the Board and not in force.
2. As noted on page 3 of the Staff Report (and explained in detail in the Planning Justification Report and witness statement filed by the Applicant's Planner with the Town), the applications were deemed complete by the Town on November 11, 2014.

Approval of the DLC policies under the Plan did not come into force until April 29, 2015 which is after the applications were deemed complete. In this circumstance, **Policies 7.1.33 (b) and (c) of the Town's OP** (the "Transition Provisions") **approved by the OMB on October 23, 2012 WITH THE TOWN'S CONSENT are operative.**

A copy of the Transition Provisions is attached. These provisions make clear that it is approved OP policy (and therefore policy binding on Town Council) not to require conformity with the policies of the Plan not yet in force.

It is significant that Staff have failed to disclose and bring these Transition Policies to Council's attention. Such a material omission undermines the credibility of Staff's Recommendations to Council as set out in the above noted Staff Report. The Report is neither fair no balanced.

Staff's Recommendations should be rejected. Town Council should support the proposed mixed use office development which includes significant heritage preservation.

Kindly confirm receipt of this communication by reply. Please also provide the writer with written notice of any decision taken on this matter.

Thank you.

Jeffrey E Streisfield, BA LLB MES
Land Lawyer & Land Development Manager

LAND LAWTM
<http://landplanlaw.com>

Almost 30 years experience in:

Planning & Development Approvals
Municipal & Environmental Law
Boundary & Property Disputes
Trials, Hearings, OMB (LPAT) and Court Appeals

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32. References to any legislation, authority or agency which ceases to exist subsequent to the preparation of this Plan, and to whom responsibilities relating to this Plan or its implementation are changed, shall be transferred to any subsequent legislation, authority or agency which assumes responsibility without requiring an amendment to this Plan.

Transition

APPROVED BY OMB

October 23, 2012

33. Notwithstanding the provisions of this Plan:

- a. This Plan shall not be construed so as to affect pre-existing rights respecting legally existing and legally permitted uses of land, buildings or structures that comply with in-force Zoning By-laws at the time this Plan is approved, nor to affect pre-existing rights respecting lands, building or structures that are legal non-conforming under Section 34(9) of the Planning Act.
- b. Applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision or Condominium approval or Site Plan approval which were deemed complete and still in process prior to approval of this Plan, or which were approved by the Town or the Ontario Municipal Board between adoption and approval of this Plan, are required to conform only with the policies in force at the time of the complete application or approval until the date this Plan is amended pursuant to the next municipal comprehensive review.
- c. The provisions of this Plan represent Council's opinion of best planning practices, and accordingly, proponents with applications that meet the requirements of Policy 7.1(33)(b) are encouraged but not required to conform with the objectives and policies of this Plan.
- d. Applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision or Condominium approval or Site Plan approval which were not deemed complete until after approval of this Plan shall be required to conform with the policies of this Plan to the extent it is approved and in force prior to the submission of a complete application.
- e. In addition, and without limiting the foregoing, applications for site plan approval in respect of the following site-specific development applications shall be deemed to conform with the policies of this Plan provided they are consistent with the final approved Official Plan and/or Zoning By-law Amendments in respect of such development applications, and provided that a complete application for site plan approval has already been submitted or is submitted by no later than December 31, 2013:
 - i. Torview (Town File No. D01-09003 and D02-09010, OMB Case No. PL110650 and PL110655);
 - ii. Sanmike (Town File No. D02-08031, D03-06003 and D06-06015, OMB Case No. PL101326, PL101327, and PL120583);

From: Jeffrey @ LAND LAW
Sent: Friday, March 16, 2018 4:25 PM
To: Clerks Richmondhill; Karyn Hurley
Cc: Tom Muench; Neil Garbe; David Eckler
Subject: Fw: March 19, 2018 COW meeting re SRPRS.18.069 (10027 Yonge Street) - Submission # 2

Dear Mayor Barrow and Members of Council and Committee.

Below please find a communication from the project architect who is registered to speak to this matter.

Please confirm receipt of this communication by reply email and ensure it forms part of the record.

Please provide the writer with notice of any decision taken on this matter.

Thank you.

Jeffrey E Streisfield, BA LLB MES
Land Lawyer & Land Development Manager

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Almost 30 years experience in:

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Boundary & Property Disputes
Trials, Hearings, OMB (LPAT) and Court Appeals

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----- Forwarded Message -----

From: David Eckler
To: "Jeffrey @ LAND LAW"
Sent: Friday, March 16, 2018 4:18 PM
Subject: March 19, 2018 COW meeting re SRPRS.18.069 (10027 Yonge Street)

Jeffrey,

You have asked me to review and comment on the above referenced Staff Report.

As noted on the cover page of the Staff Report, my firm is agent for the owner. I am a principal of the firm and the project lead with respect to matters of architecture, heritage conservation, urban design and the site plan.

Further to directions from the OMB, I provided an updated Cultural Heritage Impact Assessment and an updated Urban Design Brief together with an updated drawings package in support of the

development concept which the Town acknowledges having received on February 16, 2018. I have also provided a witness statement to further explain the proposed development.

I have attended a number of meetings with Town Staff. It was not until late 2017 that Town Staff suggested that the Applicant change the orientation of its proposed development. The Applicant agreed to explore this option and revised its development concept accordingly. This is explained in the updated reports on file with the Town and to be submitted to the OMB.

At no time did Town Staff indicate they had any concern with height. This last minute comment comes as a complete surprise since the proposal meets any applicable angular plane provisions and therefore has no negative impact. I would also note that the Official Plan does not contain a definition of a "Storey" and that the height of a storey for a commercial building is different from a residential building.

The purpose of this communication is to explain the rationale for the proposed 6 m (floor-to-floor) Ground Floor to Second Floor height and to confirm that the proposal is for a 5-storey mixed use commercial building with adaptive reuse of the existing heritage structure as part of the at grade commercial component of the proposal.

The rationale and justification for the tall ground floor space are as follows:

Yonge St. Streetscape

- Retail tenants, especially desirable and secure retailers, require high clear spans of minimum 5 m (16'-5") as part of their tenancy criteria. Therefore to attract appropriate retailers to help revitalize the street frontage, the retail spaces of this project facing Yonge St. provide that clear height leaving approx. 1 m depth for ceiling space to accommodate services, HVAC, structure, etc.
- This direction for a "6 m 1st floor height" was given and endorsed by Town staff during our design consultations.

Passageway

- The passageway of a driveway and walkway from Yonge Street through the building to access parking in the rear. This penetration through the street-facing building utilizes the built form in order to create a "continuous street wall" and screen the rear parking. This design strategy of maintaining a street-facing building mass penetrated by a passageway was a direction from Town staff.
- This passageway (access from Yonge Street) needs to be sufficiently high to accommodate service, delivery and garbage vehicles to the rear parking and loading spaces. But more importantly, this passageway must appear generous in height to encourage pedestrian movement into the rear of the building and property.

Heritage Compatibility

- The proposed 6 m Ground Floor height extending to the second floor provides an architectural datum which corresponds and coordinates with the eaves line of the heritage Duncumb-Nicholls Building.
- This tall Ground Floor also incorporates a grand portico to emphasize the office building entrance. This tall portico is also adjacent to the heritage building which exposes to the outdoors more of its side wall.

Adaptive Re-use of Duncumb Hall

- The floorplates of the heritage building (approx. 109.3 m, 1,176 sf) are too small and divided up and are not functional for a retail-commercial tenant on its own without an "annex" extension space. The Ground and Second floors are broken up by intermediate structural walls and the central stair creating quite small and difficult-to-use spaces.
- The Mezzanine Floor at the rear extends the usable area of Duncumb Hall's second floor. This extension of the restaurant area at the mezzanine connects to and is an "annex" of the heritage portion of this restaurant tenancy. In other words, without this mezzanine extension, the heritage building, by itself, would be useless for a future tenant and would not be an attractive or viable space to revitalize the street.

I will explain this and other matters further at my deputation on March 19. Please forward same to the Town.

Sincerely,

David Eckler

AREA, Architects Rasch Eckler Associates Ltd.

15 Lola Road
Toronto, Ontario

From: Jeffrey @ LAND LAW
Sent: Friday, March 16, 2018 6:15 PM
To: Clerks Richmondhill; Karyn Hurley
Cc: Stephen Huycke; Tom Muench; Neil Garbe
Subject: SRPRS.18.069 - March 19 COW re 10027 Yonge Street (3rd Submission)
Attachments: 2018.03.05- Memo outlining response staff report.pdf; 2018.02.16- 10027 Yonge Street Final ZBA.pdf

Dear Mayor Barrow and Members of Council and Committee;

I am legal counsel to the Applicant.

Attached please find the Applicant's Planner's response memo to the Staff Report.

Kindly ensure the attached forms part of the public record.

Please also confirm receipt by reply email.

I look forward to addressing the matter in person on March 19.

Thank you.

Jeffrey E Streisfield, BA LLB MES
Land Lawyer & Land Development Manager

LAND LAWTM
<http://landplanlaw.com>

Almost 30 years experience in:

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Boundary & Property Disputes
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**WESTON
CONSULTING**

planning + urban design

Memo

To: Jeffrey Streisfield

From: Ryan Guetter

File: 6835

Date: March 16, 2018

Re: Response to Staff Report for March 19, 2018 COW

Weston Consulting is the planning consultant for 2295190 Ontario Inc., the owner of the property municipally known as 10027 Yonge Street in the Town of Richmond Hill.

We note that an updated Functional Servicing Report can be dealt with at the detailed design and Site Plan phase. In addition, the configuration of the loading space and parking supply can also be further addressed once the concept site plan and built form issues have been resolved through the Zoning Bylaw Amendment process.

We have reviewed the Staff Report (SRPRS.18.069) requesting direction from Council concerning the Zoning By-law Amendment Application and upcoming Ontario Municipal Board hearing. We disagree with a number of Staff's comments as noted below.

On page 5, Staff note that the subject lands are zoned General Commercial under Bylaw 66-71 as amended. This bylaw is outdated and does not conform to the policies of the Town's new Official Plan. The proposed bylaw for the subject lands has updated standards in keeping with the policies of the new Official Plan.

On page 5, it is also noted that the current development proposal reflects significant modifications to the initial and revised proposals with respect to building height, gross floor area, number of parking spaces, density and overall building and site design. The revisions to the orientation and height of the building were modified based on input from Town Staff. In addition, the proposed height remains the same as the development proposal provided at the Pre-Hearing Conference in October 2017. This Staff Report is the first time the building height has been noted as an issue. It should also be noted that the proposed building design meets the 45 degree angular plane and other design parameters. The mezzanine level is higher for the purpose of the retail uses and is in respect to maintaining the design with the designated heritage building.

On pages 7 and 8, Staff refer to the DDLUS and OPA 32. OPA 32 does not include specific height or density provisions and therefore the proposed development conforms to OPA 32 and the in-force Town of Richmond Hill Official Plan with respect to height and density provisions. It should also be noted that the DDLUS is a non-statutory document and the DDLUS guidelines

are not determinant in the evaluation of the proposed development application. There is no requirement to "conform" to the DDLUS.

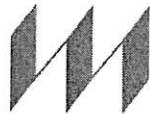
On page 11, Staff oppose the development because it does not provide the full width required for a linked system of courtyards. It is not clear where this requirement came from. There is no in-force Official Plan policy or other regulation that mandates that the applicant's lands suffer the entire width of an undefined courtyard system. The subject of a linked system of courtyards is explained further in the Witness Statement for Ryan Guetter attached hereto. The secondary plan for this area is under appeal to the Ontario Municipal Board.

Any issue with the form of the applicant's proposed bylaw can be addressed without the necessity of an OMB hearing in April 2018.

ONTARIO MUNICIPAL BOARD

Commission des affaires municipales de l'Ontario

WITNESS STATEMENT OF RYAN GUETTER, BES, MCIP, RPP



WESTON
CONSULTING

planning + urban design

Weston Consulting

201 Millway Avenue

Suite 19

Vaughan, Ontario

L4K 5K8

**Submitted on behalf of 2295190 Ontario Inc.
(for a Hearing scheduled for April 17, 2018)**

Date: March 2, 2018

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1. INTRODUCTION

1. 2295190 Ontario Inc. has filed appeals of various planning applications that relate to a proposed development for the lands known as Part of Lots 4 and 5, Registered Plan 470 municipally addressed as 10027 Yonge Street, in the Town of Richmond Hill ("Subject Property"). 2295190 Ontario Inc. has filed appeals of these planning applications, which are scheduled to be heard at an Ontario Municipal Board ("OMB" or "Board") Hearing commencing on April 17, 2018.
2. On February 2, 2018, the Board issued a Procedural Order for the Hearing. This witness statement has been prepared in accordance with that Procedural Order.

1.1 RETAINER

3. Weston Consulting was retained by 2295190 Ontario Inc. in July 2014, to prepare a Draft Zoning By-law Amendment and Planning Justification Report in support of the proposed Zoning By-law Amendment and Site Plan applications.
4. The materials I reviewed in preparing this witness statement include, but are not limited to, the following:
 - a) 2295190 Ontario Inc.'s Zoning By-law Amendment application, municipal file number D02-14029, and 2295190 Ontario Inc.'s Site Plan Application, municipal file number D06-14096.
 - b) The Cultural Heritage Impact Statement prepared by Architects Rasch Eckler Associates Ltd., submitted to the Town of Richmond Hill on February 16, 2018.
 - c) The Urban Design Brief prepared by Architects Rasch Eckler Associates Ltd., submitted to the Town of Richmond Hill on February 16, 2018.
 - d) The full architectural drawing package prepared by Architects Rash Eckler Associates Ltd., submitted to the Town of Richmond Hill on February 16, 2018.
 - e) The Traffic Impact & Parking Study prepared by LMM Engineering, submitted to the Town of Richmond Hill on February 16, 2018.
 - f) In relation to the above referenced updated technical studies and plans, I have conducted a preliminary review of the studies to ascertain certain proposed design and engineering matters related to transportation and infrastructure considerations.
 - g) The Planning Act R.S.O 1990
 - h) Provincial Policy Statement (2005 and 2014)

- i) Places to Grow – Growth Plan for the Greater Golden Horseshoe (2006 and 2017)
 - j) Region of York Official Plan (2010) Office Consolidation, April 2016
 - k) The Town of Richmond Hill (2010) Official Plan
 - l) Town of Richmond Hill Zoning By-law 66-71 (1982 Consolidation)
 - m) The Richmond Hill Downtown Design and Land Use Strategy (2009)
 - n) The Richmond Hill Urban Design Guidelines (September, 2013)
 - o) Downtown Local Centre Secondary Plan (2017) – Not in Force
5. I have completed a site visit of the Subject Property and the surrounding neighbourhood.
6. I therefore have knowledge of the matters deposed to herein.

1.2 QUALIFICATIONS

7. I am a Registered Professional Planner (RPP) and a full member of the Canadian Institute of Planners. I have a Bachelor of Environmental Studies with Honours in Planning from the University of Waterloo, which I received in 2003.
8. I am the Senior Vice President of Weston Consulting. I have provided expert land use planning evidence to the OMB on multiple occasions. More detailed information regarding my qualifications and experience are contained in my Curriculum Vitae, which is attached as Exhibit "1". My Acknowledgement of Expert Duty form is attached as Exhibit "2".

1.3 BACKGROUND

9. On December 9, 2014, the Town of Richmond Hill issued a letter advising the Zoning By-law Amendment and Site Plan Applications were considered to be complete as of November 11, 2014.
10. The original proposal consisted of a four-storey addition to the rear of the existing heritage building on the property with at-grade parking along the northern portion of the property.
11. The Zoning By-law Amendment application was appealed to the OMB on May 19, 2017 for the refusal or failure of the Town to make a decision on the applications within the timeframe prescribed under subsection 34(11) the *Planning Act*.

12. Numerous meetings have been held with Town Staff to discuss possible settlement of outstanding issues. These meetings have occurred consistently since 2014 and more recent meetings were held on August 30, 2017, October 11, 2017, November 6, 2017 and January 26, 2018.
13. 2295190 Ontario Inc. participated in the Pre-Hearing Conference on October 13, 2017.
14. A second Pre-Hearing Telephone Conference Call was held on January 30, 2018 and the directions for the Hearing was issued by the Board on February 2, 2018.
15. On February 16, 2018, 2295190 Ontario Inc. updated its submission to the Town in accordance with the Board's February 2 Directions.
16. In the updated submission, the proposed building addition has been increased to five (5) storeys and has been reconfigured to create a continuous street wall along Yonge Street and includes two floors of below grade parking. The proposed site plan is attached hereto and is marked as Exhibit "6".

2. LOCATION AND CONTEXT

2.1 LOCATION

17. The Subject Property is located on the east side of Yonge Street, north of Major Mackenzie Drive West. The Subject Property has approximately 32.7 metres of frontage along Yonge Street and a depth of approximately 50.41 feet.
18. The Subject Property contains an existing two-storey designated Heritage Building, commonly referred to as 'Dr. Duncumb's Hall'. Existing vegetation include trees at the east (rear) portion of the property and there is minimal soft landscaping throughout due to the existing asphalt surface parking area on the property.
19. The lands to the east, municipally known as 116 Church Street, are occupied by a single detached residential dwelling used for service commercial uses with at-grade parking at the front and rear accessed from Church Street.
20. The lands to the south, municipally known as 10023 Yonge Street, are occupied by a two-storey Professional Services Centre comprised primarily of health and medical services with at-grade parking in the rear. The parking area is accessed from Church Street.
21. Lands to the north, municipally known as 10039 Yonge Street, are currently occupied by a two-storey doctor's office with at-grade parking in the rear accessed from Yonge Street.

22. An aerial photograph of the Subject Property is attached hereto and is marked as Exhibit "3".

3. NATURE OF THE APPEAL

3.1 OMB RULING AND PROCEDURAL ORDER

23. As noted above, 2295190 Ontario Inc. appealed Zoning By-law Amendment and Site Plan applications to the Ontario Municipal Board for failure of the Town of Richmond Hill Council to make a decision on the applications within the timeframe prescribed by the *Planning Act*.
24. 2295190 Ontario Inc. and the Town of Richmond Hill are the only parties with status in relation to these appeals.

3.2 OVERVIEW OF PROPOSAL

25. The development proposed consists of a five-storey, mixed use building addition to the existing two-storey designated heritage building. The proposed uses include office, medical office, retail and restaurant uses for a total combined Gross Floor Area of approximately 3,688.14 square metres. The proposed density is 2.41 FSI.
26. A total of 77 parking spaces are provided on site, which are located at grade and within two levels of underground parking. A single loading space has been provided near the rear of the property.
27. Full moves vehicular access to the property is provided from Yonge Street through a pass through lane to the rear of the property.
28. Additional details and features of the development proposal are provided on the Site Plan prepared by AREA, which is attached hereto and is marked as Exhibit "6".

4. POLICY CONTEXT

29. The section below provides an outline of selected policies and extracts; however, I may expand upon these matters further in reply or as required based upon issues that may arise throughout the Hearing. I may rely upon other policy extracts that are not specifically included below, but are included in the Planning Justification Report, which is attached hereto and is marked as Exhibit "7".
30. A more fulsome review of the policy context can be found in the Planning Justification Report prepared by Weston Consulting, which is attached hereto and is marked as Exhibit "7".

4.1 PLANNING ACT, R.S.O 1990

31. The *Planning Act* sets out the legislative framework for land use planning in Ontario. Of particular relevance to the 2295190 Ontario Inc. appeals, is Section 34(1), 34(3), which outlines the criteria for purpose of Zoning By-laws, and states, in relevant part:

"Zoning by-laws

34 (1) Zoning by-laws may be passed by the councils of local municipalities:

...

Construction of buildings or structures

4. For regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy;

...

Loading or parking facilities

6. For requiring the owners or occupants of buildings or structures to be erected or used for a purpose named in the by-law to provide and maintain loading or parking facilities on land that is not part of a highway. R.S.O. 1990, c. P.13, s. 34 (1); 1994, c. 23, s. 21 (1, 2); 1996, c. 4, s. 20 (1-3); 2006, c. 22, s. 115.

...

Area, density and height

(3) The authority to regulate provided in paragraph 4 of subsection (1) includes and, despite the decision of any court, shall be deemed always to have included the authority to regulate the minimum area of the parcel of land mentioned therein and to regulate the minimum and maximum density and the minimum and maximum height of development in the municipality or in the area or areas defined in the by-law. 2006, c. 23, s. 15 (1)."

32. In relation to the *Planning Act* Sections above, I have considered the applicable subsections and in my opinion, the proposed Zoning By-law Amendment and Site Plan concept, in principle, address the above criteria and in my opinion, represent good planning.

4.2 PROVINCIAL POLICY STATEMENT (2014)

33. The 2014 version of the Provincial Policy Statement ("PPS") was in effect at the time of 2295190 Ontario Inc.'s Zoning By-law Amendment and Site Plan applications in 2014.
34. I have reviewed the 2014 PPS as it relates to the applications and the issues of concern expressed by the Town. In general, the 2014 PPS promotes intensification and redevelopment within an existing Settlement Area by making efficient use of the existing infrastructure while taking into account the existing building stock in the area.
35. For a more detailed discussion in relation to the applicable sections and policies, please refer to the Planning Justification Report, dated February 2018 (Exhibit 7). In relation to the PPS, I have reviewed all applicable sections of the PPS, most notably, Section 1.1.1, Policy 1.1.3.1, Policy 1.1.3.2, Policy 1.1.3.3., Policy 1.1.3.4, Section 1.3, Policy 1.6.6.2, Policy 1.6.7.2, Policy 1.6.7.5, Policy 1.8.1, Policy 2.6.2, and Policy 2.6.3. In my opinion, the proposed development and the Zoning By-law Amendment and Site Plan concept, in principle, are consistent with the 2014 PPS.

4.3 ONTARIO HERITAGE ACT, R.S.O. 1990, C. 0.18 (2009)

36. The Ontario Heritage Act (2009) ("Heritage Act") was in effect at the time of 2295190 Ontario Inc.'s Zoning By-law Amendment and Site Plan Application submissions in 2014.
37. Section 33(1) of the Heritage Act states:

"no owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes that was required to be served and registered under subsection 29 (6) or (14), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration".

38. For a more detailed discussion in relation to the applicable sections and policies please refer to the Planning Justification Report, dated February 2018 (Exhibit 7) and the Cultural Heritage Impact Statement prepared by AREA Architects, revised February 2018. In my opinion, based on a review of the reports filed in support of the applications, the proposed development and planning applications, will preserve the designated heritage building appropriately and will not negatively impact the building's heritage attributes or character defining elements.

4.4 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2006)

39. The Growth Plan for the Greater Golden Horseshoe (2006) ("Growth Plan 2006") was implemented under the Places to Growth Act, 2005 and came into effect on June 16, 2006. The Growth Plan 2006 was in effect at the time of 2295190 Ontario Inc.'s Zoning By-law Amendment and Site Plan application submissions in 2014.
40. For a more detailed discussion in relation to the applicable sections and policies please refer to the Planning Justification Report, dated February 2018 (Exhibit 7). In relation to the Growth Plan 2006, I have reviewed all applicable sections, including Section 1.2.2, Section 2.2.1, Section 2.2.2, Policy 2.2.3.6, Policy 2.2.3.7, Section 2.2.5, Policy 2.2.5.1, Policy 2.2.5.3, Policy 3.2.6.2, and Policy 3.2.6.3. In my opinion, the proposed development and the Zoning By-law Amendment and Site Plan concept, in principle, conform with the Growth Plan 2006 policies.

4.5 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2017)

41. The Growth Plan for the Greater Golden Horseshoe (2017) ("Growth Plan 2017") was implemented under the Places to Growth Act, 2005 and came into effect on July 1, 2017. The Growth Plan 2017 replaces the Growth Plan 2006; however, in relation to applicable policies, the 2017 policies are similar to the 2006 policies.
42. For a more detailed discussion in relation to the applicable sections and policies please refer to the Planning Justification Report, dated February 2018 (Exhibit 7). In relation to the Growth Plan 2017, I have reviewed all applicable sections, including Section 1.2.1, Section 2.2, Section 2.2.2, and Section 2.2.4. In my opinion, the proposed development and the Zoning By-law Amendment and Site Plan concept, in principle, conform with the Growth Plan 2017 policies.

4.6 REGION OF YORK OFFICIAL PLAN (2010) – OFFICE CONSOLIDATION JUNE 2013

43. The Region of York Official Plan (2010) (ROP 2010) was adopted by Council in 2009 and was modified and approved in 2010 by the Ministry of Municipal Affairs and Housing. It was subsequently appealed to the OMB by a number of parties and, thereafter, was the subject of a number of partial approval orders. At the present time, most of the ROP 2010 has been brought into full force and effect. The ROP 2010 contains policies that guide planning and development in York Region.
44. The Subject Property is designated "Urban Area" and is along a "Regional Corridor" in accordance with Map 1 (Regional Structure) of the Regional Official Plan (ROP 2010).

45. Map 11 – Transit Network of the ROP 2010 designates both Yonge Street and Major Mackenzie Drive as "Regional Rapid Transit Corridors".
46. The ROP 2010 contains policies that address the treatment of its street network, the promotion and conservation of cultural heritage resources, growth and intensification, and the provision of employment, retail, and office/commercial uses. The ROP 2010 also recognizes Regional Corridors as diverse places that support a range and mix of activities that enrich the character and meet the needs of the communities.
47. For a more detailed discussion in relation to the applicable sections and policies please refer to the Planning Justification Report, dated February 2018 (Exhibit 7). In relation to the ROP 2010, I have reviewed all applicable policies, including Policy 3.4.1.3, Policy 3.4.1.9, Policy 3.4.14, Section 4.2.4, Section 4.4, Section 5.2, Section 5.4, Policy 5.3.1.10, Section 5.5 and Section 7.2. In my opinion, the proposed development and the Zoning By-law Amendment and Site Plan concept fulfil the policy direction above and specifically implement policies that will enhance Yonge Street and meet the objectives the ROP 2010 policies. It is my opinion that the Zoning By-law Amendment and Site Plan concept, in principle, are consistent with and conform with the ROP 2010.

4.7 TOWN OF RICHMOND HILL OFFICIAL PLAN (2010)

48. The Town of Richmond Hill Official Plan (2010) was adopted by Council on July 12, 2010 and was endorsed, as modified, by the Region of York on May 19, 2011. The Town of Richmond Hill Official Plan (2010) sets out the vision for future growth of the municipality and land use in conformity with the Region of York and Provincial policy.
49. Certain policies within the Richmond Hill Official Plan (2010) are in effect for the evaluation of the subject applications; however, its policies represent planning direction concerning land use and design within the Downtown Local Centre.
50. It is recognized that the Richmond Hill Official Plan (2010) does not identify any proposed rear yard connections, mews or courtyards on the Subject Property according to Schedule A8.
51. For a more detailed discussion in relation to the applicable sections and policies please refer to the Planning Justification Report, dated February 2018 (Exhibit 7). In relation to the Richmond Hill Official Plan (2010), I have reviewed all applicable policies, including Section 2.1, Policy 3.1.3.2, Policy 3.1.3.11, Policy 3.1.4, Section 3.1.9, Policy 3.4.1.48, Section 4.3.1, Section 4.5, Section 4.7, Policy 7.1.33, and Section 7.2. In my opinion, the proposed development and the Zoning By-law Amendment and Site Plan concept,

in principle, meet the objectives of and conform to the Richmond Hill Official Plan (2010).

52. Where certain policies are not in effect for the subject applications based on the transition provisions of Section 7.1.3, it is my opinion, that these policies have been given due consideration in the subject proposal; however, it is recognized that the subject applications are not required to conform therewith.

5. TOWN OF RICHMOND HILL - DOWNTOWN LOCAL CENTRE SECONDARY PLAN (2017)

53. The Town of Richmond Hill Downtown Local Centre Secondary Plan (2017) ("DLCSP") was adopted by Council on February 27, 2017 and was endorsed with modifications, by the Region of York on April 26, 2017. Subsequently, the DLCSP was appealed by numerous parties and is still before the OMB. 2295190 Ontario Inc. is a party to the matter at the OMB.

54. I have considered the DLCSP policies and in a number of cases they align with the Town of Richmond Hill Official Plan policies and are therefore appropriate in my opinion. However, certain policies included in the DLCSP are discussed below are inappropriate in my opinion. Furthermore, given that the policies of the DLCSP are not in effect, they are not determinative policy for the evaluation of the subject applications.

5.1 CHARACTERIZATION OF MEWS

55. The DLCSP provides policies in relation to a linked system of courtyards and mews within the Downtown Local Centre. However, the characterization of what the mews entail in my opinion is not clear or consistent throughout the document.
56. The Town of Richmond Hill Official Plan (2010) defines a linked system of courtyards as "an interconnected system of courtyards, mews, parks and urban open space that are pedestrian-oriented, human-scaled and appropriately landscaped". Policy 10.1.3.3 a) includes a core principle of the Draft DLCSP to enhance "a linked system of courtyards by expanding on or creating a connected dual-use system for pedestrians, cyclist and vehicles in the existing parking areas behind buildings". Policy 10.3.13 d) refers to a mid-block pedestrian connection, and the use of the linked system of courtyards to create a series of new linear parks. Policy 10.4.1.4 refers to the linked system of courtyards for enhancing circulation of pedestrians and vehicles. Section 10.4.3 of the DLCSP refers to an improved pedestrian environment and that the linked system of courtyards will allow more people to walk to shops, services and transit stops. Section 10.4.4.4 refers to the linked system of courtyards as a maintained

function for parking, pedestrian-oriented, shared spaces to accommodate some loading and parking access from Yonge Street. Policy 10.4.4.4.2 refers to it as a series of dual-use for pedestrians and vehicles as well as acknowledges it may be pedestrian-only in certain locations, and policy 10.4.4.4.3 identifies the different typologies permitted includes a pedestrian connection or linear park. The above evidence suggests varying policy considerations, which in my opinion, are in-determinative to the practical function of the mews as described in the DLCSP and are not considered definitive and therefore in my opinion, are not appropriate.

57. Section 10.4.4.5 outlines criteria for a mid-block pedestrian connection and outlines that it shall be a minimum of 6 metres if the connection is publicly owned.
58. Schedule 1 (Urban Open Space System) and Schedule 5 (Streets) include locations for the linked system of courtyards; however this is open to interpretation. In my opinion, the linked system of courtyards is mid-block, which would suggest that such a composition of courtyards being shared between the adjacent property to the rear of the Subject Property, is envision.
59. In my opinion, the characterization of the mews and linked system of courtyards is not consistently defined and the criteria is not provided to guide development as proposed in the DLCSP. In my opinion, the policies for the mid-block connection are inappropriate and present additional challenges for the redevelopment of lands in the Downtown Local Centre.
60. Furthermore, as stated above, the DLCSP policies are not in effect for the subject lands or considered determinative as applicable planning policies in the evaluation of the subject applications.

5.2 SPECIFICITY OF URBAN DESIGN POLICIES

61. Policy 4.3.1.1.2 states that until such time as a secondary plan for the Downtown Local Centre is adopted the policies of Section 4.3.1 and the Downtown Design and Land Use Strategy Recommendations Report, May 2009 shall be utilized in the review and evaluation of development applications. Richmond Hill also has Urban Design Guidelines from September 2013. A more fulsome review of these non-statutory documents has been provided in the Planning Justification Report, which is attached hereto and is marked as Exhibit "7".

62. These documents provide urban design guidelines for proposed developments; however, the policies are not determinative in the evaluation of the applications as they apply.
63. Although the urban design guidelines are not considered planning policy, in my opinion, certain appropriate guidelines have been considered and have been incorporated into the design.
64. In my opinion, the proposed development conforms to the urban design policies in the Official Plan that were in effect at the time the application was deemed complete, while also having consideration and appropriate regard for policies that came into effect at a later date or which are still under appeal. Furthermore, it is my opinion, that the proposed development has appropriate regard for the urban design guidelines with the recognition that they are non-statutory documents.

6. FINDINGS AND OPINIONS ON THE PLANNING ISSUES FOR THE SUBJECT APPLICATIONS

6.1 HEIGHT AND DENSITY

65. Policy 4.3.1.16 of the Official Plan permits building heights within the Village District to range between two (2) and five (5) storeys. The Town of Richmond Hill Zoning By-law 66-71, Section 7.2.2.5 permits a maximum gross floor area for the General Commercial and General Commercial Residential Zones of 250% of the lot area.
66. In my opinion, the proposed height and density represent good planning and meet the objectives of the planning policy framework, including the as-of-right zoning permissions.

6.2 INTENSIFICATION

67. The PPS, the Growth Plan (2006 and 2017), the ROP 2010 and the Town of Richmond Hill Official Plan 2010 provide policy direction promoting intensification in strategic areas, such as where the Subject Property is located.
68. In my opinion, the proposed intensification of the Subject Property represents good planning and meets the objectives of the planning policy framework.

6.3 NATURE OF USE

69. The Town of Richmond Hill Official Plan permits the uses of office, commercial and retail uses for lands fronting onto Yonge Street. In addition, it provides policy direction to provide retail uses on ground floors with office uses on the upper levels. The current Zoning By-law permits a variety of commercial uses, including office and restaurant uses. The Draft Zoning By-law Amendment proposed to permit medical office, clinic and retail uses.
70. In my opinion, the proposed uses on the Subject Property represent good planning and meet the objectives of the planning policy framework.

6.4 URBAN DESIGN

71. The design of the proposed development, both in terms of deployment and site layout, has taken into consideration the applicable policy framework and heritage considerations for the existing designated heritage building located on the Subject Property. Please refer to the Urban Design Brief prepared by AREA for a more fulsome analysis, which demonstrates the appropriateness of the design from an urban design perspective.
72. The design of the proposed development also has consideration for the angular plane policies for the frontage along Yonge Street and the rear as set out in the Town of Richmond Hill Official Plan and the DLCSP.
73. In my opinion, the proposed design of the building considers the urban design considerations outlined in applicable planning policies, while appropriately integrating the existing designated heritage building. In my opinion, the proposed design represents good planning and meets the objectives of the planning policy framework.

6.5 LINKED SYSTEM OF COURTYARD

74. The Town of Richmond Hill Official Plan defines the linked system of courtyards as pedestrian-oriented and human-scaled. The Official Plan does not provide any clear or coherent policy direction to create these spaces within the rear yard adjacent to existing parking areas.
75. The proposed rear yard future potential pedestrian connection gives appropriate consideration for the pedestrian linkage policies of the DLCSP; however, these policies are not determinative for the approval of these applications.

76. In my opinion, the proposed rear yard future potential pedestrian connection represents good planning and meets the objectives of the applicable planning framework, while still having consideration for the policies which were not in force at the time the applications were deemed complete.

6.6 TRANSPORTATION/ INFRASTRUCTURE/ PARKING

77. The principle of the efficient use of existing infrastructure and land as envisioned by the proposed development is consistent with policies in the PPS and conforms to the policies of the Growth Plan (2006 and 2017), the ROP 2010 and the Town of Richmond Hill Official Plan. The Subject Property is also in close proximity to numerous public transportation options. The proposed access, loading space and parking supply are adequate for the proposed development and location as demonstrated in the Traffic Impact & Parking Study prepared the LMM Engineering.
78. In my opinion, based on the findings of technical studies prepared by others the proposed use of existing infrastructure, the proposed access, loading space and parking supply are based on good engineering design principles and therefore represent good planning and meet the objectives of the planning policy framework concerning infrastructure and transportation.

7. CONCLUSIONS AND RECOMMENDATIONS

79. In summary, I have reviewed the previously submitted materials in support of the Zoning By-law Amendment and Site Plan concept, in principle, and the revised materials submitted on February 16, 2018.
80. I have reviewed the applicable sections and policies of the Planning Act, Provincial Policy Statement, Ontario Heritage Act, Growth Plan for the Greater Golden Horseshoe (2006 and 2017), the York Region Official Plan, the Town of Richmond Hill Official Plan, the Town of Richmond Hill Zoning By-law 66-71, the Downtown Local Centre Secondary Plan, the Richmond Hill Downtown Design and Land Use Strategy and the Richmond Hill Urban Design Guidelines.
81. I reserve the right to present evidence and policies not expressly referenced herein, if necessary, to respond to the evidence of or any new material that may be filed by the Town.
82. I reserve the right to modify, adjust or respond to other issues raised by the Town as they relate to the proposed development.

83. It is my recommendation that the proposed Zoning By-law Amendment as presented in Exhibit 8 is appropriate to implement the proposed development. It is therefore recommended to the Board for approval in principle.
84. It is my opinion that the proposed development as set out in Exhibit "6" and the Zoning By-law Amendment and Site Plan applications have planning merit, represent good planning and should therefore be approved by the Board. It would also be my recommendation that the Board withhold its final order on the Zoning by-law to allow the applicant and the Town to finalize the Site Plan approval based on the Exhibit "6" development concept.



Ryan Guetter, BES, MCIP, RPP

8. REFERENCE DOCUMENTS - EXHIBITS

Exhibit 1 – Ryan Guetter CV

Exhibit 2 – Acknowledgment of Expert Duty – Ryan Guetter, Weston Consulting

Exhibit 3 – Air photograph of 10027 Yonge Street

Exhibit 4 – Notice of Complete Application, dated December 9, 2014

Exhibit 5 - Previously Proposed Site Plan, submitted November 10, 2014

Exhibit 6 – Revised Proposed Site Plan, submitted February 16, 2018

Exhibit 7 – Planning Justification Report, prepared by Weston Consulting, submitted February 16, 2018

Exhibit 8 – Draft Zoning By-law Amendment

THE CORPORATION OF THE TOWN OF RICHMOND HILL

BY-LAW NO. XXX-18

A By-law to Amend By-law No. 66-71, as amended, of
The Corporation of the Town of Richmond Hill

WHEREAS the Council of The Corporation of the Town of Richmond Hill at its Meeting of XXXX, 2018 directed that this by-law be brought forward to Council for its consideration;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF RICHMOND HILL ENACTS AS FOLLOWS:

1. That By-law No. 66-71, as amended, of The Corporation of the Town of Richmond Hill, be and is hereby further amended as follows:

- a) By adding the following to **Section 11 – SPECIAL PROVISIONS** of By-law No. 66-71:

"11.XX Notwithstanding any other provisions of By-law No. 66-71, as amended, to the contrary, the following special provisions shall apply to those lands described as Part of Lots 4 and 5, Registered Plan 470 (Municipal Address: 10027 Yonge Street) and shown on Schedule "A" to By-law No. XXX- 18:

- i) Permitted Uses

- In addition to the permitted uses set out in Section 7.2.1 and 7.3.1 for "General Commercial Zones" and "General Commercial Residential Zones", the following additional uses shall also be permitted:

Medical Offices
Retail Store
Clinic

- ii) General Provisions

- Notwithstanding Section 5.6.1, the maximum height of a building or structure in the Central Area shall be 18.5 metres.
- Notwithstanding Section 5.21.3, 5.21.3 b), and 7.1.1 a), b), the following minimum landscaping setbacks are required:

- a) Setbacks

Along north lot line adjacent to building:	0 metres (0 feet)
Along north lot line adjacent to parking area:	1.0 metres (3.28 feet)

Along south lot line:	0 metres (0 feet)
Along east (rear) lot line:	3 metres (9.84 feet)
Along west (street) lot line:	0 metres (0 feet)

b) A minimum of 19% of the property will be landscaped space

- Notwithstanding Section 7.2.2.1 and 7.3.2.1.1 the total lot coverage shall be 56%
- Notwithstanding Section 5.7.1, 7.2.2.4 and 7.3.2.3 the following setback requirements shall apply:

Front Yard Setback:	0 metres (8.2 feet)
Rear Yard Setback:	9 metres (29.5 feet)

iii) Parking and Loading Provisions:

- Notwithstanding Section 5.19 and 5.21 the following parking and loading requirements shall apply:

a) The total number of loading spaces to be accommodated on site will be 1 loading space.

b) The dimensions of a loading space shall be as follows:

Minimum Length: 9 metres
Minimum Width: 3 metres

c)

d) The total number of parking spaces to be accommodated on site shall be 77 parking spaces. The shared parking calculation shall be based on the table below.

Time of Day		Medical Office	Office	Restaurant - Standard	Retail - Shopping Centre	Total leasable
Land Use GFA (m2)		233.29	2285.71	511.44	316.43	3346.87
Peak	Rate (spaces / 100 m2)	5.4	2	3	3	
	Parking Spaces	12.60	45.71	15.34	9.49	83
<i>Time of Day</i>						
Morning (before 12 PM)	% of Peak Rate	100%	100%	30%	80%	
	Parking Spaces	12.60	45.71	4.60	7.59	71
Noon (12 PM - 1PM)	% of Peak Rate	90%	90%	100%	95%	
	Parking Spaces	11.34	41.14	15.34	9.02	76.84
Afternoon 1 PM - 6 PM	% of Peak Rate	100%	100%	50%	90%	
	Parking Spaces	12.60	45.71	7.67	8.54	74.53
Evening (after 6 PM)	% of Peak Rate	10%	10%	100%	90%	
	Parking Spaces	1.259766	4.57142	15.3432	8.54361	30

- e) The dimensions of a parking space shall be as follows:

Minimum Length: 5.8 metres
Minimum Width: 2.75 metres

- f) A maximum of 8 compact car spaces shall be permitted. The dimensions of the compact car spaces shall be as follows:

Minimum Length: 4.8 metres
Minimum Width: 2.4 metres

- g) A minimum of 8 bicycle parking spaces shall be permitted.

- h) Parking and Loading Area Setbacks and Width Requirements shall be:

Loading Space to North Lot Line	0 m
Loading Space to Rear Lot Line	3 m (9.8 feet)
Parking Area to North Lot Line	1.2 m (3.93 feet)
Parking Area to South Lot Line	0.8 m (2.62 feet)
Minimum Driveway Width	6 m (19.68 feet)
Minimum Aisle Width	6 m (19.68 feet)

- iv) Definitions:

- For the purposes of this By-law, the following definitions shall be either added to, or shall replace the existing definitions set out in Section 6:

a) Compact Car Parking Space

Means a parking space having a minimum depth of 4.8 metres (15.748 feet) and a minimum width of 2.4 metres (7.874 feet)

b) Floor Area, Gross

Notwithstanding Section 4.21.1, the Gross Floor Area shall not include any below grade floor area.

c) Landscaping

Means any combination of hard landscaping, such as curbs, retaining walls, pedestrian walkways and soft landscaping such as trees, shrubs, flowers, grass or other horticultural elements, all of which is designed to enhance the visual amenity of a property.

d) Storey, First Floor

Means the first 6.10 metres of a building from floor to ceiling, including the mezzanine space.

2. All other provisions of By-law 66-71, as amended, not inconsistent with the foregoing shall continue to apply to the lands shown on Schedule "A" attached hereto.
3. The imperial measurements found in this By-law are provided for information only and are intended to be an approximate conversion of the metric measurement. The metric or SI measurement shall be deemed to be the standards established by this By-law and wherever there is a variance between the metric or SI measurement and the imperial measurement, the metric or SI measurement shall apply.
4. Schedule "A" attached to By-law No. XXX-18 is declared to form a part of this By-law.

READ A FIRST AND SECOND TIME THIS XX DAY OF XXXX 2018.

READ A THIRD TIME AND PASSED THIS XX DAY OF XXXX, 2018.

Mayor

Clerk

THE CORPORATION OF THE TOWN OF RICHMOND HILL

EXPLANATORY NOTE TO BY-LAW NO. XXX-18

By-law No. 66-71 affects lands located on the east side of Yonge Street, north of Major Mackenzie Drive, specifically described as Part of Lots 4 and 5, Registered Plan 470 (Municipal Address: 10027 Yonge Street).

The lands are presently zoned "General Commercial" and "General Commercial Residential" under By-law No. 66-71 as amended, which permits a variety of commercial and residential uses. By-law XXX-18 would amend By-law 66-71, as amended by permitting additional commercial uses including a medical office, retail store and clinic, to facilitate the development of a new five storey addition to the rear of the existing heritage building.

By-law XXX-18 also sets out site specific development provisions including parking and loading, building height, landscaping setbacks and other site specific regulations, as it pertains to the proposed development to be constructed on the subject lands.

SCHEDULE "A"

TO BY-LAW XXX_18

This is Schedule "A" to Bylaw
No. _____ passed by the council
of The Corporation of the
Town of Richmond Hill on the
____ Day of _____, 2018.

Mayor

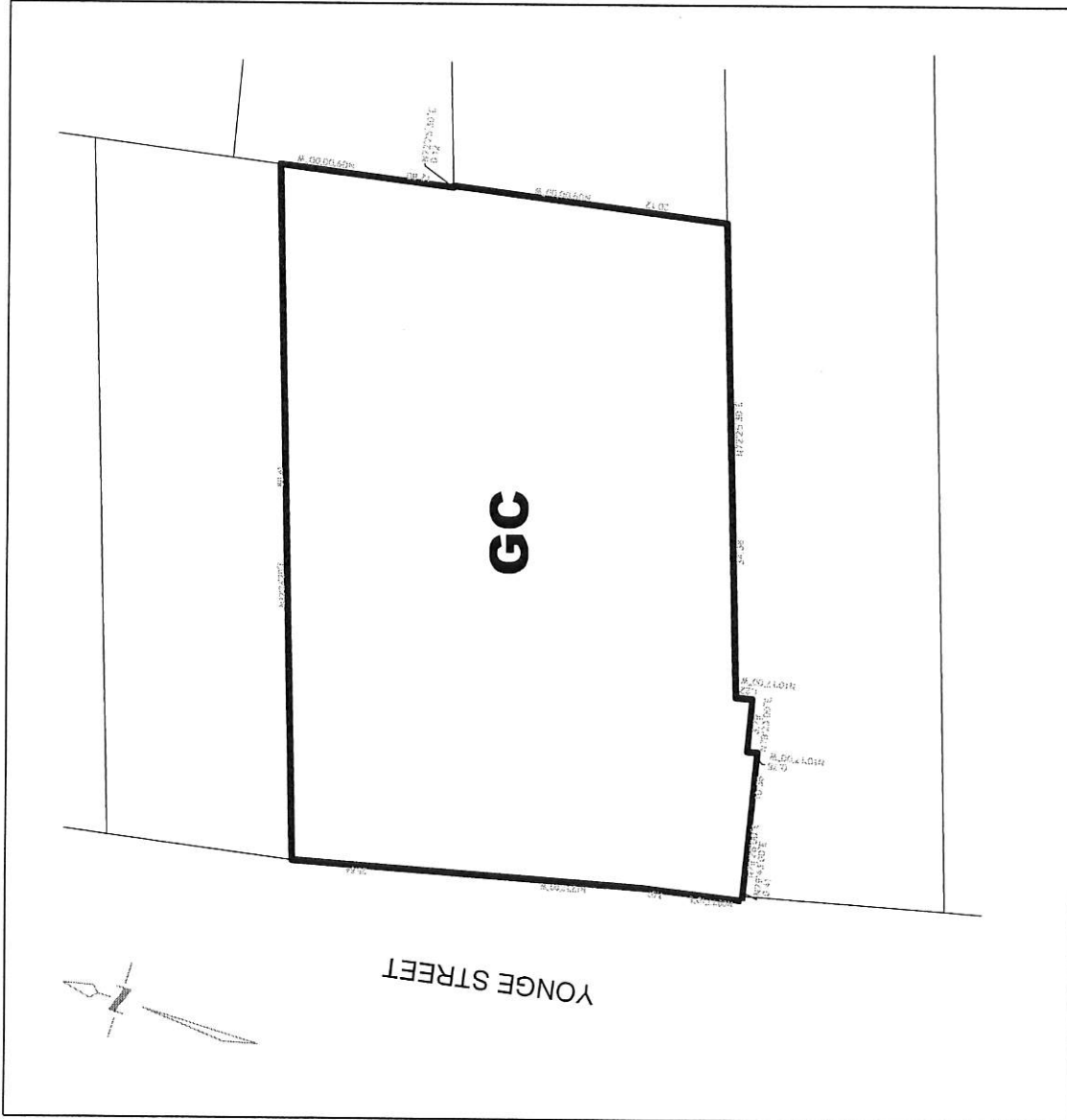
Clerk



AREA SUBJECT TO THIS BY-LAW

Not To Scale

LOCATION: PART OF LOTS 4 AND 5
REGISTERED PLAN 470
TOWN OF RICHMOND HILL
REGIONAL MUNICIPALITY OF YORK



Email: clerks@richmondhill.ca

March 18, 2018

Mayor Barrow and Members of Council
Town of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4

Re: Staff Report for Committee of the Whole Meeting – March 19, 2018

Zoning Bylaw Amendment Application for lands at 10027 Yonge Street

Town File DO6-14096

Dear Mayor Barrow and Members of Council:

I want to express my support the development project on 10027 Yonge Street, Richmondhill as such development will bring more businesses and people to this under-developed neighborhood in Richmondhill. This development provides new spaces for Offices, and Retail which are needed in downtown Richmondhill.

I have been also appeared on the OMB meeting hearing for the Secondary Plan on March 2, 2018, while numerous other landowners in downtown Richmondhill were also participated. This design is aligned with all other community members in downtown Richmondhill to provide pedestrian access at the back of property. So, it is very strange to find out that town staff want to decline such development proposal after so many years of processing time. I along with all other property owners in downtown Richmondhill are truly opposed to having a new vehicular lane in between of Yonge St. and Church St.

As this project preserve a heritage building which is in very poor condition now, and incorporate it to a very viable and live area, I believe this project can start process of revitalization of the village district which has been neglected by town is last 10 years. With its respect for heritage and by preserving the two story heritage site, we think it will set a high bar for future projects which will only improve our changing neighborhood.

I want to emphasize and ask the Council not to accept Staff's recommendation to reject this proposal and adopt a resolution in support of the proposal, and that the OMB be so advised.

Thank you very much to hear voices of residents and property owners in neighbourhood of downtown Richmondhill.

Sincerely,

Paula Viscomi

Paula Viscomi, RN, MScN.
10039 Yonge Street
Richmond Hill, Ontario

From: Mike
Sent: Monday, March 19, 2018 12:35 AM
To: Clerks Richmondhill
Cc: Gus Galanis; Tom Muench
Subject: March 19 2018 COW Meeting Item 11.22 -
Attachments: Letter to Town re linked system of courtyards re 10027 Yonge Street appication March 19 2018 COW.pdf

To: Stephen M.A. Huycke, Town Clerk

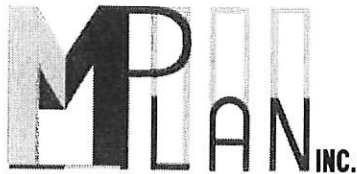
Please accept the attached correspondence as our formal input to the above noted matter to be considered by the Committee of the Whole at its scheduled meeting of March 19, 2018. Please acknowledge receipt of this correspondence and ensure that it is placed on the public record as part of the agenda and that it is forwarded to the appropriate town staff for a response. Thank you.

Regards,

Mike Manett

MPLAN Inc.
23 Foxwood Road
Thornhill, ON

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*land use planning
&
development*

23 Foxwood Road, Thornhill, ON L4J 9C4

Tel: 905.889.1564 | Fax: 905.889.6309

Website : Manettplanning.com

March 18, 2018

Mayor Barrow and Members of Council
Town of Richmond Hill
Box 300
Richmond Hill, Ontario L4C 4Y5

Dear Mayor Barrow and Members of Council:

Re: Committee of the Whole Meeting – March 19, 2018
Request for Direction – Zoning By-law Amendment Application 2295190 Ontario Inc.
Response to Report SRPRS.18.069
File Nos. D02-14029 and D06-14096
10027 Yonge Street

I act on behalf of the owners of 10217 and 10225 Yonge Street and 10006 and 10014 Yonge Street, who are landowners and stakeholders within the Village District of the Downtown Local Centre Secondary Plan, which as you know is under appeal to the Ontario Municipal Board. I have reviewed the Agenda for the Committee of the Whole Meeting scheduled for March 19, 2018, specifically item 11.22 and we generally support the proposed application.

I reviewed the Staff Report, SRPRS.18.069 and have a specific concern regarding the Town staff comments on pages 11 and 12 related to the "linked system of courtyards." Although I have consistently raised concerns about the proposed Secondary Plan policies related to this specific town initiative within the DLC, this is the first time that I have seen staff recommendations that require **the full width of the linked system of courtyards required for a dual use function (assumed to mean pedestrian and vehicular) to be accommodated on Yonge Street frontage half-lots.** This appears to be a new requirement from staff and a further impediment to reasonable redevelopment of Yonge Street properties within the Village District. From a planning point of view this requirement is totally inappropriate and would effectively preclude any potential redevelopment of these types of lots within the DLC. As noted in earlier objections to the "linked system of courtyards" policies there is no landowner/stakeholder support for these policies within the proposed DLC Secondary Plan and without any support from the affected landowners there is little or no chance of implementation.

Please accept this letter as our formal objection to this "linked system of courtyards" requirement from staff as it relates to this application and all other applications for redevelopment within the Downtown Local Centre. We have yet to see any supporting documentation from town staff or its consultants that addresses the practicality of

imposing this requirement on landowners and to demonstrate to Council, the public and landowner/stakeholders that it is feasible. We request that this letter be formally acknowledged and the appropriate response(s) be provided. Thank you.

Yours truly,

MPLAN Inc.

per: Michael S. Manett, M.C.I.P., R.P.P.